



TOWNSHIP OF WEST ORANGE

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Department of Planning and Development

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TO: Planning Board Members

FROM: Paul Grygiel, AICP, PP, Planning Director

DATE: September 2, 2021 – *revised February 17, 2022*

RE: **PB-21-10/Altera 769, LLC**
Block: 166.15; Lot: 9; Zone: OB-1/Office Building District
769 Northfield Avenue
Major site plan and variance approvals

The applicant is proposing to modify parking areas and other site improvements for an existing office building. The application originally required minor site plan approval, but changes to the proposal have resulted in its classification as a major site plan. This memorandum supplements my original review memorandum dated September 2, 2021. New information is denoted in **bold**, deletions are shown in ~~striketrough~~.

INTRODUCTION

The applicant is requesting approvals to renovate an existing office building and to undertake related site modifications on a property located on Northfield Avenue between Dogwood Road and Vizcaya Boulevard. The subject property is located in the OB-1 zone. The proposal is consistent with the permitted uses and most bulk standards, but requires variances from certain requirements.

LAND USE/CIRCULATION

The subject property consists of one tax lot with an area of 212,742 square feet (4.88 acres) and is located on the north side of Northfield Avenue. It is relatively narrow and deep, and is



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developed with a three-story office building with a gross floor area of 67,803 square feet. The site has two one-way entrance and exit driveways. There is an easement that allows the property to the east to utilize the subject property for ingress and egress.

There is a mix of land uses in the surrounding area, including a nursing home to the west, a house of worship to the east, and office, commercial, institutional and industrial uses on Northfield Avenue. There are also residential uses in the vicinity, including directly to the northeast and northwest of the subject property. Site photographs taken on August 26, 2021 are included at the end of this memorandum.

Northfield Avenue is a five-lane County Road (Route 508), with two travel lanes in each direction and a center lane for left turns. There is no on-street parking permitted on the section of Northfield Avenue in the vicinity of the subject property. Bus stops for New Jersey Transit's 73 line are located a short distance to the east and west of the subject property. There are sidewalks on the north side of Northfield Avenue to the east and west of the subject property, but there is a gap in the sidewalk network on the subject property.

SUBMISSIONS

<u>ITEM</u>	<u>SIGNED BY</u>	<u>DATE/REVISION</u>
Site Plan (25 15 sheets)	Robert J. Colucco III, P.E.	1/24/22
Architectural Plans (4 sheets)	Lance Blake, R.A.	4/9/21
Boundary Location & Topographic Survey	Craig Black, P.E., P.L.S.	6/25/20
Traffic Impact and Parking Assessment	Craig W. Peregoy, P.E.	1/28/22
Stormwater Management Summary Report	Robert J. Colucco III, P.E.	1/22
Tree Removal Report	Marla L. Roller, L.L.A., P.P.	1/22
Stormwater Management Facilities Operation & Maintenance Manuals – Phase I and Phase II	Robert J. Colucco III, P.E.	1/22

VARIANCES REQUIRED

SECTION/REQUIREMENT	PERMITTED /REQUIRED	EXISTING	PROPOSED
25-7.1 Maximum lot coverage*	50%	57.3% 59.3%	Phase 1: 81.3% Phase 2: 94.4%
25-12.1 Minimum number of parking spaces	452	226	Phase 1: 226 Phase 2: 282



25-14.1.c Maximum light pole height	18 feet	+/- 25 feet	25 feet
25-14.1.d Maximum illumination at residential property line	0.3 footcandles	Not provided	2.1 footcandles
25-14.1.d Maximum illumination at other property lines	0.5 footcandles	Not provided	1.82-1 footcandles
25-14.3 Minimum parking area illumination	1.5 footcandles	Not provided	1.0 footcandles
25-15.3.g Maximum freestanding sign width	6 feet	Not provided	7 feet
25-27.4.b(4) Removal of trees on a slope of 15% or greater	Prohibited	N/A	Proposed
25-28.8.c Maximum disturbance of slopes of 20 to 25%	20%	N/A	Phase 1: 81.3% Phase 2: 94.4%
25-28.8.c Maximum disturbance of slopes of 25% or greater	0%	N/A	Phase 1: 20.1% Phase 2: 35.2%
25-28.8.f.(11) Maximum retaining wall height	4 feet	N/A	>4 feet

***based on effective lot area per Section 25-28.8d**

There are also certain existing nonconforming conditions that are proposed to remain, including minimum side yard to residential, maximum building height, minimum parking spaces, minimum parking stall width and minimum buffer to residential use in a residential zone.

DISCUSSION/RECOMMENDATIONS

Proposal

The applicant is proposing to renovate an existing office building, modify site circulation and expand a parking lot. The floor area of the building is not proposed to change. The primary change is to create a drop-off lane and a separate lane with a row of handicap parking spaces to the rear of the building. Certain existing parking spaces would be removed and circulation aisles modified to provide for these changes. The parking lot would be expanded to the north to provide replacement parking spaces. A fenced 10 foot by 20 foot trash enclosure is proposed at the far ~~southeastern-northeastern~~ corner of the expanded parking lot.

The application proposes two potential phases. Phase 1 will include remodeling of the building, upgrades for Americans with Disabilities Act (ADA) compliance, modification of site grades and replacement of parking spaces to maintain the same number of spaces.



Phase 2 will only be constructed if required by one or more future tenants, and would provide additional parking and stormwater management facilities.

There are 226 existing parking spaces. This number is proposed to remain the same **in Phase 1** due to the creation of replacement parking spaces in the expanded parking lot. Seven handicap spaces are proposed. Vehicular access will continue to be provided by two one-way driveways on Northfield Avenue. No changes are proposed to the circulation patterns in front of the building. An existing paver sidewalk on the east side of the building is proposed to be replaced with concrete.

Landscaping is proposed in the areas between the new drop-off and other access aisle, along the new southern and northern ends of the rear parking lot, and on new islands within the parking lot. A total of 24 shade trees, ~~3630~~ evergreen trees and various other plantings are proposed. New LED light fixtures are proposed throughout the site, at mounting heights ranging from 10 to 25 feet. A freestanding sign is proposed between the two site driveways.

Site Plan/Other Issues

The Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-60 permits a planning board to grant variances from the bulk regulations of a zoning ordinance and other zoning deviations that do not require a “d” variance as part of site plan or subdivision review. The variance proofs are the same as for “c” variances as set forth in N.J.S.A. 40:55D-70c. 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 Township’s Master Plan incorporates “complete streets” policies, which encourage development applicants to improve the safety and accessibility of streets for all users. Despite the subject property’s location on a busy road, with multiple bus stops in the vicinity, the application ~~does-origially~~ **did** not propose to complete the gap in the sidewalk network along its frontage. It is noted the nursing home property to the west provided sidewalks as part of development approval a few years ago. **A sidewalk has been added to the site plan, along with a bicycle rack.** ~~The applicant also should consider providing one or more bicycle racks on the property.~~



A new electric vehicle supply equipment law that became effective on July 9, 2021 (NJ S3223, 2020-2021) requires the installation of Make-Ready parking spaces or electric vehicle supply equipment (EVSE) onsite as a condition of preliminary site plan approval for certain applications. ~~As the subject application only requires minor site plan approval, I do not believe this law is applicable to the proposal. However, as the Township's land use boards have been encouraging the provision of electric vehicle charging facilities as part of development applications, the applicant should discuss whether the provision of such spaces would be possible.~~ **This law is now applicable to this application. The site plan must be updated to show the location and compliant number of ESVE spaces. The applicant has submitted an exhibit showing the ESVE spaces.**

~~It is noted the~~ **The trash enclosure is** ~~was originally~~ proposed to be located over 500 feet from the building at the far end of the parking lot – which is also over 30 feet higher in elevation than the building. **It has been relocated closer to the building on the revised site plan.** ~~It is acknowledged a formal trash enclosure is preferable to the current situation, as shown on the site photographs, where dumpsters are located in the open in the parking lot. However, the applicant's professionals should provide testimony regarding the reason for the proposed trash enclosure location, and why it could not be located closer to the building.~~

The site plan ~~should be~~ **has been** updated to show the location of the proposed freestanding sign.

The Township of West Orange Site Plan Review Advisory Board (SPRAB) held a virtual meeting on February 8, 2022. At this meeting, the SPRAB reviewed this application with the applicant and its attorney, engineer and other representatives. The applicant has responded to all of the site plan and design issues raised at this meeting.





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