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September 25, 2020

Willingboro Township Zoning Board of Adjustment
Municipal Complex
One Salem Road
Willingboro, New Jersey 08046

ATTN: Reyan Frank, Zoning Board Secretary

Re: NE Willingboro, LLC
Conditional Use and Minor Site Plan – Review #1
Block 2 Lot 7.01
Location: 4340 US Highway Route 130
Zone: B-1 (Primary Business)
Our File: HWLZ0002.01

Dear Board Members:

Our office has reviewed the following information in support of the above-referenced application for Conditional Use and Minor Site Plan approval:

- Minor Site and Conditional Use Plan (6 sheets) prepared by SR3 Engineers, dated September 1, 2020, unrevised;
- ALTA/NSPS Land Title Survey (2 sheets) prepared by Control Point Associates, Inc., dated December 20, 2017, last revised October 29, 2019;
- Traffic Analysis Letter prepared by Shropshire Associates, LLC, dated September 3, 2020, unrevised;
- A Development Application and Application Addendum.

Based upon our review of the above information and the Township of Willingboro Ordinance, please find our comments below for your consideration:

1. Project Description:

The subject property is indicated to contain 28.8 acres within a B-1 Zone District and provides road frontages along NJ State Highway Route 130 to the northwest as well as Sidney Lane and Sunset Road to the south. The property contains an apparent currently vacant 1-story multi-tenant commercial building (approximately 228,000 s.f.) Grand Marketplace, with associated parking areas. Access is provided by two (2) right-in/right-out only drives along the Route 130 site frontage and 3 access drives along the Sunset Road frontage. The site also appears to have shared access from adjoining Lot 7.04 south of the site.



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The Applicant is seeking approval to utilize the existing parking area of the site as a short-term commercial vehicle parking facility for 218 trailer vehicles, apparently associated with an off-site Amazon distribution center. Access is to remain as is along Route 130 and Sunset Road and while the shared access with Lot 7.04 is to be eliminated onto the subject site, said adjoining lot is to continue shared access of the westerly most access drive along Sunset Road. The perimeter of the site is to be fenced with a 6 foot high chain link fence having gated access, including a guard house building along the southerly drive at Route 130. Additional site improvements include providing 10 employee parking spaces, lighting of the overall parking area, traffic/access signage and tree plantings along Route 130 and Sunset Road.

Conditional Use:

The applicant is proposing to restripe the parking lot to create commercial parking areas for trucks. Commercial storage and parking is permitted as a conditional use in the B-1 district, under the following conditions, as per Section 370-82:

A. Submission requirements

B. Required Conditions for a commercial parking and storage use:

- 1) Proposed use is in a location necessary and convenient for the efficient parking and storage of vehicles, trucks, boats, and non-motorized trailers and will in no way detract from the character of the neighborhood or area in which the use is to be located.
- 2) Adequate and attractive fences and other safety devices will be provided. All fences shall comply with the provisions of Chapter 155 Fences.
 - i. *Chapter 155 Fences:*
 - ii. *155-3.B – fences shall be erected or constructed in the rear or side yard only. A 6' chain link fence is proposed in the front yard of the property.*
- 3) Sufficient landscaping, including trees and shrubs, will be provided and periodically maintained.
- 4) The parking and storage area or areas will be provided with either a gravel, crushed stone, or all-weather pavement and suitable night lighting facilities shielded from view from adjoining streets and residential uses.
- 5) Parking and storage of all vehicles, trucks, boats, and non-motorized trailers will be limited to those licensed and in good repair.
- 6) The minimum lot area for a commercial parking or storage area shall be two acres.
- 7) No driveway shall open onto a public street or road within 150 feet of an intersection of such street or road with another public street or road. In determining the suitability of proposed or existing driveways upon the site, the Board shall consider such factors as grade and site clearance; the number and pattern of driveways; the number, location and design of ingress and egress points; the volume of traffic which



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may be anticipated on the site and adjoining roads; and the condition and width of pavement of adjoining roads.

Master Plan Considerations

The Township's Master Plan Reexamination Report, which was adopted in 2018, notes the following issues which may be relevant to this application:

- Vacant properties on the Route 130 corridor
- Commercial design standards are outdated

Objectives for commercial development:

- Promote the rehabilitation and redevelopment of commercial land uses made obsolete by changing economic and social factors
 - Maintain an appropriate amount of commercial/retail to adequately service the Township
 - Redevelop underutilized commercial facilities to provide services more marketable to Township residents
 - Develop vacant commercial property, if necessary, to augment the commercial/retail stock of the Township
 - Encourage better development and redevelopment of shopping centers through increased landscaping standards, controlled parking areas, and design guidelines.
 - Analyze the retail market to determine the need for different commercial/retail services and offices

Objectives for landscaping:

- Decrease visibility and extent of impervious surfaces, by landscaping and screening existing paved surfaces, large impervious surfaces and parking lots

Redevelopment Plan

The entirety of the frontage of Route 130 in Willingboro has been designated as an area in need of redevelopment, and is subject to a redevelopment plan. This redevelopment plan is what created the B-1 district standards.

2. Surrounding Uses

Properties east and west of the subject site along the Route 130 corridor are similarly zoned B-1 and contain a mix of commercial uses. Properties south of the site opposite Sunset Road and



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adjoining the site to the northeast are zoned R-1 containing residential parcels and the J.C. Stuart Elementary School to the southwest. Properties opposite Route 130 are located within Edgewater Park Township containing a mix of commercial uses.

3. Zoning Compliance

The subject property is situated within a B-1 Zone District with a Route 130 Redevelopment Zone Overlay. The table below summarizes the bulk measures and zone requirements for the subject property:

Description	Required	Provided
Minimum Lot Area	40,000 s.f.	28.8 acres
Minimum Lot Frontage	150 Feet	352 feet (Sidney Lane)
Minimum Front Yard Setback	50 Feet	59.7 feet (Sunset Road)
Minimum Rear Yard Setback	20 Feet	87.8 feet
Minimum Side Yard Setback	20 Feet	61.1 feet
Minimum Side Yard Setback(Combined)	45 Feet	N/A (through Lot)
Maximum Building Height	35 Feet/2-1/2 Story	<35 feet
Maximum Lot Coverage	50%	76% ± (EC)
Minimum Floor Area	1,000 s.f.	228,029 s.f.

(EC) – Existing Condition

In addition to the above B-1 zone requirements, as a commercial parking and/or storage area use, the project is also required to comply with the following Conditional Use requirements per Ordinance Section 370-82B, which must be reviewed with the Board:

- a) **Section 370-82B(1)** – The proposed use in a specific location is necessary and convenient for the efficient parking and storage of vehicles, boats and non-motorized trailers and will in



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no way detract from the character of the neighborhood or area in which the use is to be located.

- b) **Section 370-82B(2)** – Adequate and attractive fences and other safety devices are provided in accordance with Chapter 155.
- c) **Section 370-82B(3)** – Sufficient landscaping, including trees and shrubs, will be provided and periodically maintained.
- d) **Section 370-82B(4)** – The parking and storage area or areas will be provided with either a gravel, crushed-stone or all-weather pavement and suitable night lighting facilities shielded from view from adjoining streets and residential areas.
- e) **Section 370-82B(5)** – Parking and storage of all vehicles, trucks, boats and non-motorized trailers will be limited to those licensed or registered and in good repair.
- f) **Section 370-82B(6)** – The minimum lot area for a commercial parking or storage area shall be 2 acres.
- g) **Section 370-82B(7)** – No driveway shall open onto a public street or road within 150 feet of an intersection of such street or road with another public street or road. In determining the suitability of proposed or existing driveways upon the site, the Board shall consider such factors as: grade and site clearance; number and pattern of driveways; number, location and design of ingress/egress points; the volume of traffic which may be anticipated on the site; and the condition and width of pavement of adjoining roads.

The Applicant has requested variances and/or design waivers for the following with this application:

- h) **Section 155-3B** – Fences shall be erected/constructed in the rear and/or side yard only; 6 feet chain link fence is proposed within the front yard areas along Route 130 and Sunset Road.
- i) **Section 370-74C(1)** – Wherever the property line of a lot abuts or is across the street from a residential zone, a buffer area shall be established which shall include an area of land 100 feet in width as measured from the property line or street. Minimal landscape plantings are proposed.

The Applicant also indicates the following existing condition nonconformity would remain pertinent:



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- j) **Section 370-52 (Schedule)** – The maximum permitted lot coverage is 50%; approximately 76% is provided.

In addition to the above, variances and/or design waivers would also appear necessary for the following:

- k) **Section 155-3H** – No fence shall have more than 3 gates; 5 gate locations are depicted.
 - l) **Section 370-13N(6)** – Detached accessory buildings shall be located to the rear of the rear building line of the principal building; an accessory guard house structure is proposed forward of the rear building line of the principal building.
 - m) **Section 370-75D** – Parking areas shall not be closer than 25 feet to any street line in a B-1 Zone; parking is proposed within 25 feet of the Route 130 and Sunset Road right-of-way lines, apparently matching existing site conditions.
4. The Applicant has requested various waivers from the Site Plan checklist requirements in conjunction with this application and has provided sufficient information in support of said waiver request.

The Applicant has provided sufficient information and accordingly we recommend that the Application be deemed **complete** at this time. Based upon our review of the subject application, we estimate that the following fees are required in accordance with Ordinance Section 150-5:

a. **Nonrefundable Application Fees:**

Site Plan, Minor	\$200.00
Conditional Use	\$100.00
Bulk Variance	\$100.00
Subtotal:	\$400.00

b. **Professional Services Escrow Fees:**

Site Plan, Minor	\$500.00
Conditional Use	\$500.00
Bulk/Hardship Variance	\$250.00
Subtotal:	\$1,250.00



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Planning Comments

1. What is to become of the existing shopping center building? Will it be used as a retail building in any way? If the building is to be used for any purpose other than as a part of the short term parking and storage operation, a d-1 use variance may be required to permit two principal uses on the same lot. The Township's current ordinance does not expressly permit multiple principal uses on the same lot.
2. The Applicant should provide testimony addressing each of the conditional use requirements listed above. If any one of the conditions noted above are not satisfied, a d-3 conditional use variance is required.
3. As a 'd' variance, the applicant is required to meet an enhanced burden of proof, meaning that they must satisfy both the positive and negative criteria required for the granting of a variance.
4. Positive Criteria:
 - a) There must be a special reason to grant the variance, and it must be shown that the proposed use of truck parking and storage on this site will advance the purposes of zoning.
 - b) The site must be particularly suitable for truck parking and storage.
5. Negative criteria:
 - a) It should be shown that there will be no substantial detriment to public good, that the truck parking and storage use will not substantially harm the character of the community or the quality of life of nearby residents and businesses.
 - b) It must also be demonstrated that there will be no substantial detriment to the intent and purpose of zone plan. This means that the proposed use of a truck parking facility, even though it will have a fence in the front yard, does not contradict the intent of the master plan and zoning ordinance.
6. As this is a conditionally permitted use, a commercial parking and storage operation is generally otherwise permitted at this location. With that in mind, the Board's focus in considering the positive and negative criteria should be on the conditions that are not being satisfied – the fence in the front yard, and any other of the conditions that the Board feels may not be satisfactory. The intent of the zoning ordinance is that such as use is permitted in this location, just with some additional requirements.
7. As also noted in the Master Plan Reexamination Report, a clear goal of the Township is the revitalization of the Route 130 commercial corridor. The Board should consider how this proposed use will contribute to that revitalization effort.



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Engineering Comments

1. Reasons supporting the granting of required variances and/or design waivers and continuance of existing condition nonconformities, especially regarding buffer requirements. Compliance with the Conditional Use requirements for a commercial parking and storage area must also be reviewed with the Board.
2. Overall operations of the proposed use and site, including but not limited to: hours of operation and number of employees in total and per shift.
3. The number of trailer units onsite at any given time and in total also trips per day as well as site access, including signage, and overall site circulation should be reviewed with the Board. We note that the Site Plan depicts fencing prohibiting access to the site at the existing northerly drive along Route 130 which should be discussed, especially regarding emergency access to the site as well as at all site access points. The need to provide any vehicle turning templates should also be discussed.
4. A vehicle turnaround area should be indicated for vehicles that enter the site off Route 130 that cannot access the parking lot through the gate.
5. The applicant should explain the site circulation. It appears the site circulation is confusing and requires additional directional signage.
6. Existing and proposed buffering/screening and overall site aesthetics should be reviewed with the Board. We note that the Applicant has requested a design waiver regarding buffering requirements and has proposed minimal tree plantings along the Route 130 and Sunset Road site frontages. This represents one of the conditions of the conditional use.
7. Adequacy of existing site lighting, whereby no additional appears proposed, must be reviewed with the Board. The applicant should discuss the height of the light poles and if the height needs to be increased due to tractor trailers parking onsite.
8. Adequacy of existing site pavement, curb, etc. must be reviewed with the Board. It appears that demolition of existing onsite curb is required and should be noted near the northeast corner of adjoining Lot 7.04, including the need to provide striping, curb, etc. at same, including the opposite end, and the onsite pavement area along the rear of Lot 7.04 to deter any access to said "open" areas. The use of the "open" areas between the existing drive aisle curbs to remain should also be discussed with the Board.
9. The stormwater management of the site must be reviewed with the Board, whereby no drainage improvements and/or onsite grading appear proposed. We note various onsite inlets as full of debris or water and/or invert not accessible, as well as an area indicated as inundated with



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standing water along the rear of adjoining Lot 7.04. These failing inlets and stormwater pipes should be cleaned and/or repaired.

10. The proposed use would appear to be a leased use of the site and the terms of any lease agreement, including length of lease and especially site maintenance, should be reviewed with the Board as well as the effect of any future building occupancy upon the subject use.
11. The need to provide any refuse fixtures with the proposed use should be discussed.
12. Whether any identification signage is proposed for the subject use should be clarified.
13. Any permits/approvals required by outside agencies, including Burlington County Planning Board. The status of all outside agency approvals should be discussed with the Board and copies of all such approvals shall be forwarded to this office.
14. The applicant should discuss the condition of the existing pavement in the parking lot, including the existing pavement cross section, and any possible resurfacing or pavement enhancements required to accommodate larger tractor trailer vehicles.

Based upon our review, the Plans should be revised as follows:

- a) Dimension all parking stall types: perpendicular, angled, and parallel and provide radius of all pavement striping curves.
- b) Verify total number of parking spaces between the application package, traffic report and Site Plan also verify parking count indicated as 11 spaces along/opposite the existing building and verify total number of trailer spaces indicated on the Site Plan.
- c) A truck turning plan should be provided.
- d) The bank of 14 head-on parking spaces along Route 130 should be reviewed. It appears these spaces should be angled parking.
- e) Provide parking stall striping detail(s), including ADA spaces, aisle and signage, and island striping detail. Existing signage along the roadway frontages should be indicated different than any proposed signage and the need for any detail of proposed identification and/or directional signage should be discussed with the Board.
- f) Provide curb and pavement repair details. Drainage details should be provided as required to address failing inlets/pipes.



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Based upon the minor nature of the information requested, we recommend that this application be deemed complete subject to the Board approving the various waiver requests regarding Site Plan Application Submission Items.

The right is reserved to present additional comments pending the receipt of revised plans and/or the testimony of the Applicant before the Board.

If you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,

CME Associates

Bennett Matlack, PE, CME, CFM
Zoning Board of Adjustment Engineer

Christopher Dochney, PP, AICP
Zoning Board of Adjustment Planner

BM:GC:pg

cc: Zeller & Weiliczko, LLP – Zoning Board Solicitor
NE Willingboro, LLC – Applicant
SR3 Engineers – Applicant's Engineer
Shropshire Associates, Inc. – Applicant's Traffic Engineer
Control Point Associates, Inc. – Applicant's Surveyor
Clint B. Allen, Esq. – Applicant's Attorney