

Applicant: Federal Realty - Starbucks Pad Site

Appl. No.: SP-2/24

REFERRALS

	<u>Date</u>	<u>Comments</u>	<u>Date</u>	<u>Comments</u>	<u>Additional</u>
	<u>Referred</u>	<u>Dated</u>	<u>Referred</u>	<u>Dated</u>	<u>Reports</u>
a. Municipal Engineer	<u>5/30/24</u>	<u>6/11/24</u>	<u> </u>	<u> </u>	<u> </u>
b. Professional Planner	<u>5/30/24</u>	<u>7/26/24</u>	<u> </u>	<u> </u>	<u> </u>
c. Traffic Consultant	<u>5/30/24</u>	<u>7/26/24</u>	<u> </u>	<u> </u>	<u> </u>
d. Construction Official	<u>5/30/24</u>	<u>6/3/24</u>	<u> </u>	<u> </u>	<u> </u>
e. Shade Tree Advisory Comm.	<u>5/30/24</u>	<u>7/26/24</u>	<u> </u>	<u> </u>	<u> </u>
f. Health Officer	<u>5/30/24</u>	<u>6/3/24</u>	<u> </u>	<u> </u>	<u> </u>
g. Tax Collector	<u>5/30/24</u>	<u>5/30/24</u>	<u> </u>	<u> </u>	<u> </u>
h. Public Safety	<u>5/30/24</u>	<u>7/23/24</u>	<u> </u>	<u> </u>	<u> </u>
i. Environ. Res. Committee	<u>5/30/24</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
j. Mercer County Planning Bd.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
k. Ewing-Law. Sewer Auth.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
l. _____ Water Co.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
m. D & R Canal Commission	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
n. U.S. Post Office	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
o. NJDOT	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
p. PSE&G Co.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
q. Board of Education	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
r. Historic Preserv. Comm.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
s. NJDEPE/Wetlands	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
t. NJDEPE/Stream Encroach.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
u. _____	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
v. _____	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
w. _____	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
x. _____	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
y. _____	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
z. _____	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Township of Lawrence
ENGINEERING DEPARTMENT

TO: File

FROM: James F. Parvesse, Municipal Engineer

SUBJECT: Preliminary & Final Major Site Plan Application No. SP-2/24
Federal Realty OP LP (Starbucks Pad Site), Route 1 & Quakerbridge Road
Tax Map Page 52.02 & 52.03, Block 5201, Lots 32, 39, 40, 41.01 & 45.01

DATE: June 11, 2024

General:

The applicant has requested preliminary and final site plan approval for construction of a new Starbucks with a drive-thru lane at Mercer on One. The location is within the existing parking area on the north side of Bank of America.

The following items contained in our detailed report require additional clarification and information:

1. Stormwater Management – It is recommended that the applicant's engineer provide testimony regarding the various aspects of the stormwater design as it relates to regulatory compliance.
2. Loading Area – Further discussion regarding the location of the loading area is needed. The proposed location blocks use of the parking lot behind the store.
3. Signage – Several signs, including façade, directory, menu etc., are proposed. We will defer to the Planning Consultant for further review.

Detailed Report:

1. The Township adopted a Stormwater Control Ordinance on May 21, 2024 which complies with current NJDEP regulations. This project was submitted prior to adoption; therefore, the design must comply with the previous requirements. Major projects, as they relate to stormwater management, include designs with 0.25 acres of new impervious surface or one acre of disturbance.

The definition of a major project (revised in 2021) includes impervious surfaces / disturbances from 2004 to present. It appears that due to other construction projects completed over the past 20 years, the Starbucks project will be considered a major project under the stormwater regulations in place at the time of this application.

The applicant has submitted a Stormwater Management Report, dated June 28, 2024, that appears to demonstrate compliance with the various aspects of the regulations. It is recommended that the applicant's engineer provide testimony regarding the various aspects of the stormwater design as it relates to regulatory compliance.

2. The loading area is shown in the driving aisle between the parking spaces behind the building. When the loading area is in use access to the parking spaces will be limited. The Applicant should provide testimony regarding the anticipated delivery hours to ensure parking is not unreasonably impacted. Alternate locations should also be considered.
3. Compliance with electric vehicle parking requirements shall be addressed. Based on the ordinance requirements, a minimum of one (1) make-ready space may be required.
4. A Rectangular Rapid Flashing Beacon should be considered for the existing elevated crosswalk on the west side of the new location.

5. A minimum of 1.5% overland slope is required in the parking lot. Grading shall be revised as necessary. The parking lot pavement detail shall comply with Township requirements for course thickness.
6. Roof drainage and storm sewer pipe calculations shall be provided. A compliant stormwater inlet head shall also be specified.
7. An Operations and Maintenance Manual shall be prepared for the entire site, incorporating all stormwater facilities. The manual shall be prepared in accordance with the NJDEP guidance document. It shall be recorded with the Mercer County Clerk's Office with a deed declaration. The stormwater maintenance reports for 2023 shall also be submitted. Any required maintenance must be included with this project, completed prior to issuance of a Certificate of Compliance.
8. Bonding and inspection fees will be required.
9. Other permits/approvals:
 - a. Mercer County Planning Board
 - b. Delaware and Raritan Canal Commission – or letter of no interest
 - c. Ewing Lawrence Sewerage Authority
 - d. NJ American Water
 - e. Public Safety
 - f. Lawrence Township Soil Distribution (prior to construction)

JFP/jrt

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Documents Reviewed:

- Application No. SP-2/24 and Supporting Documents
- Site Plans, dated May 1, 2024
- Topographic and Location Survey, dated October 3, 2023
- Architectural Elevations, dated March 24, 2023
- Stormwater Management Narrative, dated December 12, 2023
- Stormwater Management Report, dated June 28, 2024
- Operational and Parking Evaluation, dated December 12, 2023
- Solid Waste Management Plan, dated December 20, 2023



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info@kylemcmanus.com

To: Lawrence Township Planning Board

From: Elizabeth McManus, PP, AICP, LEED AP *EMM*
Brett Harris, PP, AICP *BH*

Re: **Federal Realty OP LP (Starbucks)**
Preliminary Major Site Plan & Bulk Variance
Block 5201 Lot 32, 39, 40,41.01 & 45.01
Route 1 and Quaker Bridge Road
HC District

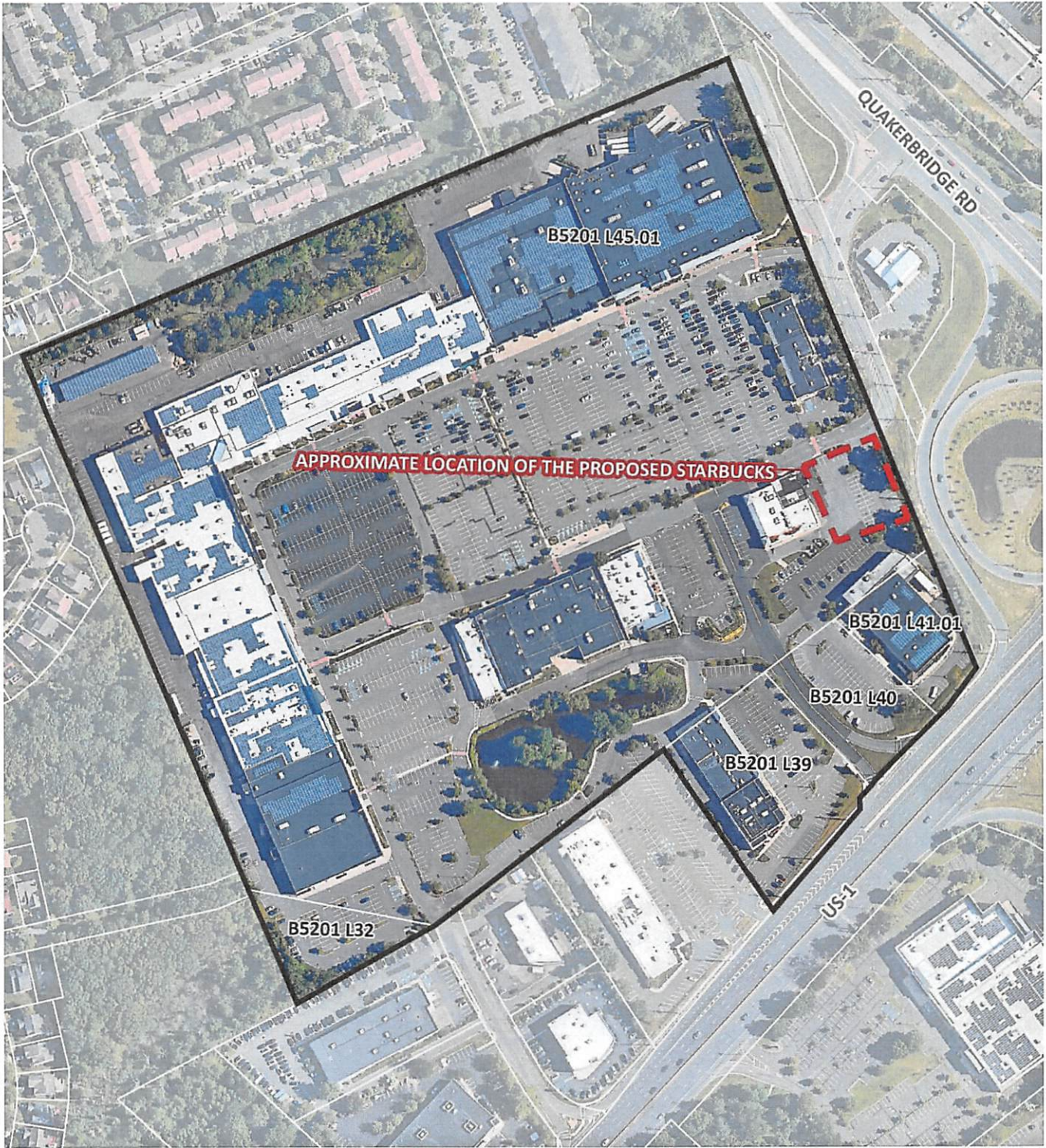
Date: July 26, 2024

1.0 Introduction & Project Overview

- 1.1** The Applicant is requesting preliminary and final major site plan approval to construct a Starbucks with an associated drive-thru, in an existing parking lot associated with the Mercer on One commercial shopping center. A 2,200 sf Starbucks is proposed, with an outdoor seating area, and associated parking, lighting and landscaping improvements. The proposed development will eliminate 42 parking spaces (net loss of 28 spaces) from the existing Mercer on One shopping center. Presumably the existing Starbucks located adjacent to the site will be closed in favor of the new construction that includes a drive-thru.
- 1.2** The subject property consists of Lots 32, 39, 40,41.01 & 45.01, with a total area of about 45-acres. There are several commercial buildings associated with the subject property, including an "L" shaped building with various commercial tenants, and several standalone commercial buildings including restaurants and retail stores. The site has access to both Route 1 and Quakerbridge Road. Quakerbridge Road serves as the municipal boundary between Lawrence Township and West Windsor.

2.0 Site & Surrounding Area

- 2.1** The subject property is located near the intersection of Route 1 and Quakerbridge Road, both of which are auto-oriented commercial corridors in the Township.
- 2.2** Several residential neighborhoods exist to the north and west of the site in the PVD-2 District. The proposed Starbucks is not located adjacent to these neighborhoods. To the east and south are commercial uses along Route 1 in the HC and RC Districts. The Quakerbridge Mall and other retail and restaurant uses are located to the southeast across Route 1.



STARBUCKS

Block 5201 Lot 32, 39, 40, 41.01 & 45.01
TOWNSHIP OF LAWRENCE MERCER COUNTY NJ

DATA SOURCE: Aerial Imagery, Google Earth 2021; NJGIN Mercer County Parcels 2023



3.0 Zoning Analysis

- 3.1 The subject site is located within the HC District. The HC District is intended to serve both residents of the municipality and the general public with uses typically oriented towards motorized travel. The proposed Starbucks use and associated drive-thru is permitted in the HC District.
- 3.2 There are a few existing nonconformities from the HC District standards for the overall site. The proposed Starbucks does not require new bulk variance relief. Please see the following table for additional detail regarding the overall site. Please find the relevant variance criteria attached.

§420 HC District Standards				
	Required	Existing	Proposed	Variance?
Min. Lot Area	40,000 SF	1,962,496 SF	1,961,496 SF	No
Min. Lot Frontage	200 feet	652 feet	652 feet	No
Min. Lot Width	200 feet	652 feet	652 feet	No
Min. Lot Depth	175 feet	1,351 feet	1,351 feet	No
Min. Front Yard	25 feet	47.6 feet	47.6 feet	No
Min. Side Yard	25 feet	25.5 feet	25.5 feet	No
<i>Min. Rear Yard</i>	<i>60 feet</i>	<i>34.8 feet</i>	<i>34.8 feet</i>	<i>*Yes</i>
<i>Min. Parking Lot Setback</i>	<i>25 feet</i>	<i>2.5 feet</i>	<i>2.5 feet</i>	<i>*Yes</i>
Max. Floor Area Ratio	30%	24.6%	24.7%	No
<i>Max. Impervious Surface Ratio</i>	<i>75%</i>	<i>82.1%</i>	<i>82.1%</i>	<i>*Yes</i>
Max. Building Height	35 feet	< 35 feet	< 35 feet	No

****Indicates existing non-conforming condition***

- 3.3 **Parking.** The parking summary on the site plans depicts that 2,179 total parking spaces are required and 2,034 total parking spaces currently exist; however the Applicant has provided a letter dated July 22, 2024, correcting the plans and that the existing parking lot has 2,062 parking spaces. 42 parking spaces are proposed to be removed resulting in 2,020 total parking spaces, a variance is required for a 159-space deficiency. The 14 parking spaces proposed satisfy the parking requirements for the Starbucks use using the shopping center standard set forth in Section 530.C.
- 3.4 **Bicycle Parking.** §533C requires bicycle parking spaces for wherever significant attractors are established, including, but not limited to food stores, educational uses, and shopping centers. The number of bicycle



parking spaces shall equal at least 10% of the total required number of parking spaces for the first 100 spaces and 2% thereafter. It appears the overall shopping center is noncompliant. Bike racks for an unspecified number of bikes is proposed.

3.5 Signage. The Applicant requires several variances related to the proposed signage, additional detail can be depicted in the following table:

§535 Sign Standards				
	Required	Existing	Proposed	Variance?
Facade Signs				
Max. Number	1 sign per building	-	7 signs	Yes
Max. Sign Area	5% of total façade area to which it is attached (not to exceed 80 sf)	-	East & West Façade: 75 sf (total area for 3 signs) North Façade: 26.9 sf East & West Façade: 20.88 sf (total area for 3 signs)	Yes
Max. Height	Below a parapet Parapet height 18 feet	-	13 feet 16.25 feet 13 feet	No
Freestanding Signs (Menu)				
Max. Number	2 signs	-	3 signs	Yes
Max. Sign Area	60 sf total	-	8.36 sf 12.92 sf 28.03 sf	No
Max. Height	7 feet	-	5.54 ft 6.08 ft 5.25 ft	No
Freestanding Signs				
Max. Number	1 freestanding sign for each collector or arterial road that provides access	-	4 signs	Yes
Max. Sign Area	35 feet total	-	< 35 feet	No
Max. Height	15 feet	-	10.67 ft 6.5 ft	No
Directional Signs				
Max. Number	N/A	-	5 signs	No
Max. Sign Area	16 sf each	-	7.66 sf 7.66 sf 3 sf	No
Max. Height	6 feet	-	3.83 ft 3.83 ft 7 ft	Yes



4.0 Plan Comments

- 4.1** The Applicant should provide testimony regarding the building use and operation for employees and the public, including hours of operation of the Starbucks and the drive-thru. Testimony should include all proposed site improvements and demolition.
- 4.2** The corrected parking supply should be added to the site plan.
- 4.3** The Applicant requires variance relief for the site's overall number of parking spaces. To accommodate the proposed development, 42 parking spaces are to be removed. Fourteen parking spaces are proposed to serve the new Starbucks. Testimony should be provided as to whether adequate and convenient parking will remain for the commercial buildings that surround the proposed Starbucks. The Board should note the multiple crosswalks, existing and proposed, allow pedestrians to safely access other buildings and parking areas.
- 4.4** The Applicant should demonstrate compliance with the outdoor seating standards defined in §420.C6 of the Township's Land Use Ordinance. For reference, the standards are as follows:
- a. Seating shall comply with the handicapped accessibility requirements of N.J.A.C. 5:23-7.
 - b. No seating shall be located within 5 feet of any public or private parking and shall be adequately protected from vehicular traffic.
 - c. No glare from lighting for outdoor seating shall be created.
 - d. No impediment to the free flow of pedestrian or vehicular traffic shall be created by the outdoor seating.
 - e. Off-street parking for outdoor seating shall be provided in accordance with §530.C.2 and Table 5.16.
 - f. The Zoning Officer may approve a plan conforming to these conditions without the necessity of site plan review pursuant to §801.
- 4.5** Details should be provided for the outdoor furniture and patio fencing, with materials and colors specified. The patio fencing should be not more than 4 feet in height and should have a design and material that is complementary to the building.
- 4.6** It appears that two refuse enclosures are proposed within the limit of disturbance. The Applicant should provide clarification on whether one will serve adjacent buildings.
- 4.7** A detail should be provided for each proposed trash enclosure; the proposed enclosures should complement the building in which they serve.
- 4.8** Compliance with the Township's landscaping ordinance should be demonstrated. It appears the proposed landscape plan is not compliant with the Township's street tree and parking lot screening standards. A revised landscape plan should be provided to address the below listed items. The additional plantings will improve the appearance of the site, reduce the heat island effect from pavement, and



provide additional plant diversity.

- a. §525.C1 requires trees to be planted every 40 feet along both sides of all streets. Additional trees towards the south along Ramp H, towards the existing Starbucks building, should be provided.
- b. §525.L3, parking areas shall be screened by a combination of berms, hedges, fences or walls, with a minimum planting height of 3 feet. Screening plantings are not proposed along the western side of the parking lot, between the parking lot and drive-thru, and should be provided.
- c. Trees and shrubs should be planted along the southern limit of disturbance, adjacent to the drive-thru entrance, and the plantings should extend westward to the proposed trash enclosure.
- d. The Applicant should provide additional trees and plantings along the northeastern side of the proposed building and the site entrance, as well as along the front of the building.
- e. The Applicant should provide shrubs and plantings between the rear (southern side) of the building and the drive-thru.
- f. The Applicant should expand the proposed plant species to include additional plant variety composed of native and adaptive plants.

4.9 A detail of the proposed bike rack should be provided.

4.10 Additional detail regarding the proposed site lighting should be provided.

- a. Compliance with the requirements for lighting of surface parking areas (Section 527.C.) and pedestrian ways (Section 527.D.) should be provided.
- b. Details should be provided for all the proposed light fixtures.
- c. All exterior light fixtures should be Dark Sky compliant.
- d. The Applicant should identify the proposed hours the exterior lights will operate, and any proposed reduction overnight to security levels and/or the utilization of timers and/or motion sensors to activate the lights after hours.

4.11 The front façade of the building consists of large windows, wood siding and EIFS. The right side of this façade, for which the outdoor seating area abuts, contains a significant expanse of EIFS. This building material is not durable, nor does it have any visual interest. This area of the façade should be amended to include additional or alternative building materials with more durability and interest.

4.12 The rear of the building, along the drive-thru is largely a blank wall. The Applicant should revise the façade to provide additional architectural detailing and materials.

4.13 The Architecture Plans should be updated to incorporate the proposed signage. The building elevations only depict two W-1 and W-3 façade signs, where the sign table depicts three of each sign.



5.0 Land Use Policy

5.1 The Applicant should provide testimony regarding the conformance with the Township's land use policy as outlined in the 1995 Master Plan, and subsequent reexamination reports, the various Master Plan Elements, and the Township's Land Use Ordinance.

5.2 The purpose of the HC District is relevant to the development proposal:

"The Highway Commercial (HC) district is intended to serve both the residents of the municipality and the general public with uses typically oriented towards motorized travel. The HC district is the primary retail zone for localized sales and services that are not regionally based. It differs from the NC-1 and NC-2 districts by including automobile business uses and excluding residential uses, with the exception of certain senior citizen housing. The Highway Commercial district is also intended to support the retail uses in the Regional Commercial district."

5.3 The following Goals from the 1995 Master Plan are relevant to the development proposal.

- General Goal *"Provide harmonious and efficient allocation and arrangements of land uses and protect property values in both Lawrence and surrounding municipalities."*
- Land Use Goal *"Foster a well balanced, diverse community with a mix a residential housing types, institutional, commercial, and limited industrial uses along with ample open space and public facilities. The land use plan development regulation are designed to minimize land use conflict and to reduce adverse impacts of development on other activities in the Township."*

6.0 Materials Reviewed

6.1 Application and supporting materials.

6.2 *Preliminary & Final Major Site Plans*, consisting of 24 sheets, prepared by Kimley Horn, May 1, 2024.

6.3 *Architecture Plans*, consisting of 2 sheets, prepared by JP2 Architects dated March 25, 2023.

7.0 Applicant Team

7.1 Applicant: Federal Realty OP LOP 50 E Wynnewood Road Suite 200 Wynnewood PA 19096 (484) 419-1219
ahendricks@federalrealty.com

7.2 Owner: FR Mercer Mall Fee Owner LLC 50 E Wynnewood Road Suite 200 Wynnewood PA 19096 (484) 419-1219

7.3 Attorney: Damien o. Del Duca Esq. Del Duca Lawis & Berr, LLC 21 E. Euclid Avenue Suite 100 Haddonfield NJ 08033 (856)427-4200. dod@delducalewis.com

7.4 Engineer: Anthony Caponigro PE 50 S 16th Street Suite 3300 Philadelphia PA 19102 (267) 687-0156.
anthony.caponigro@kimley-horn.com



C (1) “HARDSHIP” VARIANCE – POSITIVE CRITERIA

The Board has the power to grant “c(1)” or “hardship” variances to permit relief from zoning regulations where a hardship to conformance exists (N.J.S.A. 40:55D-70c(1)). Proving the existence of the hardship is the so-called “positive criteria”.

In order to grant the variance, the Board must find that the strict application of the regulation for which relief has been requested would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property for one or more of the following reasons:

- by reason of exceptional narrowness, shallowness or shape of a specific piece of property,
- or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
- by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structure lawfully existing thereon,

It should be noted that the finding of the hardship must be for the specific property in question – it must be unique to the area. Note also that a hardship variance cannot be granted by a self-created hardship or personal hardship of the applicant. Additionally, finding of a hardship need not provide inutility – that the property cannot be developed without a variance.

C (2) “FLEXIBLE” VARIANCE – POSITIVE CRITERIA

The Board has the power to grant “c(2)” or “flexible” variances to permit relief from zoning regulations where an alternative proposal results in improved planning, as measured by the two below items (N.J.S.A. 40:55D-70c(2)). Proving the improved planning is the so-called “positive criteria”.

- One or more purposes of the Municipal Land Use Law would be advanced by the deviation, and
- the benefits of the deviation from the zoning ordinance requirements would substantially outweigh any detriment.

It should be noted that the finding of the benefits must be for the specific property in question – it must be unique to the area. The zoning benefits resulting from permitting the deviation(s) must be for the community and not merely for the private purposes of the owner. Benefits resulting the deviation(s) are not restricted to those directly obtained from permitting the deviation(s) at issue; permitting the deviation(s) can be considered in light of benefits resulting from the entire development proposed.



The following provides the purposes of the Municipal Land Use Law. Note that the Board should only consider those purposes of zoning that are relevant to the particular property and implicated by the variance relief sought.

- 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-made 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 of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a 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 environment 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;
- 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 municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs;



- p. To enable municipalities the flexibility to offer alternatives to traditional development, through the use of equitable and effective planning tools including clustering, transferring development rights, and lot-size averaging in order to concentrate development in areas where growth can best be accommodated and maximized while preserving agricultural lands, open space, and historic sites; and
- q. To ensure that the development of individual municipalities does not unnecessarily encroach upon military facilities or negatively impact the operation of military facilities, and to those ends, to encourage municipalities to collaborate with military facility commanders in planning and implementing appropriate land use controls, thereby improving the vitality of military facilities and protecting against their loss through the Base Realignment and Closure process or mission loss.

(C) 1 AND 2 VARIANCE – NEGATIVE CRITERIA

In addition to the positive criteria, the Board must also find that the requested relief meets both components of “negative criteria”.

1. The proposal will not create a “substantial detriment to the public good”; and
2. The proposal will not create a “substantial detriment to the zone plan and zoning ordinance”.

Note that the criteria are not “no detriment”, instead use of the term “substantial” indicates that the detriment must be significant. However, it should also be weighed against the benefit to the public good that is identified in the positive criteria. Essentially, the greater the benefits, or in the case of a (c) 1 variance the hardship, of a project, the greater the detriments must be to achieve the quality of being substantial.



SURINDER S. ARORA, PE
President

ARORA and ASSOCIATES, P.C.

Consulting Engineers

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MEMORANDUM

DATE: July 26, 2024

TO: Lawrence Township Planning Board

FROM: Quazi Masood, P.E., PTOE (Tel: 646-933-0014) *QM*
William T. Dougherty, PE, PTOE *WTD*
Traffic Consultants

SUBJECT: Federal Realty OP LP (Starbucks Pad Site) Route 1 & Quakerbridge Road
Preliminary & Final Major Site Plan Application, SP-2/24
Planning Board Memorandum #1
Lawrence Township, Mercer County, New Jersey
Tax Map page 52.02 & 52.03, Block 52.01; Lots: 32, 39, 40, 41.01 & 45.01

Document Received

We are in receipt of the following information electronically for review:

- One Lawrence Township Planning Board Transmittal Memo for SP-2/24 (1 page) prepared by James Parvesse dated May 30, 2024, with Reports due Friday July 26, 2024
- One Transmittal Letter (3 pages) with Summary of Application (2 page) and Supporting Documents (5 pages) prepared by Del Duca Lewis & Berr Law Firm. dated May 28, 2024
- One set of Preliminary/Final Major Site Plans (24 Sheets) prepared by Kimley Horn and Associates, Inc., dated May 1, 2024
- One copy of Partial Topographic and Location Survey (1 sheet) prepared by Control Point Associates dated October 3, 2023
- One set of Architectural Elevations (2 sheets) prepared by JP2 Architects dated March 25, 2023
- One copy of Stormwater Management Narrative (3 pages) prepared by Kimley Horn & Associates, Inc. dated December 12, 2023
- One copy of the Operational and Parking Evaluation (60 pages) prepared by McMahon Associates, Inc. (a Bowman Company) dated December 12, 2023
- One copy of Solid Waste Management Plan (1 page) prepared by Federal Realty Investment Trust dated December 20, 2023
- One Transmittal Letter (1 page) prepared by Del Duca Lewis & Berr dated July 22, 2024
- One Revision Letter for the Operational & Parking Evaluation (1 page) prepared by Bowman dated July 22, 2024

Project Description

According to the Summary of Application, "Federal Realty OP LP (the "Applicant") proposes to develop a 2,200 sf Starbucks on a portion of real property known as 'Mercer on One'. Mercer on One is a commercial shopping center located at the corner of Route 1 and Quaker Bridge Road and designated as block 52.01, lots 32, 39, 40, 41.01 and 45.01 on the municipal tax map (the "Property"). The Property is approximately 45.03 acres and currently developed with a multi-tenant shopping center and various pad

sites. The property is located in the HC Highway Commercial zoning district. The Applicant proposes to construct a Starbucks, with drive-thru, on a pad site. The Applicant seeks preliminary and final major site plan approval with submission waivers, design waivers, and variances.

List of Variances

The Applicant also seeks the following variances:

1. Section 420(E)(1)(i)(ii) – maximum impervious surface ratio, for lots 5 acres or larger – 75% required, 82.1% existing and proposed (existing nonconformity); and
2. Section 530(C)(2) – minimum off-street parking spaces, for a shopping center with between 400,000 and 599,999 sf GLA – a ratio of 4.5 spaces per 1,000 sf GLA required (2,179 parking spaces); a ratio of 4.12 spaces per 1,000 sf GLA proposed (1,992 total parking spaces)
3. Section 535.M.2.d. – directional sign height – 6 ft. permitted and 7 ft. proposed;
4. Section 535.R.1. – maximum sign area, freestanding sign – 10 s.f. permitted and 28.03 s.f. proposed
5. Section 535.Q.1. – maximum façade sign area – to allow a façade sign area exceeding the permitted maximum 5% of the total façade area to which it is attached;
6. Section 535.Q.2. – maximum number of façade signs – 1 façade sign per building permitted and seven (7) façade signs proposed;
7. Section 535.Y.2. – number of freestanding signs permitted in the HC district – one (1) additional freestanding sign permitted and twelve (12) additional freestanding signs proposed; and
8. Section 535.Y.13. – maximum number of permitted menu signs permitted for fast food restaurants with a drive-thru facility in the HC district – two (2) menu signs permitted and three (3) menu signs proposed.

List of Design Waivers

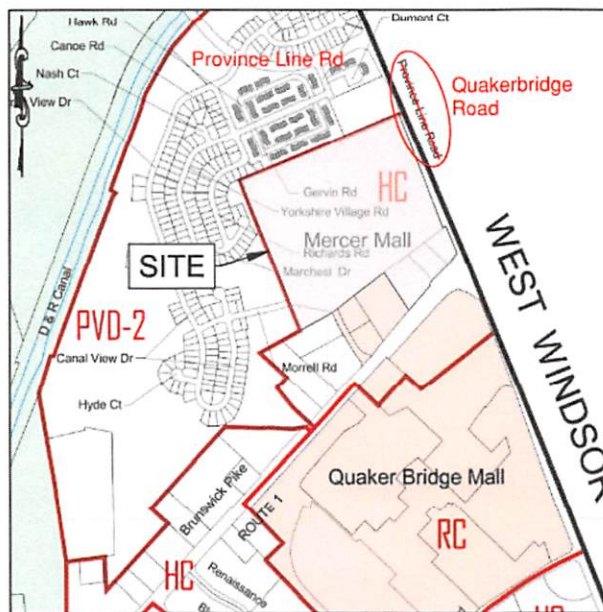
The Applicant also seeks the following submission and design waivers:

1. Checklist No. 39 – A waiver from requirement to submit the existing system of drainage of subject site and of any larger tract or basin of which it is a part.
2. Checklist No. 54 – A waiver from requirement to submit sight triangles.
3. Checklist No. 59 – A waiver from requirement to submit an environmental impact statement.
4. Checklist No. 61 – A waiver from requirement to submit a circulation impact study.
5. Section 525.L.1 – To allow landscape islands less than 8 feet in width on the side of parking spaces.
6. Section 525.L.2 – To allow the required landscape island plantings to be distributed outside the required screening area.

Review Comments

We have completed our review of the above-referenced documentation and offer the following comments:

1. The applicant has requested design waiver '*checklist no 54 – waiver from the requirement to submit sight triangles*'. It is to be noted that sight distance at the project driveway will be limited due to horizontal curvature and existing evergreen tree foliage, which will result in an unsafe traffic movement environment. As such, this memo recommends that the applicant should submit appropriate sight triangle analysis at the proposed site.
2. Please include a note in the Site Plans regarding Title 39 Enforcement.
3. The Zoning Map Detail on the Cover Sheet misidentifies Quakerbridge Road as Province Line Road as depicted in the figure below, which should be corrected. It is repeated several locations in the Zoning Map Detail.



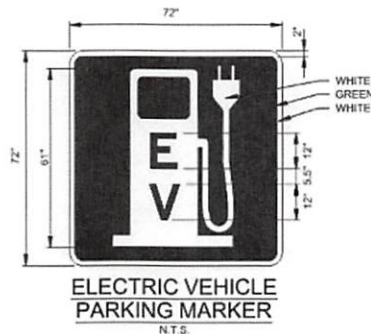
ZONING MAP
(LAWRENCE TOWNSHIP)
SCALE: N.T.S.

4. The Cover Sheet identifies this project as "*Preliminary/Final Major Site Plans for **Mercer Mall***" and not as "*Preliminary/Final Major Site Plans for Starbucks Pad Site*". Please address this issue.
5. The Cover Sheet mentions ALTA/NSPS Land Title Survey, but this drawing was not provided.

- Electric Vehicle Supply/Service Equipment (EVSE) spaces are not shown. They are required by NJ Law and Township Ordinance. Please include the following MUTCD Standard sign (D9-11b) and PANYNJ Standard pavement marking symbol (TD50.09) in the revised plan set.



D9-11b
Electric Vehicle
Charging

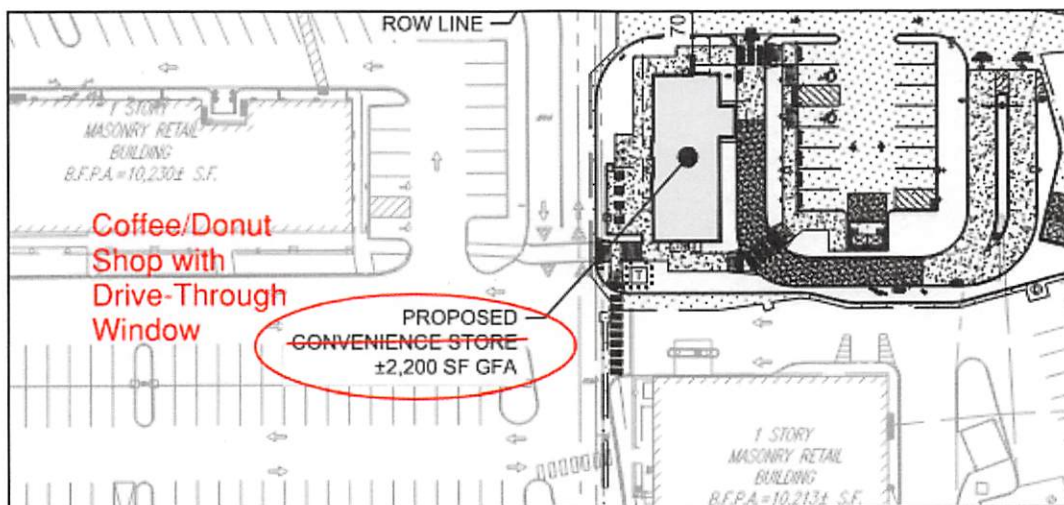


- The Cover Sheet (C-000) and Overall Site Plan (Sheet C-100) misidentify the Starbuck's Pad Site as "Convenience Store" in both plans. The land use involved is "Coffee/Donut Shop with Drive Through", which must be addressed in both plans. Relevant sections are depicted below.

PROJECT DESCRIPTION NARRATIVE

THIS PROJECT INCLUDES THE DEMOLITION OF EXISTING IMPERVIOUS PARKING AREA AND ASSOCIATED SITE FEATURES, AND CONSTRUCTION OF A 2,200 S.F. ~~CONVENIENCE STORE~~ AT THE MERCER MALL. THE EXISTING SITE IS A 45.03 AC. SHOPPING CENTER AND CONSISTS PRIMARILY OF RETAIL STORES. IMPROVEMENTS WILL ALSO INCLUDE THE INSTALLATION OF PARKING, UTILITIES, LANDSCAPING, AND STORMWATER MANAGEMENT NECESSARY TO SUPPORT THE PROJECT.

coffee/donut shop with drive-through window



- Please show the ADA parking signs and their mounting details properly. The R7-8 (ADA Accessible Reserved Parking Sign) should be mounted at the top, R7-8aP (Van Accessible Plaque) is in the middle (when applicable) and the R(NJ)7-8A New Jersey Penalty Plate should be at the bottom. A sample mounting layout is provided below (not to scale).



- Please include all pavement markings and signs used in the plans in your details sheet, such as, "Proposed Pedestrian Crossing Sign" and "Proposed No Parking Sign", "Do Not Enter" and "Drive Thru" pavement markings.
- Sheets C-101 show DO NOT ENTER, X symbol. It is listed as "Railroad Crossbuck" in MUTCD. The sign should be replaced with a 'Do Not Enter (R5-1)' sign or pavement marking as per MUTCD. This memo also recommends mounting One Way (R6-1L, R6-1R) sign on the same posts.
- The Crosswalk Detail on Sheet C-150 says "See Site Plan" for Crosswalk Width, but the crosswalk widths are not labeled on Sheet C-101 of the Site Plan. This memo recommends using at least 8' minimum width for all crosswalks, although 10' crosswalk width is preferred.
- Sheets C-102 and C-155 propose D-2 sign at a location near drive-through lane egress, which refutes the MUTCD standard and should not be used. Moreover, the placement of D-2 sign is too far back along the egress. This memo recommends installing a Wrong Way (R5-2) sign at that location.
- Sheets C-102 and C-155 propose D-3 "Yield and Merge" sign at the merge area of drive-through lanes, which refutes the MUTCD standard and should not be used. This memo recommends using either W4-1 or W4-2 sign as per the MUTCD standard.

14. Sheet C-121 shows that the fire truck does not enter/exit the proposed project site's parking lot. Therefore, we defer the approval of this turning template to Township Fire Chief's discretion.
15. This memo acknowledges the receipt of a letter from Bowman dated July 22, 2024, stating the revision of the total number of the overall parking spaces. The letter outlines *'The existing parking supply for the Mercer Mall should be 2,062, and not 2,034 spaces. As a result, with the removal of the 42 spaces to provide for the proposed Starbucks Outparcel, the proposed parking supply is 2,020. The required number of parking spaces remains as 2,179 spaces with the extent of variance requested being reduced from 187 spaces to 159'*. This memo recommends that 'Operational and Parking Evaluation' report should be updated to incorporate all updated parking information.
16. Table 4 of the Operational and Parking Evaluation report (page 6 of 9) shows that the proposed Starbucks will trigger a peak parking demand amounting a total of 11 spaces on a typical weekday and 19 spaces on a typical Saturday. These two parking demand values should be revised to show 12 spaces ($5.10 * 2,200/1,000$) and 20 spaces ($8.70 * 2,200/1,000$) for weekday and Saturday, respectively. The parking values should always be rounded up to nearest whole number, not rounded down to be on the conservative side.
17. The Conclusions section of the Operational and Parking Evaluation report states "dual drive-through lanes for ordering". However, the proposed pre-order menu boards are placed near vehicle numbers 6, 7 and 8 at the single lane section of the drive-through (Sheet C-101). This discrepancy should be addressed.

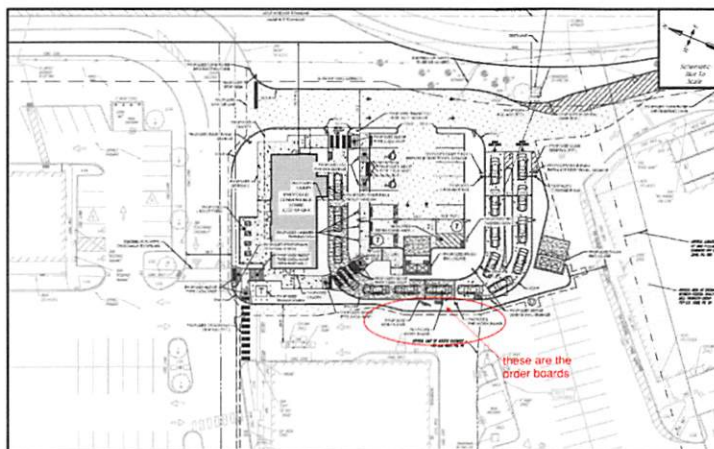


FIGURE 2
Site Plan (Prepared by Kimley Horn)
MERCER MALL
LAWRENCE TOWNSHIP, MERCER COUNTY, NJ

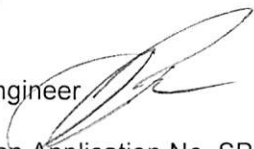
 **McMAHON**
a Bowman company

This completes our comments. Additional comments may be provided as this project moves forward.

CC: *Jim Parvese, P.E.*
Brenda Kraemer, PE
Susan Snook

TOWNSHIP OF LAWRENCE
Division of Planning and Redevelopment

TO: Brenda Kraemer, Assistant Municipal Engineer
Elizabeth McManus, Planning Consultant
Edwin W. Schmierer, Planning Board Attorney
Quazi Masood, Traffic Consultant
James DeForte, Construction Official
Edward Tencza, Public Safety Coordinating Committee
Environmental Resources Committee
Shade Tree Advisory Committee
Keith Levine, Health Officer

FROM: James F. Parvesse, Municipal Engineer 

SUBJECT: Preliminary & Final Major Site Plan Application No. SP-2/24
Federal Realty OP LP (Starbucks Pad Site), Route 1 & Quakerbridge Road
Tax Map Page 52.02 & 52.03, Block 52.01, Lots 32, 39, 40, 41.01 & 45.01

DATE: May 30, 2024

Attached are the documents listed below with regard to the referenced site plan application:

- Application No. SP-2/24 and Supporting Documents
- Site Plans, dated May 1, 2024
- Topographic and Location Survey, dated October 3, 2023
- Architectural Elevations, dated March 24, 2023
- Stormwater Management Narrative, dated December 12, 2023
- Operational and Parking Evaluation, dated December 12, 2023
- Solid Waste Management Plan, dated December 20, 2023

This application is scheduled for review by the Planning Board at the meeting to be held Monday, August 5, 2024. Please review these documents and submit your report to this office as soon as possible, but **no later than July 26, 2024**, so that reports may be provided to the applicant and Board members prior to the meeting.

JRT
M:\Planning Board\Applications\Federal Realty - Starbucks\Distribution Letter.doc
Attachments



05/31/2024 NO FIRE COMMENTS SJ
5-31-24 No Building comments APG
5-31-2024 NO ELECTRIC COMMENTS SJ
6-3/24 NO PLUG COMMENTS JO

TOWNSHIP OF LAWRENCE

P.O. Box 6006
Lawrenceville, New Jersey 08648

Department of Community Development
609-844-7087

REPORT

Lawrence Township Shade Tree Advisory Committee Starbucks Rt 1 & Quakerbridge Road Proposal

Filed 7/26/2024

The proposed addition of a Starbucks to Mercer Mall near Rt 1 and Quakerbridge Road was reviewed by STAC. We oppose the added density of this proposed development unless additional shade trees are planted.

- The proposal further intensifies the excessive asphalt-ization and traffic in this area of Lawrence Township. More trees should be incorporated into development proposals, to provide cooling. Whenever possible, solar panels should be incorporated into the roof design.
- The % of impermeable surface at Mercer Mall and in the Rt 1 and Quakerbridge Road area – roof and parking asphalt -- already exceeds any reasonable %. The amount of impermeable asphalt surface needs to be reduced when changes are made. This area of the Township also has flooding concerns. Trees and green open space provide a buffer against flooding, plus provide cooling.
- Continuous shaded sidewalks can be incorporated into the design of an adjacent area of the large parking area of Mercer Mall. At any given time, there are many empty parking spaces. Some of these should be replaced with attractive shade trees.
- The parking lot currently requires pedestrians to walk in the car driving lanes to reach the stores. This involves risk and danger. Cars are backing up into the lanes where pedestrians are walking. An addition of a shaded pedestrian walkway to the stores to replace one line of parking spaces would be a real improvement for Mercer Mall. [Nearby, Wegman's has these]. This proposal for Intensification of the car traffic at the Mall should be accompanied by de-escalation in the design, and planting some shade trees. -- Respectfully submitted, David Bosted, STAC Chair

LAWRENCE TOWNSHIP HEALTH DEPARTMENT
2207 Lawrenceville Road - Box 6006 - Lawrenceville, New Jersey 08648
Telephone: (609) 844-7089

Date: June 3, 2024
To: James Parvesse, P.E., Municipal Engineer,
From: Keith Levine

REVIEW FOR:

<input type="checkbox"/>	Building Permit	<input type="checkbox"/>	Food Establishment
<input type="checkbox"/>	Certificate of Occupancy	<input type="checkbox"/>	Sewage Disposal System
<input checked="" type="checkbox"/>	Planning Board	<input type="checkbox"/>	Individual Water Supply
<input type="checkbox"/>	Zoning Board	<input type="checkbox"/>	Commercial Property
<input type="checkbox"/>	Other: _____	<input checked="" type="checkbox"/>	Other: <u>Prelim & Final Major site Plan</u>

PROJECT NAME: Federal Realty Op LP Prelim & Final Site Plan AllIn SP2/24 - Starbucks Pad

LOCATION: Mercer Mall Pad Site

BLOCK: 5201 LOT # 41.01 & 45.01 PR# NA

OWNER: FR Mercer Mall Fee Owner LLC Phone: 484-429-1219

ENGINEER/ARCHITECT: Kimley Horn & Assoc. Anthony Caponigro, PE

ADDRESS: 50 S. 16th Street, Suite 3300
Philadelphia, PA 19102 PHONE: 267-687-0156

APPROVAL DISAPPROVAL APPROVAL WITH CONDITIONS


COMMENTS:

Provide will serve letters from NJ American Water (NJAW) and Ewing Lawrence Sewerage Authority (ELSA).
Trash Enclosures shall be of adequate size for all waste containers including trash, recycling and waste grease.
Construction and operational activities shall be in accordance with the Lawrence Township Noise Nuisance Ordinance and NJDEP anti-idling regulations.
A Retail Food Establishment Plan Review Application will be required by the Health Department.
Requirements for a grease trap for the restaurant shall be reviewed with the Plumbing Subcode Official & ELSA.

RECEIVED

JUN 10 2024

ENGINEERING DEPT.


REHS


Health Officer

Township of Lawrence
ENGINEERING DEPARTMENT

TO: Susan McCloskey, Tax Collector
FROM: Jennifer Thomas, Account Clerk *JT*
SUBJECT: Verification of Current Tax and Sewer Payment Status
DATE: May 30, 2024

Please update the status of taxes and sewer payments with regard to the following application:

Application No(s): SP-2/24
Application Name: **Federal Realty (Starbucks Pad Site)**
Street Address: Route One & Quakerbridge Road
Tax Map Page(s): 52.02 & 52.03
Block: 5201
Lot(s): 32, 39, 40, 41.01 & 45.01

Thank you for your anticipated assistance and response.

JRT
g:\engineering\tax request.doc




Taxes and sewer are current on all lots EXCEPT there is a small sewer balance of \$1.70 on one of the many sewer accounts connected to lot 45.01 Acct id #8160-0 sewer.

[Handwritten Signature]
Tax Collector

TOWNSHIP OF LAWRENCE
Division of Planning and Redevelopment

TO: Brenda Kraemer, Assistant Municipal Engineer
Elizabeth McManus, Planning Consultant
Edwin W. Schmierer, Planning Board Attorney
Quazi Masood, Traffic Consultant
James DeForte, Construction Official
Edward Tencza, Public Safety Coordinating Committee
Environmental Resources Committee
Shade Tree Advisory Committee
Keith Levine, Health Officer



FROM: James F. Parvesse, Municipal Engineer 

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JRT
M:\Planning Board\Applications\Federal Realty - Starbucks\Distribution Letter.doc
Attachments

*No issues with proposed
Site Plan*


for 7/23/2024

RECEIVED

JUL 24 2024

ENGINEERING DEPT.



To: Lawrence Township Planning Board
From: Environmental and Green Advisory Committee (EGAC)
Date: July 28, 2024
Re: Starbucks, Mercer Mall at Quakerbridge Road

Per the legal authority and responsibility of the Lawrence Township Environmental and Green Advisory Committee (EGAC), we have reviewed the application materials provided to the Committee by the Township of Lawrence.

SUMMARY

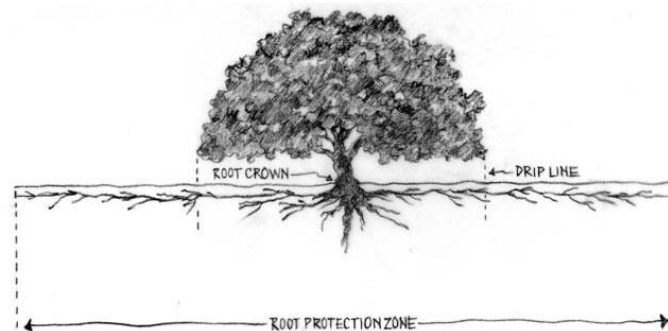
An existing Starbucks seeks to build a new store with a drive-through on a neighboring vacant lot. In news items, the website, and Press Releases, Starbucks Corporate has made commitments to sustainability. Applicant seeks a waiver from the Environmental Impact Statement. EGAC requests additional information and testimony regarding landscaping, building performance, energy sources, stormwater management, and what efforts are being employed to meet Starbucks environmental sustainability commitments in place of a full EIS.

Several waivers are requested (allow landscape islands less than 8 feet in width on the side of parking spaces, allow the required landscape island plantings to be distributed outside the required screening area) and nonconformities exist (minimum rear yard setback and minimum parking lot setback) that impact the environment. These suggest the lot size is too small for the proposed development.

Landscaping

1. It is not clear which trees horizontal to Quaker Bridge Road are to be removed. The concern is for the healthy and mature Pin Oaks (all Diameter Breast Height (DBH) about 27," estimated 80 years old) which provide superior ecological services including but not limited to a host for over 200 Lepidoptera (butterflies and moths) species, stormwater management (334.95 gallons of runoff avoided and 3,102.82 gallons of rainfall intercepted/year), carbon sequestration (82.42 pounds /year), shade, windbreak, and more. Over the next 20 years, just one of these Pin Oaks is modeled to keep the CO₂ Equivalent² of 6,933.33 pounds out of the community.
 - a. Replanting with understory Hornbeams (DBH only 2.25") or the non-native small to medium Japanese Lilac Tree are insufficient replacements given the age, species, and number of replacements.
 - b. Mature oaks are sensitive and less resilient to construction activities, and their essential feeder roots extend past the drip line. The Root Protection Zone is defined as one and a half times the area from trunk to drip line. A healthy root

system for a mature oak begins with the formation of a tap root when the tree is a seedling. As the tree grows, lateral roots extend horizontally (sometimes up to 90 ft.) past the dripline. For survivability, can the Tree Protection Zone be increased to include more fully the Root Protection Zone? Also, during construction, too often the contractor sets up the barrier even less than the drip line, not all, or ignores the fencing, therefore the applicant should consult with and monitor the enforcement of their contractor.



2. Rather than planting turf grass with shallow roots in the lawn area, plant native sedges with ecological value including deeper root systems, and which do not require landscaping inputs including mowing.
3. Plant more densely as pollinators need a mass of the same species at least 3' by 3' and to minimize the need for inputs (water, fertilizer, etc.). It is more attractive for customers and a value add. Educational signage can be added as a compliment to the Starbucks "Green Store" promotion. As there is no concern for deer in the mall, pollinator garden areas in the landscape area are ideal.
4. Nearly all plants in the Landscape Plan are hybrid and non-native species. Select natives rather than cultivars that provide ecological value.

Stormwater

1. Stormwater Management plans were not provided as the development is utilizing the current older mall facilities. The application was submitted before the adoption of the latest update to the Stormwater Ordinance by the municipality and not required to design using current and future rainfall volumes. Therefore, even if meeting regulations, the facilities are under-designed. What impact does current and future precipitation volume have on the area including Route 1, where will the flooding occur and what will need to be done to protect the community from hazards?
2. Do the facilities comply with the previously adopted Green Infrastructure regulations that do apply?
3. It is not clear if the mall stormwater facilities were designed with water quality standards and if they are being met. What can Starbucks do to improve the water quality of the runoff even if not required to do so by regulations? EGAC recommends "Pre" defined as undisturbed woodland and 100% of "post" is met to better protect the impaired watershed.

Sustainable Development

How is this store meeting the Starbucks-wide Greener Stores Effort, State Energy Master Plan goals, the Municipal Master Plan, and the Municipal Community Energy Plan goals of sustainable development, and energy efficiency? Is this a high-performance building? How does the orientation of the building and shading make use of passive design? Is this all-electric? Does energy come from renewable sources?

Biking/Pedestrian Access

There is a concern for pedestrian and bike safety as well as an increase in idling. Residents have expressed significant interest in bike and pedestrian safe access in Master Planning engagements. What can be done to address these concerns:

1. Currently, many customers park across the drive to access the existing business. It seems reasonable that customers will want to park across the street to access the new building rather than go through the new drive and park in the center lot, especially if they plan to sit in the patio area. Add a walkway near the speed bump? Is there a leasehold issue with using parking across the street? Regardless, it seems customers will want to park there to avoid entering the drive-through area.
2. There is a steady stream of traffic driving past the current and proposed location. During the weekend and especially around the holidays, traffic increases and backs up here regularly, including the increase in traffic to and from Joe Canal's liquor store.
3. Cars are regularly parked in the spaces where the new drive-through entrance is proposed and cars regularly drive through the side of Joe Canal's and out the same way. Deliveries to Joe Canal are this way. Cars come around the corner just before the proposed drive-through entrance and before the speed bump where it is anticipating pedestrians may be crossing.

Lighting

Abide by "DarkSky International" Standards. Fully shielded, on only when necessary, and CCT of 3000K. It appears the OSQ 30K series selected meets the fully shielded and 3000k standards, please confirm.