



TOWNSHIP OF WEST ORANGE

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

Department of Planning and Development

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TO: Planning Board Members

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

DATE: June 23, 2022

RE: **PB 22-04/IMMC993, LLC**
Block: 172.02; Lot: 6; Zone: B-2
993 Pleasant Valley Way
Minor Site Plan Approval

INTRODUCTION/LAND USE

The applicant is proposing to renovate an existing building to convert it to use as a medical office and undertake related site improvements. These includes modifications to the existing parking lot, the addition of landscaping and new lighting and reduction in impervious surfaces.

The subject property is located at the intersection of Pleasant Valley Way and Mount Pleasant Avenue. There are a mix of land uses in the vicinity, including commercial, office, residential, open space and public uses. A commercial property is located directly to the north and residential lots are located to the west and northwest. Commercial, open space and office uses are located directly across the streets abutting the subject property.

The applicant has submitted photographs of the existing building facades and site improvements on three sides. An oblique aerial view showing the development context is provided at the end of this memorandum.



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SUBMISSIONS

<u>ITEM</u>	<u>PREPARED BY</u>	<u>DATE/REVISION</u>
Digitized application		6/1/2022
Property survey	Edward R. Teunisen	11/11/20
Site plan and architectural plans (7 sheets)	William Gentile	6/1/2022
Existing conditions photos (3)		6/1/2022
Verification of Tax & Sewer		6/2/2022
List of property owners within 200 feet		6/2/2022

VARIANCES REQUIRED

SECTION/ REQUIREMENT	PERMITTED /REQUIRED	EXISTING	PROPOSED	VARIANCE
25-7.1 Maximum lot coverage	60%	82%	75.73%	“c”

PROPOSED DEVELOPMENT

The applicant is proposing to convert an existing vacant one-story building formerly occupied by a restaurant to a medical office building. The main building entrance is proposed to be from the front to the side of the building. The building is not proposed to be enlarged, other than the addition of a canopy on the south side of the building over a new entrance door. The existing entry on the east side of the building will be closed off. An additional exit door is proposed on the north side of the building. The exterior of the building will be upgraded, with wall-mounted lights proposed on three sides of the building.

The parking lot will be modified to improve circulation and building access. Two existing two-way driveways are proposed to remain. Lighted bollards are proposed in front of the building along the two street frontages. An existing trash enclosure along the northern property line is proposed to be removed and replaced with a masonry enclosure in approximately the same location.

DISCUSSION/RECOMMENDATIONS

Zoning Compliance

The subject property is located in the B-2 General Business zone district. The proposed use is permitted in the zone. In terms of zoning bulk and other standards, the proposal complies with most requirements. There are certain existing nonconforming conditions that are not changing, as well as one (lot coverage) which is being improved. However, a variance is required for



maximum lot coverage despite being brought closer to compliance, as modifications are proposed to existing conditions.

Variance Proofs

The Municipal Land Use Law (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. The applicant must also 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.

Site Plan and Other Issues

This application is classified as a “minor site plan” by the Land Use Regulations Ordinance, meaning review by the Township of West Orange Site Plan Review Advisory Board (SPRAB) is not required.

As noted, the applicant is proposing to improve existing conditions with regard to parking and site circulation. The proposed changes include removing and/or relocating some parking spaces to widen the circulation aisle and to move away from the site entrances.

The applicant is also proposing to add landscaping and lighting, although plans have been provided for these features and the applicant has requested waivers from providing these plans. While the request for a “partial waiver” states “Proposed landscaping improvements, which are minor, are set forth on the Applicant’s architectural plans,” it appears only “curbed landscaped area(s)” are shown on the site plan, along with unlabeled, not-to-scale plantings on the building rendering. The Board must determine whether one or both of these waivers is warranted, and may request additional information regarding the proposed landscaping and lighting, including the type, size and location of fixtures and plantings, in order to determine compliance with applicable standards.

There is no signage shown on the plans. The applicant is requesting a “temporary waiver” as it “intends to install site identification signs in conformance with the Township’s sign ordinance.” The Board must also determine whether this waiver is warranted. At the very least, if any pylon,



monument or other ground signs are proposed, their locations and dimensions must be shown on the site plan. I would also recommend that the design, size and location of any proposed building mounted signage should be shown on the plans as well.

The building elevations on the architectural plans are incorrectly labeled (e.g. north elevation is labeled as south) and should be corrected.



Source: Google Maps, obtained June 22, 2022

