



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, Planning Director

DATE: August 13, 2021

RE: **ZB-20-16/PS Atlantic Coast, LLC**
Block: 111; Lot: 1.08; Zone: B-2
424 Eagle Rock Avenue
Seeking “c” and “d” variances for construction of a self-storage facility

INTRODUCTION

The applicant is proposing to construct a three-story self-storage facility on a property currently developed with a bowling alley. A number of changes are proposed to the existing site conditions. A “d(1)” use variance is required to allow the self-storage use. A number of “c” variances are also required.

LAND USE/CIRCULATION

The subject property is an irregularly shaped lot and is 114,469 square feet (2.63 acres) in area. It is located on the south side of Eagle Rock Avenue. The subject property is developed with a one-story building occupied by a bowling alley and parking lots. It is a “flag lot” with a 60-foot wide stem with frontage on Eagle Rock Avenue and the wider portion of the site set back approximately 350 feet from the street. Parking spaces exist along both sides of an access aisle in the property’s stem. The existing access aisle is one-way into the site, with site egress provided through the adjacent property to the east. Site photographs taken on January 7, 2021 are included at the end of this memorandum.



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The area surrounding the subject property is developed with a mix of commercial, office, public, utility, open space and recreational uses. A commercial antenna and ancillary uses, an office building and a diner are located to the northeast; a telecommunications facility and a service station are located to the northwest; Crystal Lake is located to the west; residential uses area located to the southwest, south and southeast; and Eagle Rock Reservation is located to the north across Eagle Rock Avenue.

Eagle Rock Avenue is five lanes wide in front of the subject property (three westbound and two eastbound lanes). There is a sidewalk on the south side of Eagle Rock Avenue along the property's frontage and to the east and west. A walking path around Crystal Lake can be accessed from the existing parking lot on the subject property, but there is no pedestrian connection from Eagle Rock Avenue to the path.

SUBMISSIONS

<u>ITEM</u>	<u>SIGNED BY</u>	<u>DATE/REVISION</u>
Site Plan (16 sheets)	Matthew J. Neuls, PE	3/26/21
Architectural Plans (7 sheets)	John O'Brien, RA	3/26/21
ALTA/NSPS Land Survey	Greg S. Gloor, PLS	10/12/20
Planning & Zoning Report	Charles Heydt, PP, AICP and Carolyn Worstell, PP, AICP	11/19/20
Environmental Impact Statement	Charles Heydt, PP, AICP	8/6/21
Traffic Generation Report	Gary W. Dean, PE, PP and Rianna Kirchoff, PE	7/21/21
Stormwater Management Report	Matthew J. Neuls, PE	August 2021

VARIANCES REQUIRED

<i>"d" Variance</i>			
SECTION/REQUIREMENT	PERMITTED /REQUIRED	EXISTING	PROPOSED
25-7.1 Permitted use	Various commercial uses	Bowling alley	Self-storage facility

<i>"c" Variances</i>			
SECTION/REQUIREMENT	PERMITTED /REQUIRED	EXISTING	PROPOSED
25-7.1 Maximum building height	2 ½ stories, 35 feet	1 story, 32 feet	3 stories, 36.5 feet



25-7.1 Maximum lot coverage	60%	84.0%	72.0%
25-11.2 Minimum side yard adjacent to residential district	75 feet	24.9 feet	36.85 feet
25-11.3 Minimum buffer, rear and side yard, adjacent to residential district	50 feet	3.92 feet (east), 26.77 feet (south)	13.42 feet (east) 10.85 feet (south)
25-12.1.b Off street parking curbing	Min. 6 inch curb enclosing all parking areas	Parking areas with no curbs	Flush curbs
25-12.3 Loading	3 spaces	None	None
25-12.1 Parking location	Side or rear yard only	Front, side and rear	Front and side
25-15.3.c.2 Monument signs	1 permitted on lots with min. 100 feet of frontage	1 existing, less than 100 feet of frontage	1 proposed, less than 100 feet of frontage
25-28.8.b Development on steep slopes	15-19.99%: 40% 25% or greater: 0%	Not provided	41.0% 90.9%

PROPOSED DEVELOPMENT

The applicant is seeking preliminary and final major site plan approval and variances to permit the construction of a self-storage facility and related improvements on the subject property. The existing bowling alley building is proposed to be demolished. Portions of the existing parking lot are proposed to remain. The self-storage building will be located in roughly the same location as the existing building. It will be three stories in height and have a gross floor area of 122,490 square feet. The facility's rental office will be located in its northwest corner on the first floor. Two additional entrances to the building will be located along the western façade.

Parking for the self-storage use will be comprised of 27 parking spaces, including two handicap spaces, located adjacent to a sidewalk along the west side of the building. Eight of these spaces, including one handicap space, will be located in the vicinity of the office entrance and will be accessible at all times. The remaining spaces will be located beyond a gate within an area bounded by six-foot high decorative steel fencing, which will also enclose most of the driveway around the building's perimeter. A 24-foot wide two-way circulation aisle is proposed for the parking area and an 18-foot wide one-way aisle will provide emergency access to the south, east and north sides of the building.



Sixty-six additional parking spaces exist along both sides of an access aisle in the property's stem. The applicant has indicated they relate to other uses in the vicinity, and are not intended for the proposed use of the subject property. The access aisle from the street to the rear portion of the property where the self-storage facility is proposed will be converted from one-way to two-way. A trash enclosure is proposed to the north of the one-way access aisle across from the office portion of the building. Landscaping is proposed around most of the perimeter of the rear portion of the site.

One building mounted sign with an area of 118 square feet is proposed on the north façade. A monument sign is proposed to the west of the site driveway. This sign's dimensions are 6 feet wide by 3.125 feet high (18.75 square feet in area). It will be located on a base with a height of 1.75 feet, for an overall sign height of 4.875 feet.

DISCUSSION/RECOMMENDATIONS

Variance Proofs

The applicant has requested a "d(1)" use variance to permit a self-storage facility on the subject property. The Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-70d(1) enables a board of adjustment to grant a variance use or principal structure not permitted in the zoning district. A "d" variance may be granted only "in particular cases for special reasons." The applicant's planner has indicated in the submitted planning report that the site is particularly suited to accommodate the proposed use. In addition, an applicant for a "d" variance must address the "negative criteria," and affirmatively demonstrate that the variance can be granted "without substantial detriment to the public good" and "without substantial impairment to the intent and purpose of the zone plan and zoning ordinance" of the municipality.

In addition, the MLUL at N.J.S.A 40:55D-70c permits a board of adjustment to grant variances from the bulk regulations of a zoning ordinance and other zoning deviations that do not require a "d" variance. A "c(1)" variance is for cases of hardship due to factors such as shape or topography, or due to "an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon." A "c(2)" variance may be granted where the purposes of zoning are advanced and the benefits of deviating from the ordinance requirements outweigh any detriments. The benefits derived from granting a "c(2)" variance must include benefits to the community as a whole, not just the applicant or property owner. A "c" variance applicant also must address the "negative criteria," and affirmatively demonstrate that the variance can be granted "without substantial detriment to the public good" and "without substantial impairment to the intent and purpose of the zone plan and zoning ordinance" of the municipality. The applicant's planner should provide testimony as to how the above variance proofs are addressed.

The applicant's planner must provide testimony addressing the proofs.



Other Issues

The applicant's engineer must confirm that the building and lot coverage calculations are based on the effective lot area, as calculated per the requirements of the Steep Slope and Natural Features Ordinance in Section 25-28.

The Township of West Orange Site Plan Review Advisory Board (SPRAB) held a virtual meeting on January 26, 2021. At this meeting, the SPRAB reviewed the above application with the applicant and its attorney, engineer, and architect. Most of the site plan and design issues discussed at this meeting have been addressed through revisions to the originally submitted plans and application materials. Two of these issues have not been resolved.

First, with regard to circulation and parking it was noted there is a row of parking spaces on each side of the driveway providing access to the main portion of the site. While these exist today, they are not necessary for the proposed self-storage facility. The applicant's representatives indicated they may be utilized by existing and/or future uses on nearby properties. The applicant was asked to consider relining and or removing some of these spaces, and to provide details regarding their intended use if they are to remain. The applicant should provide testimony at the public hearing on this issue.

Second, the applicant was asked to consider providing access to Crystal Lake, which is owned by the Township but only accessible at this location through the subject property and the adjacent property to the west. There is no direct access to it from Eagle Rock Avenue. Notably, if parking were removed from the entrance aisle as discussed above, it may allow for provision of a path or sidewalk to provide pedestrian access. There is also an intervening parcel (the rear portion of the Verizon property) between the subject property and the Township parcel, although an existing pathway for Crystal Lake is located on it.

The following are excerpts from the Township's 2019 Open Space and Recreation Plan, which is part of the Master Plan, regarding Crystal Lake:

- Recreation recommendations: "While many of the recreational facilities are well utilized, a few are underutilized. For example, Degnan Park and Crystal Lake, which are not well signed or publicized, could benefit from additional walking and biking paths." (page 46)
- Site Improvement Recommendations: "Build bicycle paths around Crystal Lake Park and around Degnan Park (specifically Vincent's Pond and the Katz Community Center) and integrate them with walking trails/access routes to the parks. Look for funding sources including NJDEP Green Acres and Essex County." (page 47)
- Action Plan (within five years): "Develop a design for Crystal Lake facilities (path, boathouse, swimming beach) and programs. Negotiate for access and parking with neighboring commercial landowners." (page 54)



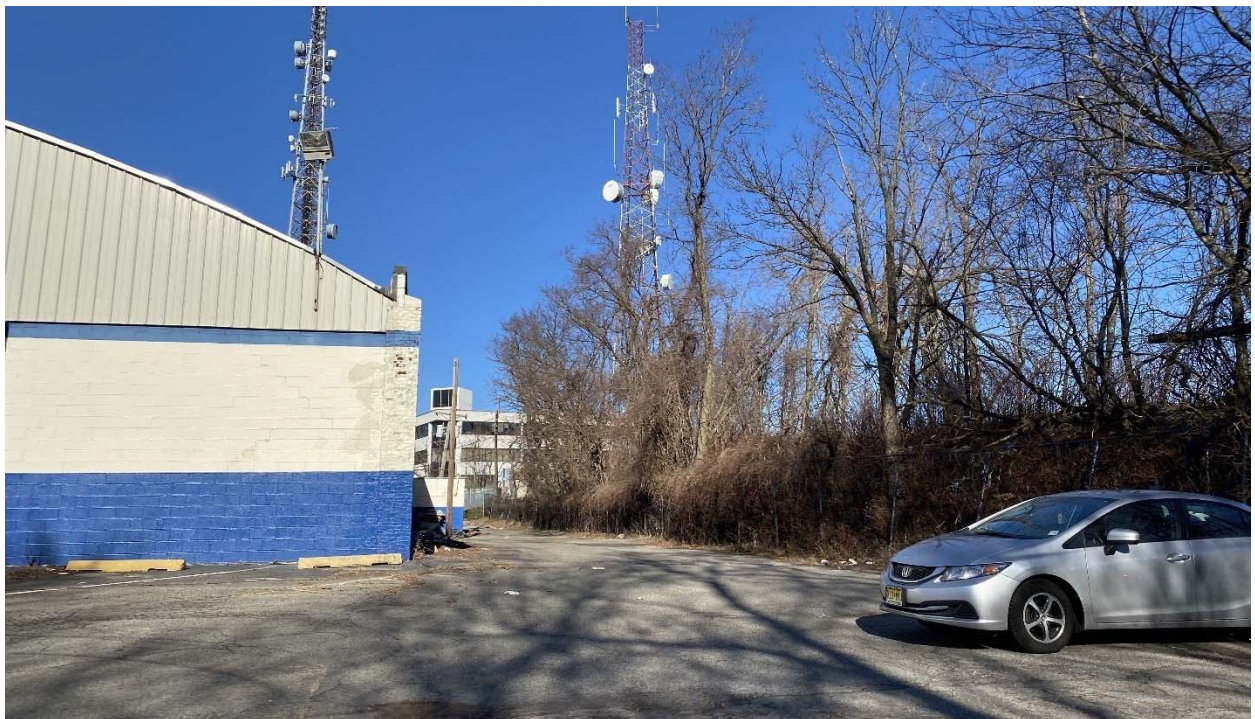
The applicant and/or property owner should discuss whether any consideration has been given to the above issues and suggestions. For example, over 30 parking spaces not needed for the proposed use are located on the west side of the entrance driveway. Would it be possible to remove these spaces or otherwise redesign the entrance driveway to allow for the provision of a pedestrian access way?

SITE PHOTOGRAPHS





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