

Planning & Real Estate Consultants

June 1, 2020

Planning Board
Township of Berkeley Heights
29 Park Avenue
Berkeley Heights, NJ 07922

**Re: Planning Review #2
Application SP-3-20
Preliminary and Final Site Plan
Block 702, Lot 3
462 Springfield Avenue
Gennaro Raimo & Elizabeth Fernandez
DD Downtown Development Zone**

Dear Chairman Einbinder and Members of the Board:

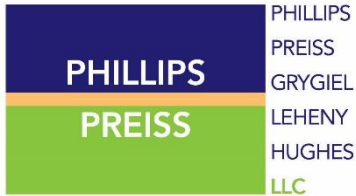
This letter provides a follow-up evaluation of the above referenced application based revised site and architectural plans submitted by the applicant on May 12, 2020. Our office is in receipt of and have reviewed the following new submissions:

- Preliminary and Final Site Plan entitled “Coffee Culture Roastery 462 Springfield Avenue, Tax Lot 3, Block 702 Township of Berkeley Heights, Union County, New Jersey,” prepared by Casey & Keller Incorporated, dated 2/21/2020, last revised 5/7/2020.
- Preliminary Floor Plan and Elevations entitled “Proposed Alterations for: Coffee Culture Roastery 462 Springfield Ave. Berkeley Heights, NJ,” prepared by James Weill & Associates, dated 2/21/2020, last revised 4/28/2020.
- A colored rendering of the proposed project (supplementary to the architectural plans).

The applicant continues to seek preliminary and final site plan approval to transform the first floor of an existing residential building into a retail coffee shop use. The foregoing sections provide a review of the revised plans while comparing them against our original review letter dated April 6, 2020. Throughout the following sections, where changes were made to the text of the original review or new comments were added, they are denoted in **underlined bold font**.

Completeness

Many items on the Site Plan Checklist are not required as no major changes are proposed to the building footprint or access. For these items, the applicant has

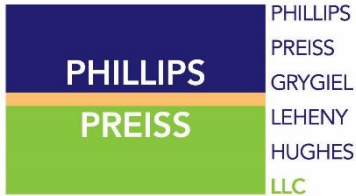


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indicated “N/A” on the checklist, and we support these determinations. However, the submitted plans are non-compliant in respect to the following checklist items:

- Setback lines; Provided and Required. *We support the granting of a waiver for this item, as no change to the building footprint and hence setbacks are proposed.*
- Elevation drawings (front, back and side of proposed and existing buildings and signs) with dimensions. *The applicant has only provided front elevations. We support the granting of a waiver for back and side elevations as proposed renovations to back and side facades are minor.*
- Exterior wall material. *While the majority of the front façade will remain unchanged, the applicant should provide more detail on the materials proposed for the new storefront. However, we support the granting of a waiver from this item for completeness purposes. The applicant shall submit revised elevations and provide architectural testimony at the public hearing. **This comment has been satisfied – the revised elevation plan and new colored rendering demonstrate the proposed materials and visual character of the new façade. Architectural testimony is still requested.***
- No driveway within five (5) feet of property line. *The applicant proposes to maintain the existing driveways, which directly abut property lines. As no change is proposed, this constitutes a pre-existing nonconformity.*
- Driveways conform to maximum and minimum dimensions required. *The existing driveways do not meet the minimum width requirements, constituting another pre-existing nonconformity.*
- Buffer areas including height, width and type of buffer and its expected effectiveness in screening views, auto headlights and reducing noise. *As detailed in the Compliance section of this review letter, a buffer strip is required to screen the proposed parking from the residential use to the east of the subject property. Applicant is requesting a design exception from this standard.*

The application is deemed **substantially complete** and may proceed with a public hearing. **The elevation plan has been revised and resubmitted in accordance with original planning comments detailed above.** The applicant will also be required to provide additional testimony regarding the façade and site renovations.



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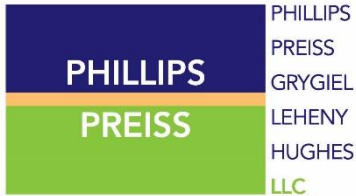
Site and Location

The subject property is identified as Block 702, Lot 3 on the official tax maps of the Township of Berkeley Heights. It is a rectangular parcel totaling 4,900 square feet in lot area with 50 feet of frontage along Springfield Avenue. The property is currently developed with a 3-story residential building, a detached 2-car garage in the rear of the property, two driveways on Springfield Avenue at either side of the front residential building, and other associated improvements. The subject property is almost entirely paved. The first floor of the front building is currently vacant, while there is a 2-bedroom apartment unit above. The second floor of the building features a wooden deck supported by brick piers at the front and is accessed via a set of stairs that lead up from the front yard to the wooden deck.

The subject property is located in a central location of Downtown Berkeley Heights and has the street address of 462 Springfield Avenue. It is two blocks away from the train station and the Municipal Complex. There is a mix of residential and commercial uses in the surrounding area. The subject property is adjacent to a residential home to the east, and a restaurant to the west. The rear of the property abuts the parking lot of the Midtown Professional Building at 230 Sherman Avenue. Across the street, there are similar mixed-use buildings with retail/service use on the ground floor and residential use on the upper floors. Other mixed-use buildings, commercial uses, and multifamily residential buildings are located along Springfield Avenue and Sherman Avenue in the vicinity.

Proposed Development

The applicant proposes to convert the currently vacant first floor space in the front residential building for a coffee shop use. According to the applicant’s written use plan, the shop will sell fresh roasted coffee by the cup and bag, as well as other related merchandise, and include no seating. Interior renovations will be undertaken in order to demarcate the space into a work area, sale area, bathroom, and utility room. In order to provide a front entrance facing Springfield Avenue, a new glass door and side lite with white aluminum tube framing will be installed on the first floor front facade. A forest green canvas awning and a 11.1 square foot wood sign with azek white background and raised forest green letters displaying the name “Coffee Culture Roastery” will be installed on top of the front entrance. While the original elevation plan proposed a “Coffee” sign on the glass door, this has been eliminated on the revised plan. In addition to the front façade, both side facades will be installed with new wall-mounted lighting fixtures, while the existing rear entrance will be replaced with a new swinging door and wall-mounted lighting fixture. No change to the upper floor facades are proposed.



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In order to accommodate parking on-site, the applicant proposes to demolish the existing garage and repave and restripe the rear yard to provide 5 surface parking spaces, including 1 ADA-accessible space. The building will also continue to utilize the existing curbside parking space on Springfield Avenue, to provide a total of 6 parking spaces. A new lighting fixture pole mounted at 12 feet in height will be installed by the rear property line to service the proposed surface parking lot. The existing driveways will be maintained and utilized, with only one-way traffic allowed on either driveway. Other site improvements include new segmental block walls 2 feet in height along the new front entrance accessway and **3 trash/recycling cans enclosed by a 4 foot high cedar tongue and groove fence** to the rear of the building.

The applicant will provide new landscaping along the front and rear property lines. To the rear of the parking lot, the applicant proposes one shade tree, a Skyline Honeylocust with 2.5-3 inches in caliper, along with a planting bed of 20 Hameln Dwarf Fountaingrass. To the front of the building, there will similarly be plantings of shrubs, perennials, and grasses, including 1 Endless Summer Hydrangea, 18 Varigated Lilyturf, 3 Pink Drift Rose, and 7 Hicks Yew. Further, the applicant will provide streetscape improvements in the form of decorative pavers for the sidewalk and front pedestrian accessway and a decorative lamppost by the pavers.

Compliance

The subject property is located within the DD Downtown Development zone, which permits as a principal use retail/service businesses. However, the application deviates from the following bulk requirements and requires several “c” variances:

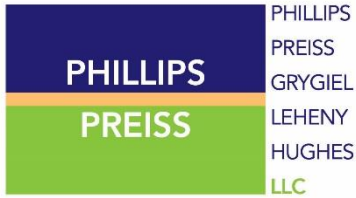
- Section 6.1.1.B Impervious Coverage: Maximum 85% permitted, whereas 93.27% existing and 94.02% proposed.
- Section 6.1.1.B Rear Yard Setback: Minimum 60 feet required, whereas 54.7 feet existing and 54.7 feet proposed. *It should be noted that in the DD zone, the standard rear yard setback required is 20 feet for a 3-story building (10 feet for 2-story buildings, and an additional 10 feet for each additional story). The existing rear yard setback, at 54.7 feet, far exceeds this requirement and is compliant. However, Section 6.3.2.E.3 of the Municipal Land Use Procedures Ordinance requires that rear yard setback be increased by 40 feet if the rear yard contains a single row of parking. The addition of the surface parking row in the rear yard would trigger this provision and require minimum rear yard setback of 60 feet, making the existing setback non-compliant.*
- Section 5.9.6 High Altitude Signs: no sign shall be placed on the second or higher story of any building, whereas the proposed sign is at the elevation of the second-story.
- Section 19.5.6.B.i.b: Window signs as the one proposed on the front entrance door are not permitted in the Downtown, because all signs, except ground signs,

must be flush mounted on the façade. **This variance has been eliminated because the applicant no longer proposes a window sign.**

- **Section 19.5.6.B.i.b.: Façade signs are required to be flush mounted on the building wall, whereas the proposed sign is to be set between two existing columns with each side of the sign connected to a column.**

The project is additionally subject to relevant general and downtown design standards. The application requires design exceptions for the following deviations:

- Section 10.6.8.B.7: outdoor waste and recycling storage shall be visually screened from view from all directions by a complete structural enclosure consisting minimally of 6-foot high solid wooden fence or masonry wall, plus a gate or door with ramped access. *No such enclosure is proposed for the rear storage area. **The revised site plan provides 4 foot high solid wooden fence, which is deficient in height by 2 feet.***
- Section 10.6.8.B.8: outdoor waste and recycling storage areas shall be landscaped with minimum four (4) foot high evergreen shrubs along the sides and rear. *No such landscaping is provided.*
- Section 11.1.1.K & Section 11.1.3.H: parking areas located within 50 feet of a residential zone or use is required to be separated and screened via a 10-foot wide buffer area with plantings or landscaped fencing at least 6 feet in height. *No such buffer area is proposed along the eastern property line where it abuts a residential use.*
- Section 11.1.3.B.7: compact parking spaces cannot exceed 30% of total number of parking spaces. *The applicant proposes 2 out of 6 ($\pm 33.3\%$) spaces as compact spaces, which exceeds the 30% limit.*
- Section 11.1.4.A.2.b: parking lots are required to be buffered and screened from lot lines with minimum 5-foot wide landscaped area and landscaping, fencing, or decorative wall up to 4 feet in height. *Landscaping is only provided along the rear of the parking lot. The proposed landscaping strip is only 3.9 feet in width, which is non-compliant with the minimum 5-feet requirement. Additionally, no screening has been proposed.*
- Section 11.1.4.A.3.b: all driveways are required to be screened from lot lines by a 4-foot high visually impervious screen. *No such screening has been provided. However, it should be noted that this deviation is related to the fact that the existing driveways are non-compliant with respect to the required 5 feet buffer from all lot lines.*
- Section 19.5.5.C.2: within downtown districts, particularly along Springfield Avenue, consistency in streetscape improvements and street furniture is required. *The applicant proposes decorative pavers and a lamppost per Township specifications. However, the applicant is additionally required to*



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provide bike racks, planters, trash and recycling receptacles, and benches specified in the ordinance.

There are also a number of existing nonconformities pertaining to bulk requirements and site design standards. Because no change is proposed to the building footprint and vehicular access, no new variances or design exceptions are required for these deviations. The existing nonconformities are listed below for reference:

- Lot area: Minimum 5,000 square feet required, whereas 4,900 square feet existing.
- Front yard setback along Springfield Avenue: Minimum 12 feet required, whereas 4.32 feet existing.
- Side yard setback (window wall with residential façade): Minimum 15 feet required whereas 10.15 feet existing.
- Width of one-way driveways for commercial uses: minimum 12 feet required, whereas 10.74 feet and 11.13 feet existing.

Planning Comments

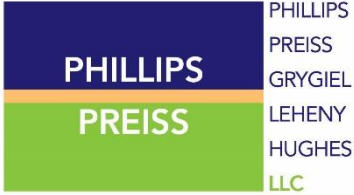
1. Pursuant to the MLUL at N.J.S.A. 40:55D-70c, the Board may grant a “c” variance on two basis: (1) by reason of exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary and exceptional situation uniquely affecting a specific piece of property, the strict application of the regulation would result in practical difficulties or undue hardship upon the developer; or (2) the purposes of zoning would be advanced by the deviation and the benefits of deviating from the ordinance requirements outweigh any detriments. The Board must also be satisfied that the granting of the variance would not cause substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and zoning ordinance.
2. The applicant shall provide testimony regarding the requested “c” variances for the excess impervious coverage, deficient rear yard setback, and non-compliant signs in accordance with the positive and negative criteria specified above. **Regarding signs, while the window sign variance has been eliminated, the proposed façade sign is non-compliant with height and mounting standards.**
3. Pursuant to MLUL at N.J.S.A. 40:55D-51b, the Board has power to grant design exceptions from requirements for site plan approval, if the literal enforcement of one or more provisions of the ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.

4. The applicant shall also provide testimony to justify the deviations from the site design standards in Parts 10, 11, and 19 of the Municipal Land Use Ordinance in accordance with the above criteria. The Board should note that, except the deviations from streetscaping requirements and maximum number of compact parking spaces allowed, all other deviations pertain to the lack of landscaped buffers and screening on-site. These include the enclosure around the proposed trash/recycling area behind the building, in the perimeter of the rear parking lot, and adjacent to all driveways. The applicant should discuss and the Board should consider the adequacy of the proposed landscaping along with the existing conditions on site, in particular the potential impacts to residential uses nearby. **The Board should note that the trash/recycling area is now proposed to be enclosed by a 4 foot height solid wood fence, which is deficient in height by 2 feet. No new landscaping have been provided in the revised plan.**

5. In regards to the proposed wall sign, the applicant should confirm that it satisfies the requirements in Section 19.5.6. Currently, no information regarding the materials, color palette, illumination, and mounting detail have been provided. The Board should note that if illumination is proposed for this sign, it can only be gooseneck lighting or halo lit pin-mounted letters in soft white. Further, stucco, vinyl, plastic, neon, sheet metal, and aluminum signs are prohibited. **This comment has been partially satisfied. The new elevation plan provides additional details regarding sign size calculations, materials, colors, and mounting details. While the sign is compliant with size, material, and color standards, it requires variances for proposed height and mounting. Further, the applicant should confirm if any illumination will be utilized and ensure compliance with aforementioned illumination standards.**

6. The applicant should similarly provide more detail regarding the materials and color palette of the renovated first story front façade. The resulting façade generally conforms with the standards and guidelines for architectural design enumerated in Section 19.5.4. However, the applicant should demonstrate that the proposed awning complies with Section 19.5.4.B.4.e. Notably, this subsection only permits an awning constructed of canvas and waterproof cloth material over metal frame and recommends neutral colors. We additionally recommend that the applicant present colored elevations or renderings along with material samples at the hearing to demonstrate that the overall color palette, materials, and design treatments of the façade are coherent. **This comment has been satisfied and the proposed awning is compliant.**

7. The applicant should provide testimony regarding traffic circulation and parking allocation. Particularly as the existing driveways are deficient in width and only



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allow one-way traffic, the applicant should address the logistics of garbage collection as well as truck delivery of merchandise, if any are anticipated. The applicant should also clarify if and how the proposed parking spaces will be assigned between the residential unit, retail customers, and employees. We defer to the Township engineer for additional comments regarding the adequacy of circulation and parking proposed.

8. Corrections should be made to the Zoning Analysis Table and list of design waivers on Sheet 3 of the Site Plans in accordance with the "Compliance" section of this review letter. **The applicant has made changes according to comments in the original review letter. However, the Board and applicant should note that a new variance for the mounting method of the proposed sign has been identified based on new information provided on the revised elevation plan.**
9. We additionally defer to the Township engineer regarding the adequacy of paving and grading, lighting, drainage and stormwater management, and utilities on site and if any new improvements may be required.

We trust that the above information is responsive to your needs.

Respectfully submitted,

Keenan Hughes, AICP, PP