

TOWNSHIP OF BRICK

OCEAN COUNTY, NEW JERSEY
401 CHAMBERS BRIDGE ROAD, BRICK, N.J. 08723

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June 23, 2017

Brick Township Planning Board
401 Chambers Bridge Road
Brick, New Jersey 08723

RE: PB-2660-A-PSP-V-FSP-1/17
White Castle System, Inc.
Block 670, Lot 3 & P/O Lot 4
Amended Preliminary Site
Plan & Final Site Plan
First Review

Dear Board Members:

The Applicant, White Castle System, Inc. proposes to construct a 2,584 SF White Castle Restaurant with a drive-thru lane in the B-3 Highway Business Zone.

The property in question consists of Block 670, Lot 3 & P/O Lot 4. Lot 3 is the site of an abandoned LukOil gasoline filling station and Lot 4 is the Kennedy Mall Retail Center. The proposed White Castle Restaurant building and Drive-thru sits almost entirely within a section of the improved Kennedy Mall parking lot, between the Investors Bank site and the Outback Steak House. Lot 3, the former LukOil site, contains proposed parking and drive aisles to serve the restaurant.

It should be noted that Lots 3 & 4 are each owned by separate but associated entities. Lot 3 is owned by Kennedy Hooper Venture LLC and Lot 4 is owned by Kennedy Mall Associates. It is recommended that the Lots be consolidated.

The Applicant received Preliminary Site Plan approval on July 10, 2013 by way of Planning Board Resolution R-13-13. The current application is to amend the Preliminary approval and receive Final Site Plan approval. With the

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exception of the driveway being relocated and some minor changes to the traffic flow and parking area the plans are identical to those originally approved.

We have reviewed the above referenced application for Amended Preliminary Site Plan and Final Site Plan approval and offer the following information and comments for your consideration:

I. Description:

- Title -White Castle Sysem Inc.
- Owner -Kennedy Hooper Venture, LLC & Kennedy Mall Associates
- Applicant -White Castle System, Inc.
- Engineer/Surveyor -Robert A. Nelson, P.E. – Nelson Engineering Assoc.
- Attorney -Louis L. D'Armino, Esq.
- Plan Date -July 8, 2009, last revised June 15, 2017.
- Existing Use -Abandoned Filling Station/Retail Center
- Proposed Use -White Castle Restaurant
- Zone -B-3 Highway Business Zone
- Adjacent Uses -Commercial
- Tract Size -13.57 Acres
- Location -On the south side of Hooper Avenue, immediately east of the Brick Boulevard intersection and within the Kennedy Mall Retail Center.

II. Applicable Zoning Requirements: The proposed restaurant is a permitted use in the B-3 Highway Development Zone subject to the bulk zoning requirements listed in the General Information Table on Sheet 1 of the Plans, as well as the Board Engineer's June 20, 2017 Report and the variances and waivers included in the original Resolution of approval.

III. Comments:

- A. The Applicant should address any Plan revisions from the original approval to the current Plans. This discussion should include any changes to the variances granted or new variances.
- B. The approval of the Investors Bank site on Lots 1 & 2 abutting the subject site to the west included a provision for cross access between the two sites. The design of the cross access included an entrance only driveway on Old Hooper Avenue on the Bank site that was to be shared by White Castle and the White Castle site was to provide an exit only driveway onto Old Hooper Avenue to be shared with the Bank. The applicant was aware of the cross access provision but

didn't incorporate it into the plans. The applicant should explain why the cross access was not accommodated on the subject plans.

- C. The applicant proposes two cross access connections from the pad site for the White Castle to the Kennedy Mall parking area. One cross access is proposed at the northeast corner of the site and the other is in the southwest corner.
- D. It is recommended that the cross access drive proposed at the southwest corner of the site be an exit only drive. A point of entry at that location will create a cut-in problem with the drive-thru facility that will also block the drive aisle if a double cue forms. I am open to other possible solutions to the potential problem.
- E. The provisions for pedestrian safety made at the northeast corner of the building where the vehicles exit the pick-up window should be described for the Board. There is an area for potential accidents as patrons exit the building and walk to the east, while motorists are collecting their food and exiting the pick-up window.
- F. The applicant should address locations where pedestrian site access could be enhanced to and from the Kennedy Mall and Investors Bank sites. A sidewalk and depressed curbs could be added to the landscape island at the end of the cross-walk on the northeast side of the building.
- G. Directional signage to the adjacent roadways has been provided on the site to reduce undesirable cross-lane turning movements on Old Hooper Avenue.
- H. The applicant should explain how it has incorporated the design elements of the Township's Street Scape Ordinance into the plans. This includes but is not limited to the design of the building and light fixtures, pedestrian accessibility, incorporating brick pavers into the sidewalks, outdoor seating, bike-racks and landscape treatments.
- I. Street trees and additional shade trees should be incorporated into the Landscape Plan.
- J. All proposed free-standing and building mounted lights on the north side of the site shall contain house-side shields. Reducing the intensity of the site lighting should also be address as it exceeds .5 foot-candles.
- K. The applicant should provide testimony to address the proposed site signage, including but not limited to the monument sign, the façade signs, the menu board all of which may require variances.
- L. The area of the monument sign including the reader board should be provided by the Applicant.
- M. All building mechanicals should be shielded from view on all four sides of the buildings.
- N. An enhanced filtering system should be installed to reduce the amount of smoke or odors being emitted by the restaurant.
- O. The applicant should address the hours of operation for the proposed restaurant.

- P. Depressed curbs and crosswalks should be provided at the terminus of all sidewalks.
- Q. Trash and recyclable receptacles should be provided in the parking lot.
- R. The applicant should address how the concrete pad adjacent to the south side of the building will serve as a loading area.
- S. The applicant should address the ground water monitoring in place as a result of contamination from the former LukOil/Mobile gas station use on the site and if the NJDEP issued a Letter of No Further Action.
- T. The applicant should address whether the proposed building and improvements trigger the need for a CAFRA Permit.
- U. The applicant should address if there will be a right-of way taking by the County for Old Hooper Avenue.
- V. Relative to the variances required, the Applicant should present acceptable testimony to the Board that the strict application of the Township's Zoning Regulations would result in peculiar and exceptional practical difficulties to, or exceptional and undo hardship upon the developer or subject property and/or as the application relates to a specific piece of property, that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning requirements and the benefits of the deviation would substantially outweigh any detriment. The Applicant must also prove that the variances can be granted without substantial detriment to the public good, nor the substantial impairment of the intent and purpose of the Township's Master Plan and Zoning Ordinance.

We will be present at the time of the hearing to answer questions and provide additional information.

Very truly yours,

Michael P. Fowler, AICP/PP
Division of Land Use & Planning

MPF/dl