



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: April 29, 2021

BA#: 3684.06

PB#: 1-20-02

Introduction

The following memorandum is intended to provide an update on the revised plans as well as the "c" variances which are required. For a full planning review memorandum, please see our prior memorandum dated March 19, 2021.

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 most recently in receipt of and has reviewed the following documents:

1. Revised Site plan Sheets (4 sheets) entitled "Storquest," prepared by Langan Engineering, and dated May 8 and May 15, 2020 (last revised April 22, 2021).
2. Architectural plan (6 sheets), prepared by Perry M. Petrillo Architects PC, and dated September 28, 2020 (last revised April 22, 2021).
3. Letter from Matt Capizzi, Esq., dated April 23, 2021.
4. Letter from Langan Engineering, dated April 22, 2021.

Revised Plans Summary of Changes

The following summary of the revised plans is offered:

1. Building Footprints

The applicant has revised the building footprint entrances, as associated with overhangs and canopies.

2. Driveway Entrance

The applicant has increased the width of the northerly driveway in front of the loading area.

3. Reduced Sidewalks

The applicant has reduced the width of the sidewalk to four (4) feet along the southerly side of the building.

4. Grading

The applicant has adjusted the grading, the ADA parking space/ramp, and the inlet grate type for the expanded driveway apron.

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) 89.1
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. In addition, the applicant’s “Zoning Statistics and Notes” sheet still identifies variances which were determined by the Board at a prior hearing as not needing relief. This should be revised.

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 21,873 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 89.1%, which equates to 22,282 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 fifty-six (56) 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.
- f. Instructional Signage. Variance relief is requested from Section 14-1.9.b.1 which establishes that instructional signage may not exceed an area of two (2) square feet, whereas the applicant has proposed instructional signs of seven and one-half (7.5) 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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