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PLANNING BOARD
Monday, August 7, 2017
APPROVED MINUTES

OPENING: The meeting was called to order by Chairman John Osorio at 7:40 PM.

PLEDGE OF ALLEGIANCE: Led by John Osorio.

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

ROLL CALL

- **Members in attendance:** Betty Adler; Kevin McCormack; Carolyn Jacobs; John Osorio; Moly Hung; Sam Kates; William Carter; Marlyn Kalitan and Alise Panitch.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Director of Planning; James Burns, Esq., Solicitor; Stacey Arcari, PE, Planning Board Engineer; and Jacob Richman, PP, AICP, Planner.

ADMINISTRATIVE ITEMS

Solicitor Burns administered the Oath to John Osorio who was reappointed by Township Council as a Class IV Planning Board member and to Alise Panitch, who was appointed by Township Council as an Alternate #2 Planning Board member.

Adoption Meeting Minutes from July 7, 2017. Betty Adler made a motion, which was seconded by Kevin McCormack, to adopt the Meeting Minutes from July 7, 2017. Affirmative votes by Adler, McCormack, Hung, Carter, and Kalitan. Minutes are approved.

Agenda Item 1:

16-P-0029

Block(s) 344.01 Lot(s) 5

Zone: Neighborhood Business (B1) Zone

Relief Requested: A minor site plan with bulk (C) variances to convert a former Wawa convenience store into a two (2)-unit retail space along with various site improvements.

70 Wa One, Inc.

1030 Route 70 West

Cherry Hill, NJ

Applicant's Representatives: Jay Mintzer, Esq. – Applicant's Attorney; Jack Gravlin, PE – Applicant's Engineer; Gary Vespia – Property Owner; and Mark Rakin – Realtor.

Exhibits Submitted: None.

Mr. Mintzer introduced the application and noted that the subject site was most recently occupied by a Wawa. Mr. Gravlin explained that prior to the site being occupied by a Wawa, the site was a restaurant. Mr. Gravlin stated that the applicant is proposing a 4,230 SF 2-unit retail establishment which will include renovations to the façade of the existing building (i.e. new glass, stucco, and earth tone colors). As part of the site improvements, the applicant will be removing parking spaces (from 28 to 19 total) in order to accommodate new landscaping as well as to improvement site safety and circulation. Mr. Gravlin pointed out the two (2) access points, one on Route 70 and one on Cooper Landing Road. Neither access point has any proposed modifications. The applicant is awaiting NJDOT approval on the Route 70 access point. Mr. Gravlin noted that the applicant is proposing to repair the existing trash enclosure and install new LED light fixtures. The applicant agreed to conduct a Night Light Function Test. Mr. Gravlin went through the requested design waivers and variances, as noted in the Department of Community Development's review letter dated July 7, 2017, which included some existing non-conforming conditions and new variances for signage. Mr. Gravlin explained that the proposed signage is smaller than the signs that Wawa had. Mr. Gravlin added that the proposed signs provide proper identification of the site which leads to safer access. The applicant will provide permitted planting species so as to eliminate some of the previously requested design waivers related to landscaping and provide a better buffer. The applicant will also add light shields in order to reduce lighting spillage and will ensure that the details of the pole-mounted lights are revised to be compliant with the Zoning Ordinance. Mr. Gravlin explained that future tenants will be procured that do not require a formal loading area. Only businesses that can utilize smaller box trucks for deliveries will be courted for this site. Lastly, Mr. Gravlin stated that the applicant agrees to the comments in Community Development's and ERI's review letters.

Mr. Vespia stated that he will vet all prospective tenants to ensure they will not require tractor trailers for deliveries. Mr. Vespia affirmed that all proposed exterior improvements will be made prior any tenants occupying the space. A discussion ensued regarding exterior façade modifications, specifically the type of materials to be utilized. While the top portion of the facade will be EIFS and stucco, the materials for the bottom of the building will be administratively reviewed by the Department of Community Development. A discussion also ensued with regard to whether a variance is necessary for the size of the proposed façade and monument signs. Mr. Rakin discussed the competitive nature of signage along Route 70 and the importance of visibility. Ms. Luciani noted what would be permissible for the size and location of façade and monument signs and how the applicant could potentially comply with the Zoning Ordinance. After further deliberation, the applicant stated that they will comply with the size requirements for the proposed multi-tenant and façade signs. With regard to the multi-tenant sign, the applicant still maintains their variance request for the sign but will eliminate the variance request pertaining to the height of sign text above grade level.

Mr. Gravlin discussed the trash removal operations and joined with Mr. Vespia on discussing permitted uses for the site and related parking requirements. Mr. Rakin stated that he believes in and out style convenience stores and service uses would be most likely to succeed at the subject property.

Public Discussion: None.

Motion: Following the reiteration of the conditions by Solicitor Burns, John Osorio made a motion, which was seconded by Sam Kates, to approve the application with the conditions as stated. Affirmative votes by Adler, McCormack, Jacobs, Osorio, Hung, Kates, Carter, Kalitan and Panitch. The application is approved.

Agenda Item 2:

17-P-0014

Block(s) 53.01 Lot(s) 3

Zone: Highway Business (B2) Zone

Relief Requested: A minor site plan with bulk (C) variances to relocate Whole Hog Café into a portion of the existing Wine Legend store (divide space) along with various site improvements.

WHC Cherry Hill, LLC

1811 Route 70 West

Cherry Hill, NJ

Applicant's Representatives: Laura D'Alessandro, Esq. – Applicant's Attorney; John Pettit, PE, PP – Applicant's Engineer & Planner; Deanna Drumm, PE, PP, PTOE – Applicant's Traffic Engineer; Chris Maynes – Whole Hog.

Exhibits Submitted: A-1: Aerial Photograph; A-2: Site Plan Rendering; A-3: Elevation Rendering; and A-4: Elevation Rendering.

Ms. D'Alessandro introduced the application and noted the existing Whole Hog BBQ restaurant is currently located west, along Route 70, from their proposed new location on Route 70 which they propose to share with Wine Legend. The space adjacent to Wine Legend is 4,180 SF in size.

Mr. Maynes stated that they have sold their existing property and one of their reasons they are moving is so they can have a smaller space. Mr. Maynes discussed the differences between the two locations (such as that there is no banquet hall at the new location). Hours of operations will be from 11:30am to 9:30 or 10:00pm from Monday through Sunday with six (6) employees on the maximum work shift. The restaurant will have seventy-five (75) seats and 40% of their business will be take-out. Food deliveries occur twice per week between the hours of 6am to 10am with paper goods being delivered once per week, all via box trucks. Trash pickup will occur twice per week and Mr. Maynes stated that they will refurbish the existing trash enclosure. Mr. Maynes discussed how Wine Legend's operations will not conflict with or negatively impact Whole Hog's operations. Mr. Maynes detailed the proposed façade improvements and modifications to the existing building including a new color scheme and the removal of some of the overhead doors. The improvements will also include new landscaping, new bollards along the front of the building, and a new sign for Wine Legend. Mr. Maynes explained that both businesses will be sharing site maintenance duties. Mr. Maynes added that it is important the success of the business to maintain a clean site and will help to ensure this is achieved by increasing the frequency of trash pickups. A discussion ensued regarding Whole Hog's dine-in and take-out business. Mr. Maynes believes the restaurant will work well with the adjacent Wine Legend and believes there is sufficient parking based upon the expected peak traffic times for each use. Lastly, a discussion ensued regarding other proposed façade improvements, repairs, and pedestrian access ways. Mr. Maynes affirmed there would be no outdoor seating at this location.

Mr. Pettit gave an overview of the proposed site improvements. Mr. Pettit noted that there are two (2) access drives off of Route 70 and that there will be a variety of striping and parking improvements in order to improvement site circulation throughout the site. The applicant proposes 68 parking spaces where 79 are required. New landscaping and lighting are also proposed along with the aforementioned repairs to the trash enclosure. Mr. Pettit discussed the proposed freestanding and façade signage as well as the loading operations (to which there will be no conflicts with pedestrians).

Mr. Pettit went through the requested design waivers and explained that the increase in the proposed lot coverage is for the purpose of accommodating one (1) additional ADA parking space. The applicant agreed to the comments in Community Development's and ERI's review letters.

Ms. Drumm provided testimony with regard to the shared parking analysis report provided with the application. Ms. Drumm explained that maximum parking demand occurs on Friday during dinner times (for Wine Legend) but that Whole Hog's peak demand will be during lunch on Fridays. Ms. Drumm believes there is sufficient parking for both uses based upon the differing peak times for each business. Ms. Drumm stated that she will work with NJDOT to secure the necessary access permits. Ms. Jacobs inquired as to whether additional greenery can be added since not as much parking is needed; however, the request was dropped after some deliberation. The applicant stated that they have no objections to obtaining Title 39.

Public Discussion: None

Motion: Following the reiteration of the conditions by Solicitor Burns, Sam Kates made a motion, which was seconded by Marlyn Kalitan, to approve the application with the conditions as stated. Affirmative votes by Adler, McCormack, Jacobs, Osorio, Hung, Kates, Carter, Kalitan and Panitch. The application is approved.

Agenda Item 3:

16-P-0039

Cherry Hill, UE, LLC

Block(s) 595.02 Lot(s) 1

500 Route 38

Zone: Shopping Center Business (B3) Zone

Cherry Hill, NJ

Relief Requested: A preliminary and final major site plan with bulk (C) variances to construct a 2,587 SF drive-through Panda Express restaurant along with various site improvements and signage.

Applicant's Representatives: Richard Roy, Esq. – Applicant's Attorney; Christopher Riggle, PE – Applicant's Engineer; Nicholas Aiello, PE – Applicant's Traffic Engineer; Tim Kernan, PE, PP – Applicant's Planner; and Billy Newton – Project Manager for Panda Express.

Exhibits Submitted: None.

Mr. Roy introduced the application for a drive-through Panda Express restaurant pad site at the Walmart Shopping Center. As part of the application, the applicant proposes, in addition to the restaurant, a number of site improvements and signage.

Mr. Newton discussed the business and operations of the proposed Panda Express which is a Chinese-American fast casual restaurant. Hours of operation are from 10am to 10pm from Monday through Sunday with four (4) to seven (7) employees on the maximum work shift. Mr. Newton stated that they can control the timing of deliveries, which will come via a 55' to 60' long tractor trailer. Mr. Newton stated they can time the deliveries so that they occur before the restaurant opens or during off-peak times. Mr. Newton explained that they workshopped the design of the restaurant with the Township and its professionals in order to come up with an aesthetically appealing building. Mr. Newton detailed the proposed signage and explained how the adjacent roadways create difficult vantage points to the site.

Mr. Riggle discussed the proposed site and landscaping improvements for the Panda Express. Mr. Riggle explained that they are providing adequate parking for the use as well as adding a conforming trash enclosure. Mr. Riggle stated that the design of the pad site for the Panda Express increases the amount of open space and thus reduces overall lot coverage. Mr. Riggle affirmed that all stormwater will be managed on-site and went through all of the design waivers noted in the Community Development's and ERI's respective review letters.

Mr. Aiello described the traffic circulation as well as the access points (Route 38) to the subject site. Mr. Aiello discussed the proposed drive-through configuration and stated that there are sufficient stacking spaces to accommodate prospective customers. Mr. Newton affirmed that the proposed stacking layout for the drive-through for this proposed location is consistent with other Panda Express locations.

Mr. Kernan noted that the lease area for the proposed Panda Express is located in an underutilized area of the Walmart Shopping Center that is currently a "sea of asphalt." Mr. Kernan believes that the restaurant will be an improvement to the overall site. Mr. Kernan discussed the proposed signage for the establishment which consists of four (4) façade signs, one (1) freestanding sign, and four (4) drive-through related functional signs. Mr. Kernan explained that two (2) of the façade signs require variances as they do not have street frontage. Mr. Kernan described the visibility of the site from all of the different angles and how the elevation changes and road geometry make for somewhat difficult viewpoints. Mr. Kernan believes that the proposed signage package will provide safer identification of the site. The applicant agreed to remove the "Panda Express" sign from the drive-through clearance pole.

Public Discussion: None.

Motion: Following the reiteration of the conditions by Solicitor Burns, Betty Adler made a motion, which was seconded by John Osorio, to approve the application with the conditions as stated. Affirmative votes by Adler, McCormack, Jacobs, Osorio, Hung, Kates, Carter, Kalitan and Panitch. The application is approved.

Resolution:

16-P-0030

Block(s) 129.01 Lot(s) 1
Zone: Highway Business (B2) Zone

Triple C Development

1503 Chapel Avenue West
Cherry Hill, NJ

Relief Requested: A preliminary and final major site plan and preliminary and final major subdivision (due to extension of off-tract improvements for drainage) to redevelop the former Red Eagle Tavern site into a 6,810 SF AutoZone on proposed Lot 1.01 and a 3,760 SF Zippy's Car Wash on proposed Lot 1.02 along with various site improvements and minor subdivision to create two (2) lots at 1.187 acres and 1.323 acres in size, respectively

Motion to Ratify: Following the review of the resolution, John Osorio made a motion which was seconded by Carolyn Jacobs, to memorialize the resolution for Triple C Development. Affirmative votes by Adler, McCormack, Jacobs, Osorio, Hung, and Kalitan. The resolution is memorialized.

14-P-0016

Block(s) 284.01 Lot(s) 17
Zone: Highway Business (B2) Zone

Lazgor, LLC (Wawa)

2428 Route 38
Cherry Hill, NJ

Relief Requested: An Amended Preliminary & Final Major Site Plan to construct a 4,736 SF Wawa convenience store with gasoline service (12 fuel dispensers).

Motion to Ratify: Following the review of the resolution, Betty Adler made a motion which was seconded by William Carter, to memorialize the resolution for Lazgor, LLC (Wawa). Affirmative votes by Adler, McCormack, Hung, Carter and Kalitan. The resolution is memorialized.

16-P-0038

Block(s) 500.01 Lot(s) 3
Zone: Highway Business (B2) Zone & Industrial Restricted (IR) Zone

Lazgor, LLC (Chick-Fil-A)

1749 Marlton Pike East
Cherry Hill, NJ

Relief Requested: A preliminary and final major site plan with bulk (C) variances to construct a fast food restaurant (Chick-Fil-A) with drive-through service (conditionally permitted principal use) along with various site improvements.

Motion to Ratify: Following the review of the resolution, Moly Hung made a motion which was seconded by Kevin McCormack, to memorialize the resolution for Lazgor, LLC (Chick-Fil-A). Affirmative votes by Adler, McCormack, Hung, Carter and Kalitan. The resolution is memorialized.

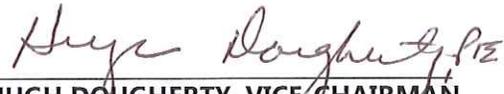
Meeting Adjourned: at 10:23 PM.

ADOPTED: 8/21/17

ATTEST:



LORISSA LUCIANI, PP, AICP
PLANNING BOARD SECRETARY



HUGH DOUGHERTY, VICE-CHAIRMAN