



PLANNING BOARD
Monday, April 20, 2015
ADOPTED MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson John Osorio at 7:31pm

PLEDGE OF ALLEGIANCE: Led by Chairperson John Osorio.

OPMA STATEMENT: Read by Chairperson John Osorio in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** John Osorio; Carole Roskoph; Carolyn Jacobs; Sam Kates; Larry Terry; Gina LaPlaca; Moly Hung; and Marlyn Kalitan.
- **Professionals in attendance:** Paul Stridick, Director of Community Development; Lorissa Luciani, Deputy Director of Community Development; Jacob Richman, Planning Technician; Stacey Arcari, Planning Board Engineer; and Jim Burns, Esq., Solicitor.

Comments from the Public not related to tonight's agenda: None.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from April 6, 2015. Carole Roskoph made a motion, which was seconded by Moly Hung, to adopt the Meeting Minutes from April 6, 2015. Affirmative votes by Roskoph, Jacobs, Terry, LaPlaca, Hung, and Kalitan. Minutes are approved.

Agenda Item 1:

15-P-0007

Block(s) 7.01 Lot(s) 3

Zone: Highway Business (B2) Zone

Harrod Healthcare Development

2339 Route 70 West

Cherry Hill, NJ

Relief Requested: A site plan waiver with bulk (C) parking variance required to permit 81,500 SF of medical office, which increases the parking demand as set forth in the Township's Zoning Ordinance.

Exhibits Submitted:

A-1: Aerial Photo

A-2: Variance Plan

A-3: Colorized Plan

Discussion: Applicant Harrod Healthcare Development, applied for a site plan waiver with bulk (C) parking variance required to permit 81,500 SF of medical office, which increases the parking demand as set forth in the Township's Zoning Ordinance; located at 2339 Route 70 West, Cherry Hill, New Jersey (Block 7.01 Lot 3). The property is owned by U.S. Bank, N.A. as Trustee.

Application was represented by:

- Richard Roy, Esq. – Attorney for the Applicant
- Robert Stout, PE – Engineer for the Applicant
- Jeff Anderson – VP of Development for Harrod Healthcare Development
- Nathan Mosley – Traffic Engineer, Shropshire Associates.

Mr. Roy began the application by stating that the applicant is asking for a site plan waiver with a bulk (C) parking variance in order to permit fewer parking spaces than what is required by the Zoning Ordinance. Mr. Roy also gave a brief overview of the site location.

Mr. Anderson was the first witness to testify. Mr. Anderson described how the Harrod Healthcare Facility is arranged and run, with the business model essentially being various practices and doctors under one roof who can provide a wide range of specialties. The proposal is not for an urgent care or an ER. Harrod's has three (3) other locations in Texas.

Mr. Anderson explained that while they are not requesting a site plan at this time, they may come back to the Board for site plan approval for exterior modifications such as a new lobby and entrance way. The daily hours of operation will be from 8:00am to 5:30pm during the work week (with one work week day likely offering evening hours) and possibly limited hours offered on Saturdays. Deliveries will be made by box truck which, mainly consist of office supplies and medical equipment. No tractor trailers will make deliveries.

Mr. Anderson explained that the applicant is requesting the parking variance based upon surveys performed at their other locations in terms of the amount of traffic/parking they generate. Based upon those studies, they have determined that the amount of parking they are proposing, which is under Cherry Hill's requirements, will be sufficient and meet their expected demand for this location. The applicant agreed to perform a parking assessment at the 6 month, 12 month, 18 month, and 24 month period following the opening of the site in order to determine if there is a parking problem. If it is determined that the parking lot is becoming full at points leading up to 100% occupancy, then measures will be taken in order to alleviate the problem. Mr. Anderson did note that modern medical practices require fewer doctors per practice and that this building will have doctors from many different specialties. Mr. Anderson ended his testimony by affirming their confidence in their traffic assessment.

Mr. Stout testified on behalf of the application. Exhibit A-1 was submitted in order to detail the existing conditions of the site and Mr. Stout noted where changes to the site were being proposed. Exhibit A-2 was submitted; it illustrated the restriping of parking lot and the location of ADA upgrades and compact car parking spaces. Mr. Stout also went into detail about how Cherry Hill parking standards could be applied to the three (3) existing Harrod's locations and how those parking standards would create more need than demand at those locations. Mr. Stout used those standards to state that the Cherry Hill site would require 488 spaces and that the applicant is only proposing 330 spaces. When the traffic assessments were applied to this site, they found that the amount of parking required is 323 spaces at max capacity.

Exhibit A-3 was submitted and Mr. Stout discussed how Harrod's will meet ADA parking requirements. Other improvements included upgrades to the dumpster pad and a new drop-off area. The applicant agreed to all comments from Community Development's review letter dated April 10, 2015, and will meet on-site with Community Development to review other issues such as sidewalk conditions.

Mr. Mosley testified on behalf of the application. Mr. Mosley affirmed that he worked on the traffic assessment for this application. He described his methods for determining the traffic impact and believes that the max capacity can be met with the proposed amount of parking spaces. Mr. Mosley noted that the applicant will apply to NJDOT for major access permits but that he does not anticipate that any changes will be needed to the Route 70 entrance driveway. Mr. Mosley also stated that they will obtain a letter of no impact from the Camden County Planning Board in regard to the Park Boulevard entrance.

Ms. Arcari reviewed ERI's review letter dated April 14, 2015, including items such as the need for a night light function test, Title 39, inlets, parking, and access permits. Ms. Luciani stated that she worked closely with the applicant to address Community Development's review letter comments. She also noted that the applicant revised the plans in order to remove the requested design waiver for compact car parking space size so that the applicant now conforms. Board Member Kates noted that if after 2 years, that if full occupancy is not reached, then the applicant will have to conduct parking studies, especially if the parking lot is approaching full capacity.

Public Discussion:

- 1) Scott Tomaszewski of 706 Park Boulevard endorsed the approval of the application and wished the applicant good luck in their endeavor.
- 2) William Hunter of 6 South Union Avenue expressed concern about the parking lot as well as the cars coming to the site. Mr. Hunter also expressed concern over the vehicles that park in his neighborhood and the traffic that it causes where he lives.

Seeing no other persons wanting to speak in regard to the application, Chairperson Osorio closed that portion of the meeting.

Motion: Following the reiteration of the conditions and variances needed by Solicitor Burns, Carolyn Jacobs made motion, which was seconded by John Osorio, to approve the application with the conditions as stated. Affirmative votes by Osorio, Roskoph, Jacobs, Terry, Kates, LaPlaca, Hung, and Kalitan. The application is approved unanimously.

Agenda Item 2:

Park Boulevard Gateway Preliminary Investigation for an Area in Need of Redevelopment

Block(s) 1.01; 3.01 Lot(s) 3-6; 1

Various Addresses

Zone: R2/IN/B4

Cherry Hill, NJ

Carried from the 4/6/15 Planning Board Meeting

Discussion:

Chairperson Osorio noted that this agenda item was continued from the April 6, 2015 Planning Board Meeting.

Solicitor Burns opened up the discussion for the agenda item by noting that they received Jeffrey Baron's, Esq., review earlier today. Mr. Baron approached the podium and stated that their prior planning professional had a conflict of interest and therefore his client hired another planner, Peter Steck, PP, who had another engagement to attend this evening. Solicitor Burns disclosed the letter correspondence between him and Mr. Baron. The Board then asked that Mr. Melvin give his presentation on the preliminary investigation for the area in need of redevelopment.

Bob Melvin, PP, AICP, of Group Melvin Design commenced his presentation regarding the Park Boulevard Preliminary Investigation for an Area in Need of Redevelopment. Mr. Melvin gave an overview of the subject parcels and detailed the existing uses on each property. After giving a procedural overview of the redevelopment process, it was noted that the Preliminary Investigation is one of the beginning stages in declaring a site "An Area in Need of Redevelopment." Mr. Melvin noted that per the Local Housing and Redevelopment Law, one (1) of eight (8) possible criteria must be met in order for there to be a case to designate a property an Area in Need of Redevelopment. He also noted that the study sites are noticed as a condemnation/redevelopment area.

Based upon a comprehensive study of the subject parcels, Group Melvin Design found that the following parcels met the criteria for being an Area in Need of Redevelopment: 1) Block 1.01, Lot 3 (meeting criteria A & D); 2) Block 1.01, Lot 4 (meeting criterion A); and 3) Block 3.01, Lot 1 (meeting criterion D). The study also determined that Block 1.01, Lots 5 and 6 do not qualify as an Area in Need of Redevelopment since both lots have functioning businesses currently operating on those sites. Mr. Melvin then went into detail about how each lot that was recommended as an Area in Need of Redevelopment met the criteria. Mr. Melvin stated that these determinations were made based on a combination of site visits, researching records, and meeting with Township professionals.

Cherry Hill Chief of Police, William Monaghan, provided testimony on the preliminary investigation, specifically concerning America's Best Value Inn (henceforth called "ABVI"), which is part of the study area. Chief Monaghan submitted Exhibit 1, showing a comparison report of unclassified police data for calls of service to ABVI. He noted that there is a significant presence of crime at this location even with increased police presence at the site. Additional data, provided in Exhibit 2, contained a comparison of crime statistics between ABVI, Crown Plaza, and Holiday Inn, with the data showing a higher crime statistics at ABVI. The report detailed the consistency in the crime data from 2010 to 2014. Chief Monaghan detailed specific events at ABVI including deceased individuals, armed robbery, suicide attempts, shootings, sexual assaults, domestic violence, and others. The record notes that Mr. Baron objected to the evidence as submitted by the Chief of Police.

After Mr. Melvin concluded his presentation on the remaining parcels of the study area (those not including ABVI), Chief Monaghan answered questions from the Board. Exhibit 3 was then submitted which showed a crime comparison between ABVI and the Cherry Hill Mall. Mr. Melvin noted that he used Chief Monaghan's study as only one of the reasons to recommend that ABVI be designated an Area in Need of Redevelopment and that it was the totality of the entire study that led to the conclusion and determination. Lastly, Mr. Melvin went into detail about how ABVI met the designation criteria and answered questions from the Board in regard to his recommendation.

Public Discussion:

Jeffrey Baron, Esq., on behalf of his client, America's Best Value Inn, began his oral argument by discussing what kind of evidence is permissible during a preliminary investigation. He began his cross examination of Chief Monaghan. Mr. Baron asked where the police data came from and if people who committed the crimes were renters of the rooms. Mr. Baron also asked the Chief specific questions regarding calls for service at ABVI versus the other two hotels. Solicitor Burns stated that Mr. Baron was "cherry picking" details from the police data and not focusing on the cumulative findings. Mr. Baron felt as if the Chief cherry picked data and was only doing as he did. Mr. Baron made a point that some crimes don't occur at ABVI, but that they do at the other two hotels. The Board then asked some re-direct questions regarding data from the

reports in Exhibit 1, 2, and 3. Chief Monaghan stated that he did not cherry pick data, and in fact, provided all the data. Lastly, Chief Monaghan stated that the amount of police calls to ABVI was high.

Mr. Baron then called Bob Melvin for cross examination. Bob Melvin first gave an overview of the various times his company has done redevelopment studies. Next, Mr. Melvin described the process of being instructed by Cherry Hill to conduct an investigation on the subject parcels and what kinds of issues his company researched/studied. Mr. Baron then asked Mr. Melvin to validate these finds and facts, specifically related to the preliminary investigation report. The Board then asked Bob Melvin to clarify his findings in regard to the study and how he came about the conclusions included in the report.

Mr. Baron called his last witness, the owner of ABVI, Bhupinder Dhillon, who noted that he acquired the property in 1995 and the building was in very bad shape (the prior use was also a hotel). He bought the property for \$800,000 and put in an investment of approximately \$2 million to \$2.5 million for repairs. Mr. Dhillon utilized the property as a Howard Johnson hotel for 7 years and then transitioned to the ABVI brand.

Mr. Baron submitted the following exhibits and asked Mr. Dhillon to explain each one and how the business has been in good standing:

- A-1: Photo of property (along Park Blvd).
- A-2: Photo of lobby entrance.
- A-3: Top Quality Assurance Award, presented by the ABVI chain).
- A-4: Best of the Best Marketing Award in Eastern Region.
- A-5: Photo composite of ABVI rooms.
- A-6: Fire Marshal Inspection Certification.
- A-7: Inspection Report by NJDCA.
- A-8: Certificate of Inspection by NJDCA.
- A-9: Trip Advisor Reviews.
- A-10: Estimate for construction of various improvements (Chairman Osorio noted this was not a bill and there is no proof of payment).
 - o Mr. Dhillon briefly explained the fire suppression system, site operations including housekeeping, and the Banquet Hall (never had a kitchen, only a dishwashing area), and the Palace of Asia Restaurant operations.
- A-11: Zagat review of Palace of Asia.
- A-12: Planning Report by Peter Steck, PP.

Mr. Dhillon stated that he invests about \$100,000 a year in improvements to the hotel. Mr. Dhillon estimated that the hotel is 75% occupied and that most hotels need an occupancy rate of 50-55% in order to stay in business. Lastly, Mr. Dhillon stated that he has had only one (1) violation by Cherry Hill in regard to work being done on the property, authorized by his site manager without permits, while he was away. Mr. Dhillon noted that he paid the fine.

The Planning Board then cross examined Mr. Dhillon in regard to the inspections done by ABVI's quality assurance team, occupancy rates, people placed in ABVI by the county, and construction worked performed on the site. Mr. Osorio questioned how a deceased person was not found for eight (8) days in rooms supposedly cleaned by housekeeping daily. Mr. Dhillon noted that the occupant had a "Do Not Disturb" sign posted on the door but that the odor forced them to open up the room. The Board asked Mr. Dhillon about the type of kitchen equipment in each room (a microwave, no cooking appliance). Mr. Dhillon noted that most extended stay residents are there from 3 months to a year but a few rooms have had people there longer; no kitchen facilities are permitted in their room. Several families do reside at the hotel though as they were sent to ABVI by social services. Mr. Dhillon did note that he sees school buses picking up kids sometimes and that approximately 8 to 10 elementary and middle school kids live at ABVI. Mr. Dhillon did agree that his aware of crimes committed on the property and doesn't think it is safe for children to be around that kind of activity. Mr. Dhillon did not dispute Chief Monaghan's report. Mr. Dhillon would not permit charcoal grills if he observed them and does not dispute some of Mr. Melvin's observations that there were some unsafe conditions. Mr. Dhillon stated that outside of that instance where his site manager allowed work to be done without permits, he has done all other work on the property with appropriate permits. A discussion then ensued about a trench on the property. Board Member Hung then asked Mr. Dhillon regarding economic development and hotel financing/operational related questions. A discussion also ensued related to the liquor license for Palace of Asia and whether it was an active license. The Board asked Mr. Dhillon to clarify what actions he takes when a police matter arises. Mr. Dhillon also noted that whenever they have had violations from the Fire Department, they would immediately correct those issues.

Motion: Following the reiteration of the findings of the Preliminary Investigation, and with Solicitor asking the Board to weigh all the evident, testimony, and submitted reports, John Osorio made a motion, which was seconded by Carole Roskoph, to recommend the Park Boulevard Preliminary Investigation Area be recommended to Township Council as an Area in Need of Redevelopment (except for Block 1.01 Lots 5 & 6). Affirmative votes by Osorio, Roskoph, Jacobs, Kates, Terry, LaPlaca, Hung, and Kalitan. The recommendation to Township Council is approved unanimously.

Resolution 1:

.5-P-0007

Block(s) 7.01 Lot(s) 3

Zone: Highway Business (B2) Zone

Relief Requested: A site plan waiver with bulk (C) parking variance required to permit 81,500 SF of medical office, which increases the parking demand as set forth in the Township's Zoning Ordinance.

Harrod Healthcare Development

2339 Route 70 West

Cherry Hill, NJ

Motion to Ratify: Following the review of the resolution, John Osorio made a motion which was seconded by Carole Roskoph, to memorialize the correcting resolution for Harrod Healthcare Development. Affirmative votes by Osorio, Roskoph, Jacobs, Kates, Terry, LaPlaca, Hung, and Kalitan. The resolution is memorialized.

Resolution 2:

Park Boulevard Gateway Preliminary Investigation for an Area in Need of Redevelopment

Block(s) 1.01; 3.01 Lot(s) 3-6; 1

Zone: R2/IN/B4

Various Addresses

Cherry Hill, NJ

Motion to Ratify: Following the review of the resolution, Carole Roskoph made a motion which was seconded by John Osorio, to memorialize the recommending resolution for the Park Boulevard Preliminary Investigation as an Area in Need of Redevelopment (except for Block 1.01 Lot 5 & 6). Affirmative votes by Osorio, Roskoph, Jacobs, Kates, Terry, LaPlaca, Hung, and Kalitan. The resolution is memorialized.

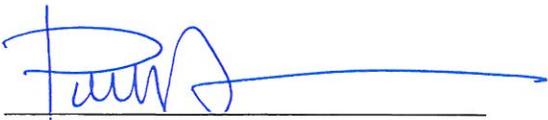
Meeting Adjourned: 12:57 AM.

ADOPTED:



JOHN OSORIO, CHAIRMAN

ATTEST:



PAUL G. STRIDICK, AIA
PLANNING BOARD SECRETARY

