



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
ASSOCIATES, INC.

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MEMORANDUM

To: Borough of Tenafly Planning Board
Valerie Nicolosi, MLUL Officer

From: David Novak PP, AICP

Subject: William Warren Group
Site Plan and "c" Variance Relief
Block 1305 Lot 5
22 Jersey Avenue

Date: March 19, 2021

BA#: 3684.06

PB#: 1-20-02

Introduction

The applicant, the William Warren Group, has submitted an application seeking preliminary and final site plan approval as well as "c" variance relief to demolish an existing auto repair shop and pool maintenance building and to construct a self-storage facility. The site, which is identified by municipal tax records as Block 1305 Lot 5, is located at 22 Jersey Avenue in the SR/B Senior Residence/Business District.

Our office is in receipt of and has reviewed the following documents:

1. Application and site plan checklist
2. Site plan (13 sheets) entitled "Storquest Preliminary and Final Site Plan Application," prepared by Langan Engineering, and dated May 15, 2020 (last revised February 25, 2021).
3. Architectural plan (6 sheets), prepared by Perry M. Petrillo Architects PC, and dated September 28, 2020 (last revised February 28, 2021).
4. Stormwater management summary, prepared by Langan Engineering, and dated October 20, 2020.
5. Traffic and Parking Assessment Report, prepared by Stonefield Engineering and Design, LLC, dated September 30, 2020 (last revised October 21, 2020).
6. Site Distance Exhibit, prepared by Stonefield Engineering and Design, LLC, dated February 22, 2021 (no revision date).
7. Vehicle Turning Exhibit (4 sheets), prepared by Stonefield Engineering and Design, LLC, dated February 24, 2021.
8. Renderings of the development.

Master Plan

The following is noted regarding the Borough's comprehensive master planning documents.

1. Land Use Plan

As per the Borough's 2013 Land Use Plan, the subject site is located in the Senior Housing and Business Area (SR/B), which corresponds to the existing SR/B District. The 2013 Plan notes that this district permits a variety of commercial uses including self-storage facilities, public and private schools, age-restricted housing, assisted living and/or congregate care housing, nursing homes, and homes for the developmentally disabled.

The Plan offers that the Borough should pursue opportunities to reflect and link the SR/B District to Cresskill Borough's adjoining senior and business districts. In order to do so and to increase the overall viability of the district, the Plan recommended expanding the list of permitted uses. It further notes that any commercial development in this land use category should enhance the aesthetics and cohesiveness of the area. Future development and redevelopment should integrate landscaping and pedestrian amenities along the frontage of sites, while buildings, signage and streetscape elements should be designed with a unifying theme. Where possible, the innovative re-use of structures is encouraged wherever doing so would enhance the attractiveness of the area.

2. Housing Element and Fair Share Plan

The Borough adopted its most recent Housing Element and Fair Share Plan (HE&FSP) on November 7, 2018. This HE&FSP was prepared in accordance to a Settlement Agreement that was signed between the Borough and Fair Share Housing Center (FSHC) on June 12, 2018.

As required by this agreement, the Borough prepared a new HE&FSP which is designed to address these obligations through a number of existing and proposed sites. The subject site was identified by the Borough's HE&FSP as one such site to address Tenafly's unmet need. Specifically, the HE&FSP proposed an overlay zone which encompassed the entirety of Block 1305. The HE&FSP noted that with a density of fifteen (15) units per acre, the site could develop a total of thirty-two (32) units, including seven (7) affordable units. This recommendation ultimately resulted in the Affordable Housing Overlay Zone District No. 7 (AHO-7), which was created by the Township Council by Ordinance No. 2018-28 § 6.

Zoning

The site is located in the SR/B District, wherein the proposed use is permitted. Compliance with the District's regulations is established in the table below. The applicant should specify the existing building coverage, impervious coverage, and building height.

Table 1: SR/B District Bulk Standards

Requirements	B-2 District	Existing	Proposed
Min. Lot Area (sf)	30,000	(ex) 25,000.0	(ex) 25,000.0
Min. Lot Width: At Setback (ft)	150	250.0	250.0
Min. Lot Width: At Street Line (ft)	100	250.0	250.0
Min. Front Yard (ft)	27.5	32.0	(V) 2.0
Min. Rear Yard (ft)	25	(ex) 4.5	(V) 3.0
Min. Side Yard (ft)	15	(ex) 74.5	(V) 3.0
Max. Building Cov. (%)	40	Not Specified	(V) 87.5
Max. Impervious Cov. (%)	70	Not Specified	(V) 89.2
Max. Height (st/ft)	3/40	Not Specified	(V) 4/43.44
Max. Height to Top of Parapet (ft)	45	N/A	44.52

“C” Variance Relief

The applicant has requested “c” variance relief from the following items. Please see the statutory criteria section of this review memorandum for additional information.

1. Minimum Lot Area

Variance relief is requested from the standards of the SR/B District which establish a minimum lot size of thirty thousand (30,000) square feet, whereas a lot size of twenty-five thousand (25,000) square feet is existing and proposed.

2. Front Yard Setback

Variance relief is requested from the standards of the SR/B District which establish a minimum front yard setback of twenty-five feet as well as Section 35-802.12 which establishes that “on streets less than 50 feet in width, the required front yard shall be increased by ½ the difference between the width of the street and 50 feet.”

The SR/B establishes a minimum front yard setback of twenty-five (25) feet. The plans indicate that the ROW of Jersey Avenue is forty-five (45) feet wide. Thus, as per the site plan, the required front yard setback is twenty-seven and one-half (27.5) feet. The applicant has proposed a front yard setback of two (2) feet.

3. Rear Yard Setback

Variance relief is requested from the standards of the SR/B District which establish a minimum rear yard setback of twenty-five (25) feet, whereas a rear yard setback of three (3) feet is proposed.

4. Side Yard Setback

Variance relief is requested from the standards of the SR/B District which establish a minimum side yard setback of fifteen (15) feet, whereas a side yard setback of three (3) foot is proposed.

5. Building Coverage

Variance relief is requested from the standards of the SR/B District which establish a maximum building coverage of forty percent (40%), which equates to ten thousand (10,000) square feet. The applicant has proposed a building coverage of 87.5% which equates to 21,883 square feet.

6. Impervious Coverage

Variance relief is requested from Section 35-801.4.B which establishes a maximum impervious coverage of thirty percent (70%), which equates to 17,500 square feet. The applicant has proposed an impervious coverage of 89.2%, which equates to 22,307 square feet.

7. Maximum Building Height

Variance relief is requested from the standards of the SR/B District which establish a maximum building height of three (3) stories and forty (40) feet, whereas the applicant has proposed a height of four (4) stories and 43.44 feet.

8. Parking and Loading

Variance relief is requested from the following items pertaining to parking and loading:

- a. Number of Parking Spaces. Variance relief is requested from Section 35-Schedule C which requires one (1) parking space for each one thousand (1,000) square feet of gross floor area for self-storage facilities. This equates to a required seventy-eight (78) parking spaces. The applicant has proposed nine (9) spaces.
- b. Minimum Distance Between Driveways. Variance relief is requested from Section 35-804.4a.(2) which establishes that there shall be a minimum distance between driveway openings on the same lot of seventy-five (75) feet, whereas the applicant has proposed a distance of sixty (60) feet between the two driveways.

9. Landscaping

Variance relief is requested from Section 35-802.22b. which establishes a minimum landscape buffer of ten (10) feet along the property lines, which shall be planted with shrubs, evergreen trees not less than six (6) feet high when planted, and shade trees at a maximum spacing of thirty (30) feet from each other. The applicant has proposed a landscape buffer of zero (0) feet along the northerly side and easterly rear of the building.

10. Signage

Variance relief is required from the following items pertaining to signage. The applicant should identify these items as variances rather than waivers.

- a. Number of Signs. Variance relief is required from Section 14-1.12c.1 which establishes that each individual use with direct access from the outside of a building shall be required to have one (1) lighted or unlighted attached sign, whereas the applicant has proposed two (2) such signs.
- b. Size of Sign: Individual Sign. Variance relief is required from Section 14-1.12c.1.(c) which establishes that an attached sign shall not exceed an area of twenty-four (24) square feet. The westerly façade sign has an area of one hundred (100) square feet, while the southerly façade sign has an area of seventy-six and one-half (76.5) square feet.
- c. Height of Sign. Variance relief is required from Section 14-1.12c.1.(c) which establishes that the height of an attached sign shall not exceed two (2) feet. The westerly façade sign has a height of five (5) feet, while the southerly façade sign has a height of four and one-half (4.5) feet.
- d. Area of All Attached Signs. Variance relief is required from Section 14-12.c.1.(e) which establishes that the area of all attached signs shall not exceed thirty-two (32) square feet in area per street-fronting tenant space. The proposed signs have a total area of one hundred and seventy-five and one-half (176.5) square feet.
- e. Letter/Logo Height. Variance relief is required from Section 14-1.12c.1.(f) which establishes a maximum letter height of ten (10) inches and a maximum logo height of sixteen (16) inches. It appears that the proposed lettering has a maximum height of thirty-six (36) inches (as measured with the proposed "Q") while the proposed logo has a height of approximately forty-eight (48) inches. These measurements should be confirmed by the applicant.

Planning Review

We offer the following comments regarding the proposed development:

1. Rental Space and Rental Units

The architectural plan indicates that a total of six hundred and ninety-one (691) total rental units are proposed. This represents a decrease from the seven hundred and eighty (780) units which were previously proposed. Altogether, slightly over fifty-six thousand (56,022) square feet of net rental space is proposed.

2. Proposed Number of Parking Spaces

As previously noted, variance relief is requested from Section 35-Schedule C which establishes a need of seventy-eight (78) parking spaces for the proposed use, whereas nine (9) spaces have been proposed. This represents slightly more than eleven percent (11%) of what is otherwise required by the Borough's parking standards.

Our prior memorandum dated July 7, 2020 had requested that the applicant provide parking studies, comparisons, or testimony of like uses to determine the typical parking needs of this use. A traffic and parking report has subsequently been prepared by Stonefield Engineering and Design, LLC. The following is noted:

- a. Mini-Warehouse. The report notes that the ITE identifies an average parking demand rate during the peak weekday and Saturday period for "Mini-Warehouse" of 0.10 and 0.09 vehicles per 1,000 square feet of floor area, respectively. When applied to the proposed development, this would equate to a need of eight (8) spaces during the weekday peak period and seven (7) spaces during the Saturday peak period. Testimony should be provided as to whether the ITE offers a definition of "Mini-Warehouse."
- b. Examples of Similar Uses. The report also identifies examples of similar developments within the New Jersey Metropolitan Area. The weekday peak parking demands for these uses ranged from 0.032 to 0.101 vehicles per 1,000 square feet, while the Saturday peak parking demands ranged from 0.024 to 0.094 vehicles per 1,000 square feet. When utilizing the highest peak demand of 0.101, the report notes that the proposed development would need eight (8) parking spaces.

3. Internal Circulation

The following is noted regarding the proposed internal circulation.

- a. Two-Way vs. One-Way Traffic. As previously noted, the applicant has proposed two (2) garage doors which will provide access to the interior parking and loading spaces. These

two (2) garages and associated driveways are located sixty (60) feet from one another. They will both provide full ingress and egress movements. Moreover, the interior access aisle will also provide two-way movement.

The applicant should discuss this proposed circulation, and whether a one-way circulation pattern was explored or considered. Further, the applicant should discuss whether a “one-way in” and “one-way out” garage scenario was explored.

- b. Turning Movement Templates. The applicant should provide testimony as to the internal circulation of the site, including the expected types of vehicles. The applicant has provided a variety of turning movement templates, including a P-vehicle, an SU-30, and a car with a U-HAUL trailer.
- c. Southerly Parking Space. Our prior memorandum dated November 2, 2020 questioned the accessibility of the southerly proposed parking space located in the row of eight (8). The applicant has subsequently provided a turning movement template to address that space. Based upon that template, it appears as though a vehicle backing out of the space would extend through the garage door. This should be discussed.

4. Vehicle Rentals

The traffic and parking assessment report prepared by Stonefield Engineering and Design, LLC indicates that vehicle rentals are not proposed. This should be confirmed through testimony.

5. Proposed Setbacks

As previously noted, the northerly and easterly sides of the building have proposed setbacks of three (3) feet. The applicant should discuss how maintenance will occur on these sides of the building, and whether any access easements will be proposed and/or required.

6. Number of Signs

The applicant has proposed two (2) signs which are to be located in the southwesterly corner of the building. Testimony should be provided as to the need for two (2) such signs. There are several larger trees located near the southerly property line. It is unclear whether these trees are located on the subject site or adjoining Lot 4, and whether these trees will remain. If they are to remain, the southerly sign may be obscured from view.

7. Hours of Operation

The applicant should provide testimony regarding the proposed hours of operation.

8. Number of Employees

The applicant should provide testimony regarding the proposed number of total employees, as well as the typical maximum number of employees on a shift.

9. Deliveries

The applicant should provide testimony regarding the proposed regularly scheduled deliveries to be made to the site. Specifically, testimony should focus on the expected number of deliveries per week, during what days deliveries are most likely to occur, and during what hours deliveries are most likely to occur.

10. Refuse

The applicant should provide testimony regarding how refuse collection will occur. A trash room is located in the first floor near the front of the building, along the northerly garage entrance.

11. Sidewalk

The applicant has eliminated the proposed sidewalk along Jersey Avenue. Testimony should be provided as to whether this has impacted the proposed impervious coverage of 89.2%, which equates to 22,307 square feet.

Statutory Criteria

The applicant is seeking variance relief pursuant to NJSA 40:55D-70(c)(1) and/or (2). The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test. These are identified as follows:

1. Physical Features Test

An applicant may be granted c(1) variance relief when it is demonstrated that the noncompliant condition is caused by: 1) an exceptional narrowness, shallowness, or shape of the property; 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or; 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

2. Public Benefits Test

An applicant may be granted c(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the Municipal Land Use Law; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition to the above, the applicant must address the Negative Criteria of the statute. To meet the negative criteria, an applicant must demonstrate the variance can be granted without substantial detriment to the public good and that it will not substantially impair the intent and purpose of the master plan and zoning ordinance.

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