

RESOLUTION OF FINDINGS AND CONCLUSIONS
PLANNING BOARD OF THE
BOROUGH OF WOODBURY HEIGHTS
2017-14

WHEREAS American Commercial Development, LLC (Richard Ragan) has applied to the Planning Board of the Borough of Woodbury Heights seeking amended site plan approval to establish a Starbucks Store along with variances for signage; and

WHEREAS, the property in questions is located on Mantua Pike, Block 40.05, Lot 10 in an HC zone; and

WHEREAS, the Borough of Woodbury Heights Planning Board has the right to exercise to the same extent and subject to the same restrictions, all the powers of the Zoning Board of Adjustment; and

WHEREAS, the Borough of Woodbury Heights Planning Board has had an opportunity to review the application for American Commercial Development, LLC (Richard Ragan) and a hearing having been held thereon and proper notices having been served on all surrounding property owners as required by Statute; and

WHEREAS, the Borough of Woodbury Heights Planning Board has made the following factual findings:

1. Patrick F. McAndrew, Esquire appeared on behalf of the applicant. By Resolution 2016-8 adopted on June 6, 2016 the applicant received an approval for waiver of formal site plan review to establish a Starbucks Store at the site previously occupied by Brusters Ice Cream Store. Since the time of that approval Starbucks has developed a new prototype for its stores which required this application for an amendment to the prior approval. Instead of utilizing the existing building, the applicant will now be demolishing the existing building, and constructing a new building of approximately 2,000 square feet. Changes from the prior approval will also include a change in the curb line, angle of parking, handicap access and seating. Several sign variances are also required.

2. It is anticipated that there will be 38 indoor seats and 28 outdoor seats. The applicant has provided adequate parking. There will be approximately 25 employees with 3 to 4 shifts per day and 4 to 5 people per shift. Hours of operation will be from 5:00 A.M. to 9:30 P.M. Monday through Friday, 5:30 A.M. to 9:30 P.M. on Saturday and 6:00 A.M to 9:30 P.M. on Sunday.

The store will not have a commercial kitchen or fryer. Food items will be pre-made off site and will be warmed but not cooked on site. Deliveries will occur two to three times per week. Trash pick up will also occur two to three times per week. Both will take place when the store is closed as delivery and trash vehicles will prevent the circulation of customer vehicles.

3. Two members of the public commented upon the application. One individual resides nearby and indicates that headlights shine into his home. The applicant agreed to provide some additional landscaping to address the problem. The second individual has a business in the area and indicated the need for some additional stop signs to control the flow of traffic. The applicant agreed to accommodate the request in consultation with the Board Professionals.

4. The hearing for this application took place on two dates, June 5th and June 19th, 2017. At the conclusion of the first hearing it was determined that additional information and revised plans were necessary in order for the Board Professionals to complete a proper review of the application. The Board carefully considered the review letters of May 31 and June 15, 2017 prepared by Planning Board Engineer, Mark R. Brunermer, PE, CME as well as letters of June 2 and June 16, 2017 prepared by Planning Board Planner, Tiffany A. CuvIELLO, PP. The applicant's revised plans addressed most of the concerns raised in the initial review letters. The applicant agreed to address all remaining comments to the satisfaction of the Board Professionals and to prepare revised plans.

5. The application submitted by the applicants substantially complies with the requirements of the Borough of Woodbury Heights Ordinance. The request by the applicants can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Borough of Woodbury Heights Ordinance.

6. Because of the nature and configuration of the applicant's land, failure to grant the variance will work a peculiar and exceptional practical difficulty on the applicant.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Woodbury Heights that the application of American Commercial Development, LLC (Richard Ragan) seeking amended site plan approval to establish a Starbucks Store along with variances for signage is hereby granted subject to the following conditions:

1. The applicant shall obtain any other applicable governmental approvals which the applicant is required to obtain from any Federal, State, County or Local Governmental Agency or body.

2. The applicant shall satisfy all outstanding fees and escrows prior to the granting of construction permits or issuance of a Certificate of Occupancy.

3. The following sign package is approved along with the necessary waivers and variances:

- a. (1) Freestanding Sign - One sign separate from the shopping center signage. This sign is located in the same area as the former Bruester's sign. The sign will not exceed the height of 20-feet One and have an area of 26.635 square feet (19.635 logo and 7 square foot drive-thru). A detail should be included on the site plan.
- b. Façade Signs Front Elevation (Route 45) - Three signs proposed for a total area of 49.135 square feet.
 - i. One "Starbucks" at 22.5 square feet
 - ii. One "Logo" at 19.635 square feet (60" Diameter)
 - iii. One "Drive-Thru" at 7 square feet
- c. Façade Signs Left Elevation (parking lot) - Two signs proposed for a total area of 29.5 square feet.
 - i. One "Starbucks" at 22.5 square feet
 - ii. One "Drive-Thru" sign - at 7 square feet
- d. Façade Signs Right Elevation (Moore Street) - Two signs are proposed for a total area of 29.5 square feet.
 - i. One "Logo" at 19.63 square feet (60" Diameter)
 - ii. One "Drive-Thru" at 7 square feet
- e. Façade Signs Rear Elevation (Internal to Shopping Center) - Three signs proposed for a total area of 49.135 square feet.
 - i. One "Starbucks" at 22.5 square feet
 - ii. One "Logo" at 19.635 square feet (60" Diameter)
 - iii. One "Drive-Thru" at 7 square feet
- f. Drive-Thru Menu Signage
 - i. Clearance Bar with a logo on the pole
 - ii. Pre-Order Sign at 12 square feet and 5'6" in height
 - iii. Digital Order Sign -Sign height of 9.79 feet
 - iv. Menu Board -Sign height of 5'6"
 - v. Thank you Sign at 2.6 square feet at a height of 3'10"

One directional sign is proposed at the site entrance from the parking lot. This sign is proposed at 3.354 square feet. The ordinance permits directional signs at a maximum area of 2 square feet.

4. A design waiver is granted to reduce the lane widths of the drive isles as described in the Planning Board Engineer's review letter of June 15, 2017.

5. Product delivery and trash pick up will take place when the store is closed. There will be no food preparation on site.

6. The applicant shall provide additional landscaping to address the headlight glare experienced by the nearby residential property.

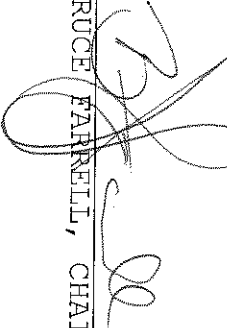
7. The applicant will add additional stop signs to improve circulation in consultation with the Board Professionals.

8. The applicant will address all outstanding issues raised in the review letters of the Planning Board Engineer and Professional Planner and will submit revised plans addressing those concerns as well as the conditions of this resolution.

9. The applicant shall post a performance bond and inspection escrows based upon the estimates provided by the Planning Board Engineer.

Adopted at a regular meeting of the Borough of Woodbury Heights Planning Board on August 7, 2017.

PLANNING BOARD OF THE BOROUGH
OF WOODBURY HEIGHTS


BRUCE FARRELL, CHAIRMAN

ATTEST:


SHANNON ELTON, SECRETARY

CERTIFICATION

The foregoing resolution was duly adopted by the Planning/Zoning Board of the Borough of Woodbury Heights at the regular meeting of said Board on August 7, 2017.



SHANNON ELTON, SECRETARY
PLANNING/ZONING BOARD