

DORAN

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MEMO TO: City of Northfield Planning/Zoning Board

FROM: Matthew F. Doran, Board Engineer

DATE: February 21, 2022

RE: Rise City Church, Inc.
Doran #9702

LOCATION: 1915 New Road
Block: 33; Lot: 61

STATUS: Site Plan with "C" and "D" Variance Relief Request

BASIS FOR REVIEW: Survey prepared by Arthur W. Ponzio Co. & Associates
Sheet 1 of 1, dated 12-13-21

Architectural Plan prepared by Eldon R. Stoltzfus, Architect, dated 1-20-22
Zoning Diagram prepared by Eldon R. Stoltzfus, Architect, dated 1-20-22
Application Package prepared by Eldon R. Stoltzfus, Architect, dated 1-20-22

USE: Change of Use to a Worship Use

ZONING REQUIREMENTS: This property is in the O-P Zone, which allows primarily for Commercial uses. The following is a review of the bulk requirements for the proposed project.

ITEM	REQUIRED	PROPOSED (Existing)	CONFORMITY
LOT AREA	15,000 SF	16,502 SF	C
LOT WIDTH	100'	64.93'	ENC
SETBACKS:			
FRONT	45'	33.80'	ENC
SIDE	15'	0'	ENC
SIDE	15'	52.60'	C
REAR	25'	9.5'	ENC
HEIGHT	2 STY/25'	2 STY/height unknown	C
MIN. GROSS FLOOR AREA:			
ONE STORY	1,500 SF	-	-
TWO STORY	1,500 SF	9,694 SF	C
BLDG. COVERAGE	25%	29%	ENC
TOTAL COVERAGE	80%	88%	ENC
FLOOR AREA RATIO	0.25	.587	ENC
BUFFER	15'	0'	ENC

ENC- Existing Non-conformity

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PROJECT DESCRIPTION:

This is an application for a Use “d”(1) Variance, in order to permit a Place of Worship in the O-P Zone.

The applicant is proposing to utilize the existing first floor, with an area of 4,847 SF, to be used for a church. It appears that the second floor will remain as office space, while the first floor is the proposed church area.

The applicant has requested a site plan waiver since no physical changes are propped of the site.

COMPLETENESS REVIEW: The application was reviewed for Completeness utilizing the items identified in Section 215-65 and 215-67.

The following items should be supplied, or a Waiver granted by the Board:

- (1) General Requirements-
 - (b) Copy of the land survey, shall be provided.
 - (9) All structure within 200’ if the site, and their uses.
 - (29) Architectural building plans and floor plans.
 - (31) Location and size of specimen trees.

Following is a list of Variances Requested, as part of the application:

A. “C” Variance Relief:

- 1. Floor Area Ratio- .25 is permitted; .587 is existing.
- 2. Buffer 15’ is permitted; 0 is existing.
- 3. Building Height- 25’ is permitted; not provided.
- 4. Parking- to allow parking between the building and the Right-Of-Way. (existing)
- 5. Parking Setbacks to Building-0 is existing.
- 6. Number of Parking Spaces- 96 spaces are required; 30 are proposed.

B. “d (1)” Variance Use for a use not permitted in the zone.

PLANNING REVIEW:

- 1. As show in the list of variances outlined above, the applicant requires a d (1) variance for a use not permitted in the O-P Zone, “C” Variance relief for parking.

A use variance falls under the jurisdiction of the Zoning Board as permitted in NJS 40:55D-60.a and 40:55D-70.d, the Board may “in particular cases and for special reasons grant a variance to allow departure from regulations pursuant to Article 8 of this act to permit; (1) a use or principal structure in a district restricted against such use or principal structure, (2) an expansion of a non-conforming use, (3) deviation from a specification or standard pursuant to Section C. 40:55D-67 pertaining solely to a conditional use, (4) an increase in the permitted floor area ratio as defined in Section 3.1 of P.L. 1975, c. 291 (C. 40:55D-4), (5) and increase in the permitted density as defined in section 3.1 of P.L. 1975, c. 291 (C. 40:55D-4), except as applied to the required lot area for a lot or lots detached one or two dwelling unit

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buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision or (6) a height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure. A variance under this subsection shall be granted only by affirmative vote of at least five members, in the case of a municipal board, or 2/3 of the full authorized members, in the case of a regional board, pursuant to article 10 of this act [40:55D-77 to 40:55D-88].

The applicant must prove, and the Board must find “quality of proof as well as clear and specific findings” that the granting of this variance will not be inconsistent with the intent and purpose of the Master Plan and Zoning Ordinance. This is commonly known as the Negative Criteria.

The applicant must also show “special reasons” for the Board to grant this variance. Special reasons have been defined as those reasons that carry out a purpose of zoning.

The applicant needs to provide additional testimony as to how the d (1) variance can be granted in accordance with the criteria outlined above and within the M.L.U.L.

The Municipal Land Use Law (N.J.S.A. 40:55d-2) enumerates the Purpose of Zoning as:

- a To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b To secure safety from fire, flood, panic and other natural and man-make disasters;
- c To provide adequate light, air and open space;
- d To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f To encourage the appropriate and efficient expenditure of public funds by the coordination or public development with land use policies;
- g To provide sufficient space in appropriate locations for variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i To promote a desirable visual environmental through creative development techniques and good civic design and arrangement;
- j To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;

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- k To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l To encourage senior citizen community housing construction;
- m To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n To promote utilization of renewable energy resources;
- o To promote the maximum practicable recovery and recycling of recyclable materials from solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

The Board has the power to grant the bulk variances provided the applicant can demonstrate to the Board's satisfaction, that either:

1. (a) By reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or (c) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of the zoning regulations would result in the peculiar and exceptional practical difficulties to or exceptional and undo hardship upon the development of the property.

(b) Where the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

1. No variance may be granted without showing that such variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.

REVIEW COMMENTS:

1. The applicant has requested a Site Plan Waiver with the application. Following is a review of a pertinent items associated with the application1
2. The applicant has supplied a floor plan with the application. The Board should discuss the need for building views, as required.
3. The applicant has not supplied any buffers with the application. The existing paving and building are zero setback to the property line. It should be noted.
4. The survey show curb and sidewalks are existing across the front of the property. No changes are proposed.
5. All driveway access is existing, and no changes are proposed.

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6. At present, eighteen (18) existing parking spaces along the Southwesterly property line that encroach onto the neighbor's property. The applicant should discuss if there is presently and easement between the properties, or if one is necessary.
7. The plan should be submitted to the Fire Chief for view of the proposed change in use.
8. The site has limited landscaping at the site, there presently exists a lawn area in the front yard, and foundation plantings along the front of the building.

The ordinance requires street trees, at 30' on center, across the front of the property, and shade trees around the site, one (1) tree for each ten (10) parking spaces.

9. The ordinance requires a loading space for all buildings over 5,000 SF. None are existing. The applicant should discuss if a loading zone is needed.
10. A review of the parking will be completed utilizing Section 215-105 of the ordinance.

The existing second floor of the building contains 4,847 SF of space. Since no use of this area is shown, it will be assumed that it is being used as a professional office.

The first floor is proposed to be utilized as a one hundred and thirty-one (131) seat sanctuary, an entry/café, bookstore, classrooms, and various bathrooms, storage and office.

Following is a breakdown of the parking demand for various uses on the first floor:

First Floor:

- A. Sanctuary- 1 space for each 2 ½ seats; $131 \text{ seats} / 2.5 = 52$ spaces are required.
- B. Nursery School- 1 space for each 500 SF of gross floor area. There is approximately 675 SF of gross floor area for the nursery school, so 2 spaces are required.
- C. Elementary School- (5th Grade) 1 space for each 8 students is required. I will approximate 16 students in the room, so 2 spaces are required.
- D. Café- 1 space for each 75 SF of area is required, 1 space for each 3 seats, whichever is greater is required. Therefore, 7 spaces are required.
- E. Bookstore- 1 space for each 200 SF is required, 1 space is required.

Therefore, 64 total spaces are required.

Second Floor

- A. Professional Office- 1 space for each 200 SF of non-medical- $4,847 \text{ SF} / 200 = 24$ spaces are required.

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- B. If the space is utilized as medical, then 1 space for 150 SF is required- $4,847/150= 32$ spaces are required.

Therefore, a total of 96 maximum spaces are required, if the second floor was considered medical. The site contains 30 existing spaces onsite. A variance is required.

The applicant should provide testimony on how the parking will operate.

The Board needs to know the proposed schedule for each use in the building. Are the nursery/ toddler and K-5 classrooms used during the week or on Sunday only, or will they overlap with the office on the second floor.

With regards to the existing parking spaces, the 16 spaces along the Southwesterly property line, encroaches over the line.

The applicant should provide testimony if an easement can be obtained for the encroachment of parking on the adjoining property.

The weekend when church services are in session, and adjoining businesses are closed.

11. There presently exists a trash enclosure at the rear of the site. The enclosure encroaches on the neighbor's property.
12. The plan shows 1 freestanding sign in the front yard, the sign is in the setback 19' from the front property line, which complies.

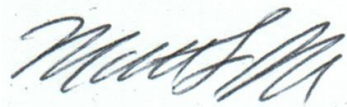
No detail of the sign size was completed since the information was supplied. The maximum allowable freestanding sign size for this property is 20 SF.

The plan makes no reference to façade signage. The maximum allowable façade signage would be $\frac{1}{2}$ SF for each one (1') foot of building width on which the sign is located, 100 SF maximum.

13. The plan does not make any reference to lighting. The applicant should discuss the acceptability of the existing lighting onsite.

If you have any questions or require further information, please do not hesitate to contact me.

Very truly yours,



Matthew F. Doran, P.E., P.P., P.L.S. C.M.E.
Engineer

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