

Applicant: Chick-Fil-A

Appl. No.: SP-6/23

REFERRALS

	Date Referred	Comments Dated	Date Referred	Comments Dated	Additional Reports
a. Municipal Engineer	11/14/23	11/17/23			
b. Professional Planner	11/14/23	1/23/24			
c. Traffic Consultant	11/14/23	1/10/24			
d. Construction Official	11/14/23	11/15/23			
e. Shade Tree Advisory Comm.	11/14/23	1/25/24			
f. Health Officer	11/14/23	1/11/24			
g. Tax Collector	11/14/23	11/15/23			
h. Public Safety	11/14/23	1/23/24			
i. Environ. Res. Committee	11/14/23	1/26/24			
j. Mercer County Planning Bd.					
k. Ewing-Law. Sewer Auth.					
l. _____ Water Co.					
m. D & R Canal Commission					
n. U.S. Post Office					
o. NJDOT					
p. PSE&G Co.					
q. Board of Education					
r. Historic Preserv. Comm.					
s. NJDEPE/Wetlands					
t. NJDEPE/Stream Encroach.					
u. <u>Greg Whitehead</u>	11/14/23				
v. _____					
w. _____					
x. _____					
y. _____					
z. _____					

Township of Lawrence
ENGINEERING DEPARTMENT

TO: File

FROM: James F. Parvesse, Municipal Engineer

SUBJECT: Preliminary & Final Site Plan w/Variance Application No. SP-6/23
Chick-Fil-A, 2950 Brunswick Pike
Tax Map Page 36.01, Block 3601, Lot 1.01

DATE: November 17, 2023

General:

Chick-Fil-A has requested preliminary and final site plan approval for construction of a third drive through lane, meal delivery canopy, and additional parking spaces for the existing fast food restaurant at 2950 Brunswick Pike. The drive through and parking improvements are proposed in the location formerly designated as a pad site for TD Bank, which obtained preliminary site plan approval in 2013. The existing parking will be revised to one-way traffic flow.

The applicant shall explain the need for an additional lane and thirty-four (34) parking spaces in the expanded lease area. The new parking spaces are not directly connected to the existing lot and patrons/employees have to utilize a perimeter sidewalk or cross the three drive through lanes to access the building.

Detailed Report:

1.0 Site Layout

- 1.01 Testimony shall be provided regarding the need for additional parking and drive through area as there is no building expansion with this proposal. As noted above, the additional parking lot does not directly connect to the existing parking lot and it is a circuitous route to the building. Clarify if this area will be designated for employee parking and whether additional staff is needed with this expansion of capacity.
- 1.02 The center island in the new parking lot shall be designated with no parking signage and striping to deter parallel parking. The site notes in sheet C-2.1 shall include this information (revise #29).
- 1.03 The existing parking lot driveway widths shall be evaluated to determine if a narrower width will be beneficial for traffic control upon revision to the one-way traffic pattern. Typically, one-way driveways are 15-18' wide, not 24' wide.
- 1.04 The drive aisle width shall be 24', not 22' at the easterly row of new spaces (opposite existing spaces).
- 1.05 Electric vehicle make ready spaces shall be provided.
- 1.06 Additional bicycle parking shall be considered. This property is adjacent to the Great Western Bikeway along Bakers Basin Road, currently under design by Mercer County.

2.00 Stormwater Management

- 2.01 The applicant's engineer shall review the applicability of green infrastructure requirements. The previous stormwater management design accounted for impervious coverage, but predated the current regulations. As the project is a major project under the stormwater regulations, and is not a de-minimis revision to the preliminary approval, it appears green infrastructure is required.

The center island and other grass areas could be utilized as rain gardens.

- 2.02 The canopy roof drainage shall be connected to the underground storm sewer.
- 2.03 Pipe calculations shall be provided. Profiles shall be included in the plan set with the Stormwater Structure Table revised as necessary to reflect the current design.
- 3.00 Grading**
- 3.01 Minimum grades shall be 1.5% overland and 0.75% along the curblin in the parking lot. Grading shall be adjusted to meet the LUO requirements.
- 3.02 Sidewalk grading information shall be provided.
- 4.00 Miscellaneous**
- 4.01 The following revisions to the construction details are required.
- a. The detectable warning surface shall be Brick Red as manufactured by ADA Solutions, Inc., or approved equal.
 - b. A Type B detail is required if this type of inlet will be used.
 - c. An asphalt pavement detail shall be added. The detail shall comply with Township requirements for thickness.
 - d. Wire is not required in sidewalk.
 - e. A concrete curb detail shall be provided.
- 4.02 The concrete pad for the dumpster area should not encroach into the driving aisle.
- 4.03 Clarify if new menu boards are proposed. Any signage not specifically approved by the Board, such as lawn signs, shall be removed.
- 4.04 All soil erosion plans, notes, details, etc., shall be removed from the set. A separate application is required.
- 4.05 Bonding and inspection fees will be required.
- 4.06 Other permits/approvals:
- a. Mercer County Planning Board
 - b. Delaware and Raritan Canal Commission
 - c. Public Safety
 - d. Lawrence Township Soil Disturbance Permit (prior to construction)

JFP/jrt

M:\Planning Board\Applications\Chick Fil A SP-6.23\Review#1

Documents Reviewed:

- Application No. SP-6/23 and Supporting Documents
- Site Plans, dated September 28, 2023
- Landscape Plans, dated July 25, 2023
- Architectural Plans, dated October 2023
- Photometric Plan, dated July 5, 2023
- Stormwater Management Report, dated July 24, 2023



P.O. Box 236
2 East Broad Street, 2nd Floor
Hopewell, NJ 08525
609-257-6705 (v)
609-374-9939 (f)
info@kylemcmanus.com

To: Lawrence Township Planning Board

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

Re: **Chick-fil-A Inc.**
Preliminary & Final Major Site Plan with Bulk Variances
Block 3601 Lot 1.01
2950 Brunswick Pike
HC District

Date: January 23, 2024

1.0 Introduction & Project Overview

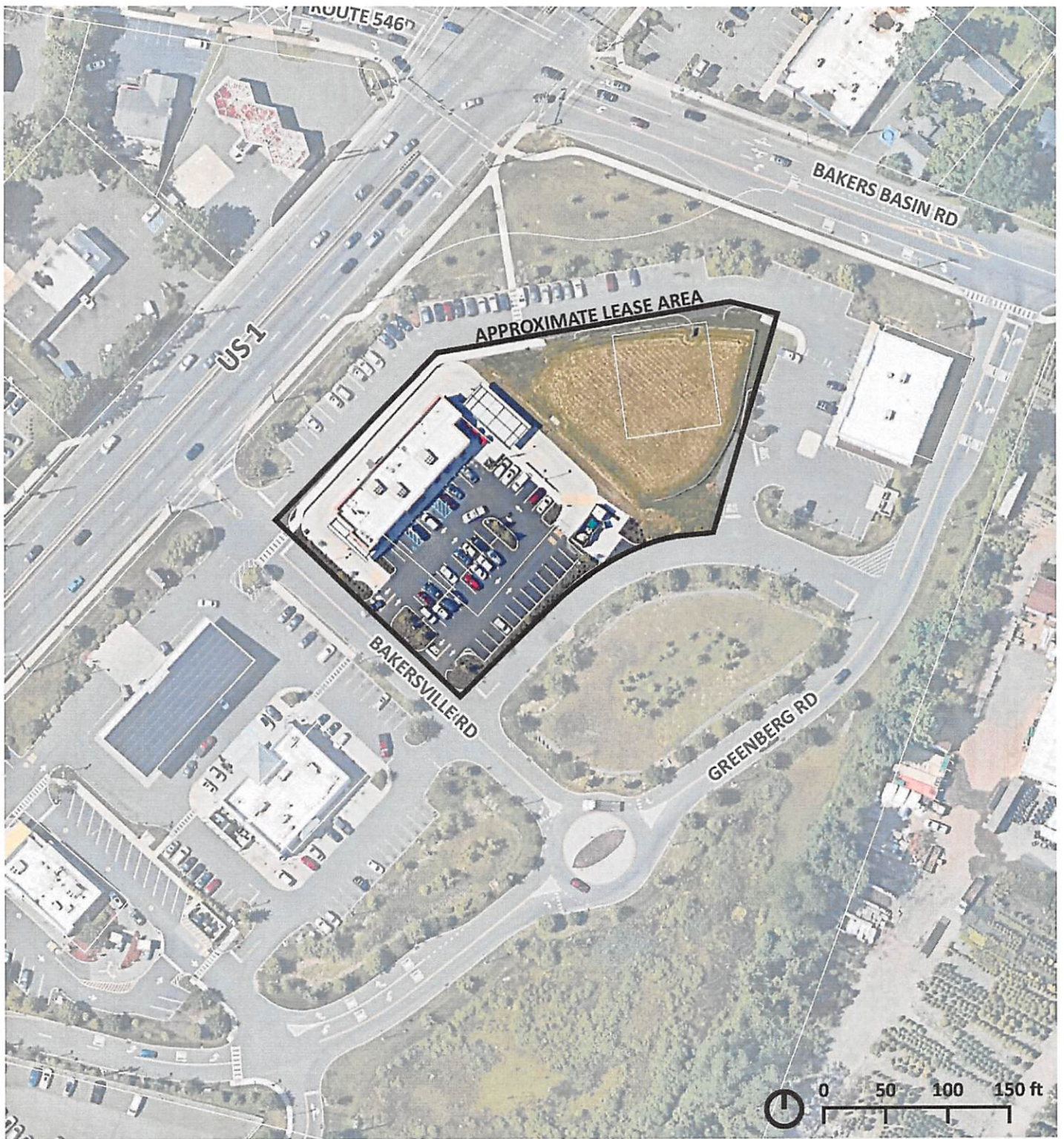
- 1.1** The Applicant is requesting site plan approval to construct several site improvements to the existing 5,302 sf Chick-Fil-A building including, a drive-thru expansion to include a third lane for ordering, a second lane for queuing, a new drive-thru access point from the existing access road, and 37 additional parking spaces. The existing drive-thru is currently accessed through the existing parking lot, and contains two lanes for ordering, which merge into one lane for queuing, and then two lanes for pick up. Canopies currently exist over the order window and pick up window.
- 1.2** The Chick-Fil-A is located in the Lawrence Corners Shopping Center, on the northwestern portion of Block 3601 Lot 1.01. Block 3601 Lot 1.01 is located on the corner of Route 1 and Bakers Basin Road, containing multiple commercial uses including Wawa, McDonald's, a Verizon store, and a Sherwin Williams store.
- 1.3** The subject property received approval to construct the Chick-Fil-A building, which included a parking variance, in 2020.
- 1.4** The proposed drive-thru improvements include widening the existing drive-thru lane to accommodate three lanes for ordering, two lanes for queuing, and two lanes for pick up, and the installation of a canopy system above the meal pick up window. To accommodate the drive-thru improvements, the Applicant proposes to reconfigure the drive-thru access from the existing access drive rather than the existing parking lot. Additionally, the undeveloped adjacent pad site is proposed to be developed with the additional drive-thru lane and a new parking lot.



2.0 Site & Surrounding Area

- 2.1 The site is approximately 11-acres in the Highway Commercial (HC) District, located on the corner of Route 1 and Bakers Basin Road. The parcel is occupied by multiple commercial uses including a Chick-Fil-A, Wawa, McDonald's, a Verizon store, and a Sherwin Williams store. The Chick-Fil-A building and associated improvements within their lease area are the subject of the application.
- 2.2 The site can be accessed through the northbound side of Route 1 and Bakers Basin Road.
- 2.3 The area surrounding the subject property is characterized by auto-oriented commercial uses in the HC District.
- 2.4 To the north, across Bakers Basin Road and Route 1, are commercial uses including auto stores, a gas station, and a restaurant. Further north are two motels.
- 2.5 Directly adjacent, to the east, is a wholesale landscape supply store, and further east is the Delaware and Raritan Canal.
- 2.6 Commercial uses in the HC District, including car dealerships and auto stores exist to the south and west of the subject property.





CHICK-FIL-A
BLOCK 3601 LOT 1.01
TOWNSHIP OF LAWRENCE MERCER COUNTY NJ

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



3.0 Variances and Exceptions

- 3.1** The subject site is located within the HC (Highway Commercial) District. The 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. The existing Chick-Fil-A, and proposed expanded drive-thru, are permitted in the District.
- 3.2** Bulk Requirements. The Applicant requires parking variance relief from the HC District standards. Please see the following table for additional detail. Additionally, see attached document that references “c” variance criteria.
- 3.3** Accessory Structure Requirements. The proposed canopy is not attached to the principal building, therefore per §400H.1, the canopy is considered an accessory structure and must meet HC District accessory structure standards. The Order canopy is approximately 10 ft. from the building and the pick-up canopy is very close to the building but has a 2” gap between the structures. Note that accessory structures attached to principal buildings shall adhere to principal building standards, such as setbacks.

§420 HC District Standards				
	Required	Existing	Proposed	Variance?
Min. Lot Area	40,000 sf	496,910 sf	No Change	No
Min. Lot Frontage	200 feet	289 feet	No Change	No
Min. Lot Width	200 feet	834 feet	No Change	No
Min. Lot Depth	175 feet	564 feet	No Change	No
Min. Front Yard Setback	25 feet	50 feet	No Change	No
Min. Rear Yard	60 feet	68 feet	No Change	No
Min. Left Side Yard Setback	25 feet	68 feet	No Change	No
Min. Right Side Yard Setback	25 feet	104 feet	No Change	No
Max. Building Height	35 feet	< 35 feet	No Change	No
Max. Floor Area Ratio	.3	.3	No Change	No
Max. Impervious Surface Ratio	75%	53%	56%	No
<i>Min. Parking Spaces (overall shopping center)</i>	379	239	276	Yes



§420 HC District Standards				
	Required	Existing	Proposed	Variance?
<i>Accessory Structure Location</i>	<i>Side or Rear Yard</i>	<i>N/A</i>	<i>Order Canopy: Front Pick-up Canopy: Side</i>	<i>Yes, Order Canopy</i>
Min. Distance to Side Line	20 feet	N/A	441.2 ft.	No
Min. Distance to Rear Line	20 feet	N/A	362.9 ft.	No
<i>Min. Distance to Other Building (Separation Area Not Used for Parking/Vehicular Circulation)</i>	<i>25 feet</i>	<i>N/A</i>	<i>2"</i>	<i>Yes</i>
Min. Distance to Other Building (Separation Area Used for Parking/Vehicular Circulation)	50 feet	N/A	N/A	No
Max. Height	20 feet	N/A	9'8"	No

***Indicates Existing Non-Conformity**

- 3.4 Parking. The proposal does not change the number of parking spaces required. The 2020 approval granted a parking variance where 379 parking spaces were required for the shopping center, and 239 were provided. The Applicant is providing 34 parking spaces on the adjacent pad site and 3 additional spaces in the existing parking lot, for a total of 37 new parking spaces. As such, the proposed deviation will be reduced from 140 spaces to 103 spaces. The General Information Table on the Site Plan references 39 parking spaces are proposed; this should be corrected.
- 3.5 Signage. The Applicant received several sign variances in the previous approval, the following table summarizes the previously approved signage. We note for the Board that no new signage is proposed.

Signage Standards				
Standard	Required	Existing	Proposed	Variance
Max. Number of Freestanding Signs	2	2	No Change	No
Max. Area of Freestanding Signs	48 sf	32.92 sf	No Change	No
Min. Setback of Freestanding Signs	15 feet	227.2 feet	No Change	No



Signage Standards				
Standard	Required	Existing	Proposed	Variance
Max. Height of Freestanding Signs	6 feet	6.5 feet	No Change	No
Max. Number of Wall Signs	2	4	No Change	No
Max. Area of Wall Signs	5% of Façade 48 sf / 40 sf	37.71 sf	No Change	No

4.0 Site Plan Comments

4.1 The Applicant should provide testimony regarding any change to the building use and operation for employees and the public, including hours of operation of the restaurant and the drive-thru. Testimony should include all proposed site improvements and demolition.

4.2 A pedestrian connection is not provided between the proposed parking lot and the Chick-Fil-A building entrance. The Applicant should revise the plan to provide direct pedestrian access from the proposed parking lot to the building entrance.

Currently, a sidewalk is proposed along the front of the proposed parking lot, connecting to the sidewalk in front of the Chick-Fil-A building, and the sidewalk system that connects to the adjacent Wawa and other uses. While the proposed sidewalk is necessary to connect the proposed parking area to the remaining site, it seems unlikely that pedestrians will not cut through the drive through to access the Chick-Fil-A building. Those that do not cut through the drive-thru are not provided pedestrian access to the building and instead must walk through the pick-up area or along one of the site’s primary access points from Route 1.



- 4.3 The Site Plan depicts six parking spaces between the pad site and the retail building to the east, however these spaces are not constructed. The Site Plans should be updated to indicate the spaces are proposed.



- 4.4 The proposed Order Canopy only provides coverage for two of the three drive-thru lanes, clarification should be provided. The Applicant should confirm they are proposing to only cover two of the three drive-thru lanes.
- 4.5 In the Statement of Principal Points, provided in the Applicant's application, it states that wayfinding/directional signage may be proposed, however no details or sign locations have been provided. Additional information regarding any proposed wayfinding/directional signage should be provided if they are to be proposed.
- 4.6 Per §525L.3, parking areas are required to be screened with a minimum screening height of 3 feet. The proposed big blue lilyturf will not facilitate the required screening intended by the Ordinance. An alternate planting should be provided.
- 4.7 The proposed illumination under the pickup canopy range from 30.5 footcandles to 53.6 footcandles, with an average of approximately 40.8 footcandles. Per §527C. for high activity parking areas a minimum of 4 footcandles is required. Additionally, for comparison purposes, we note for the Board, per NJ Rev Stat § 17:16K-10 (2021), a minimum of 10 footcandles is required for ATM's for security purposes. While increased lighting beneath the canopies is appropriate for employee visibility and safety, the proposed lighting in this area should be reduced and revised for uniformity.
- 4.8 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.



4.9 The Photometric Detail & Cutsheets indicate the pole mounted light bases are proposed to be between 6 inches in landscaped areas and 2 feet in paved areas above finished grade. The Applicant should confirm the base will not increase the height of the light fixtures to exceed 25 feet. Given the high visibility of the site, we recommend the light pole bases should be flush with the finished grade.

4.10 Given the high visibility from Route 1, color renderings or color elevations of the proposed canopy should be provided to determine the proposed visual impacts. We note for the Board, the construction specs depict the canopy color as dark bronze.

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."*
- Community Character Objective *"Encourage new development to be compatible with the style and scale of existing buildings."*
- Community Character Objective. *"Limit highway-oriented commercial land uses in the Township and confine them to existing commercial areas. Preserve the diversity and quality of neighborhood-oriented commercial uses which principally serve the surrounding residential development."*
- 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 6/23 and supporting materials.

6.2 *Site Development Plans*, consisting of 13 sheets, prepared by Eric L. Keller of Bowman, dated September 28, 2023.

6.3 *Landscape Plan*, consisting of 6 sheets, prepared by William H Hamilton of Bowman, dated July 25, 2023.

6.4 *Photometric Plans*, consisting of 3 sheets, prepared by Bowman, dated July 5, 2023.

7.0 Applicant Team

7.1 Applicant: Chick-Fil-A, 3200 Buffington Road Atlanta, GA 30349 404-309-5301 chad.baker@cfacorp.com

7.2 Owner: Lawrenceville Holdings LLC c/o Tri Star Mgmt – 950 Peninsula Corp Cir. Suite 200 Boca Raton FL 33487

7.3 Attorney: Stephen F. Hel Esq. or Rosemary Stone-Dougherty Esq. 370 Chestnut Street Union NJ 07803, 908-687-7000, rdougherty@lawjw.com

7.4 Engineer: Eric L. Keller PE c/o/ Bowman Consulting Group Ltd, 6 Campus Drive, Suite 302 Parsippany NJ 07054



C (1) & (2) VARIANCE CONSIDERATIONS

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

Princeton Pike Corporate Center
1200 Lenox Drive, Suite 200, Lawrenceville, NJ 08648
(609) 844-1111 • Fax (609) 844-9799

MEMORANDUM

DATE: January 10, 2024

TO: Lawrence Township Planning Board and Zoning Board of Adjustment

FROM: Quazi Masood, P.E., PTOE *qm*
William T. Dougherty, P.E., PTOE *wtd*
Traffic Consultants

SUBJECT: Chick-fil-A, 2950 Brunswick Pike
Preliminary & Final Site Plans w/Variance Application No. SP-6/23
Planning Board Memorandum #1
Lawrence Township Mercer County, New Jersey
Tax Map Page 36.01, Block: 3601, Lot:1.01

We are in receipt of the following information for review pertaining to the submission of Bulk Variance Application and Preliminary and Final Site Plan Approval for revisions to the Chick-fil-A located along east side of US Route 1 and the north side of Bakersville Road intersection.

- One Transmittal Letter from James F. Parvese, Municipal Engineer (1 page) dated November 13, 2023, for reports due Friday, January 26, 2024.
- One Lawrence Township Land Use Application No. SP-6/23 and supporting documents (40 pages) dated August 4, 2023.
- One bound set of Site Plans (13 Sheets) prepared by Bowman dated September 28, 2023.
- One bound set of Landscape Plans (6 sheets), prepared by Bowman dated July 25, 2023.
- One bound set of Architectural Plans (9 sheets) prepared by Bowman dated October 2023.
- One bound set of Photometric Plans (3 sheets) prepared by Bowman dated July 5, 2023.
- One Traffic Impact Study Report (16 pages) prepared by McMahan Associates, Inc. (a Bowman Company) dated July 26, 2023.
- One Traffic Impact Study Report with Appendices in Binder (333 pages) prepared by McMahan Associates, Inc. (a Bowman Company) dated July 26, 2023.

Project Description

This Project involves the reconfiguration of the existing western driveway to serve as one-way egress from the drive through lanes, converting the eastern driveway to one way ingress and reconfiguring the drive-through to provide three lanes of storage for ordering before merging to two drive-through pick-up lanes and the development of a new parking area north of the store. This will also involve the relocation of the existing dumpster area to realign the drive through lanes to the existing dumpster location and adding 38 new parking spaces, four in the existing lot and 34 in the new "parking field" north of the existing restaurant.

Preliminary and Final Site Plan w/Variance SP-6/23
 Chick-fil-A - Expanded Parking Lot and Dual Lane
 Outside Meal Delivery Canopy
 Planning Board Memorandum #1
 Township of Lawrence, Mercer County, New Jersey
 January 10, 2024

The site is located within Block 3601, Lot 1.01 in HC “Highway Commercial” Zone. Restaurants, including Fast Food Restaurants are a permitted use in the HC Zone.

We offer the following comments.

Traffic Review Comments

1. The Transportation Impact Study and its executive summary both misidentify the site as being located “south of Bakersville Road”. It is located north of Bakersville Road, south of Bakers Basin Road. The Wawa is south of Bakersville Road.
2. In the Transportation Impact Study, please provide the observed Local Daily Traffic Rate that is missing in Table 2.

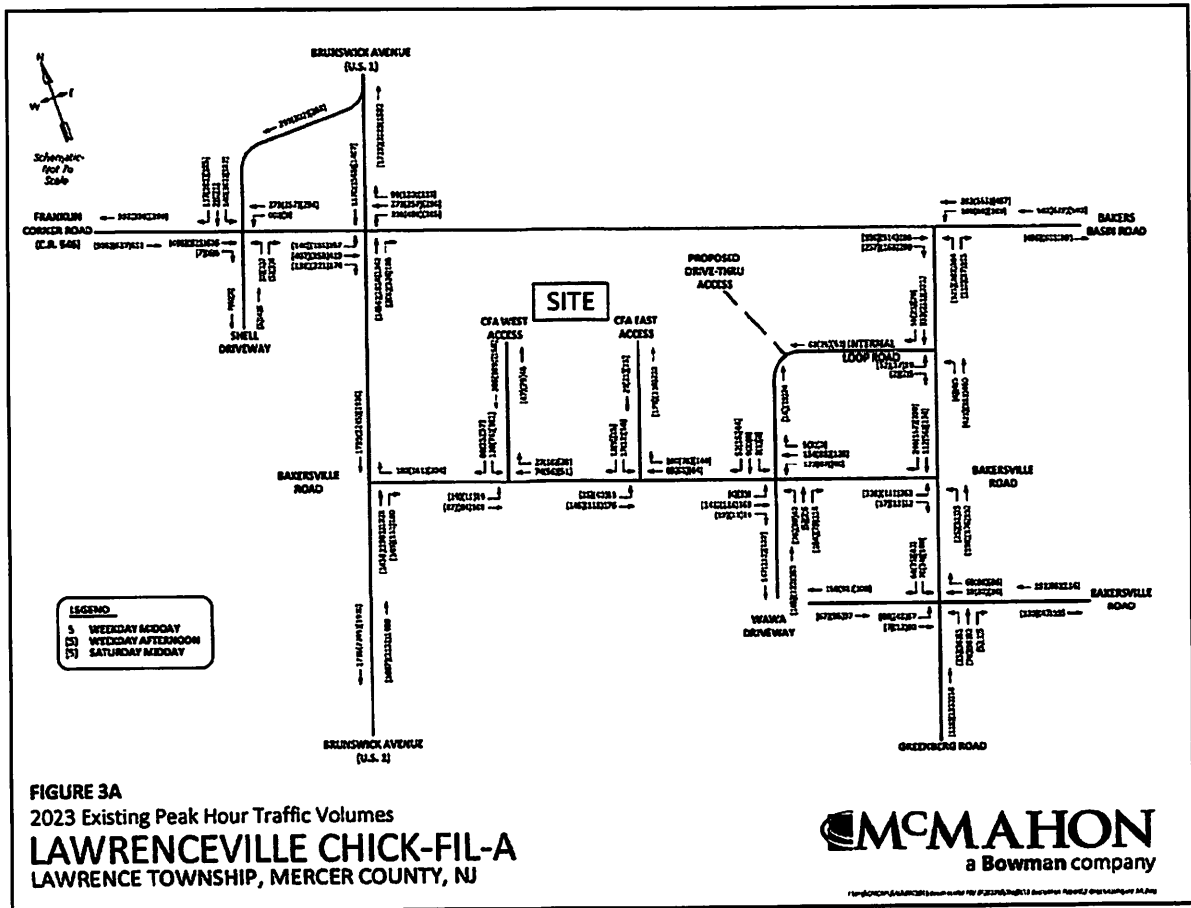
Table 2 - Chick-fil-A Overall Vehicular Trip Generation Comparison

Methodology	Size (s.f.)	Daily	Weekday Midday			Weekday Afternoon			Saturday Midday		
			In	Out	Total	In	Out	Total	In	Out	Total
Local Rates ⁽¹⁾	5,314	2,484	251	249	500	158	157	305	211	186	397
Land Use Code 934 ⁽²⁾		2,484	138	133	271	91	84	176	150	144	294

(1) Based on count data for the two accesses as summarized in Appendix C, which was then divided by the store size. Daily trip generation estimate is based on applying a ratio of the total weekday afternoon trips from the local data to the ITE-based total to the ITE-based daily trips.
 (2) Based on ITE Trip Generation Manual, 11th Edition and variable of store size. The weekday midday is based on the higher of the weekday morning or afternoon peak hour of generator for Land Use Code 934.

3. The numbers shown in Table 2 above do not match up with the movements shown in Figure 3A “Existing Peak Hour Traffic Volumes”. For example, during Weekday Midday hour, Table 2 says the Local Rate IN is 251, Figure 3A (as depicted below) shows 259 entering. Similarly, Table 2 says 249 OUT, Figure 3A shows 235 exiting. Similar discrepancies are noticed during the Weekday Afternoon as well as Saturday Midday time periods. Please address this concern.

Preliminary and Final Site Plan w/Variance SP-6/23
 Chick-fil-A - Expanded Parking Lot and Dual Lane
 Outside Meal Delivery Canopy
 Planning Board Memorandum #1
 Township of Lawrence, Mercer County, New Jersey
 January 10, 2024

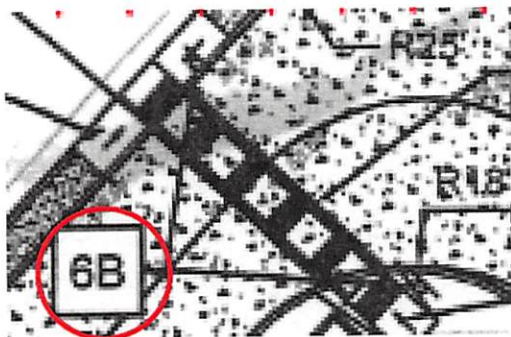


4. Back in 2019, Mr. Kochenour from Arora and Associates, P.C. expressed concern that the applicant was not providing enough parking spaces. Our records show that the applicant successfully argued that only 34 of the 72 parking spaces constructed will meet the customer's needs. As such, on March 2, 2020, the Board approved a variance of 140 less parking spaces. Considering this fact, this memo requests proper justification as to why additional parking spaces will be required now.

5. The proposed three drive-through lanes connect directly to the shopping center internal circulation roadway on a horizontal curve. This proposed roadway layout is not desirable due to lack of gap between circulation driveway as well as sight distance issue. We anticipate that the customers will queue up and will eventually block the traffic movement along internal circulation road. The layout of the proposed drive-through lanes should be revised so that a sufficient gap is provided from the internal circulation driveway to the starting point of the drive-through lanes. Additionally, the proposed drive-through should not be placed on a roadway curvature.

Preliminary and Final Site Plan w/Variance SP-6/23
Chick-fil-A - Expanded Parking Lot and Dual Lane
Outside Meal Delivery Canopy
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Township of Lawrence, Mercer County, New Jersey
January 10, 2024

6. The proposed relocation of the dumpsters could create conflict between trash removal operations and drive-through operations. The trash removal turning template shown is less than ideal, the trash truck must swing into potential on-coming traffic to access the dumpsters. Please address this issue.
7. Based on the proposed design, it is expected that the patrons using the new 'parking field' north of the site will likely attempt to walk through the drive-through lanes to approach the restaurant. The accessible route provided is much longer than the direct approach, this could become a safety concern. Please address this issue.
8. The nine (9) new spaces along the northeast edge of the new 'parking field' seem 'undersized'. The parking dimensions are not provided in the package. Please provide the dimensions of those parking stalls to verify the parking stall standards. Additionally, the parking stalls are also directly along an apparent internal lot line and lack any setback. The lack of setback violates the requirement under Section 530.F. Please address this issue.
9. The proposed drive-through lanes do not include the wayfinding signage in the revised plans for customer guidance. Please address this issue.
10. The proposed two ADA accessible parking spaces are missing the sign details from Sheet C-4.1 (Sheet 11 of 13). Please address this issue.
11. The 'ONE WAY' pavement marking message is also missing from Sheet C-4.1. All the word message markings should be MUTCD and NJDOT Standard 8' letter height. Please address this issue.
12. More consideration should be given to the placement of the Pedestrian Crossing warning signs for the crosswalk crossing the drive-through lanes. The signs are shown facing parallel to the crosswalk and the sign is located within the radius of the curvature. This sign placement will not be visible to drivers during the turning maneuver, which will result in an unsafe travel condition. Please address this issue.



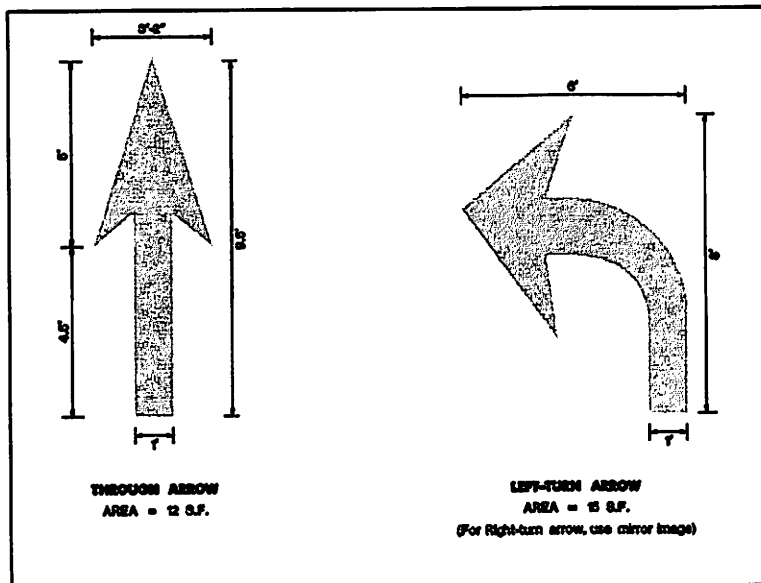
Preliminary and Final Site Plan w/Variance SP-6/23
Chick-fil-A - Expanded Parking Lot and Dual Lane
Outside Meal Delivery Canopy
Planning Board Memorandum #1
Township of Lawrence, Mercer County, New Jersey
January 10, 2024

13. The West Driveway Exit Only should have proper R6-1 Left and Right One-Way Signs (36" wide x 12" tall) placed back-to-back on both sides of the driveway facing Bakersville Road traffic.



R6-1

14. The West Driveway Exit Only should also have R1-1 Stop signs facing exiting traffic. The only Stop signs shown are coming out of the drive-through lanes. Please address this issue.
15. Several of the Sign details shown in the submitted plans do not meet MUTCD standards. For example, the Pedestrian Warning sign should be labeled W11-2 and be diamond shaped at 30"x30" with a W16-7PL downward pointing arrow 21" wide x 15" tall plaque beneath it.
16. The One-Way Sign detail shown in the submitted plans is not sized correctly. The correct size 24" wide x 30" tall should be used, instead of the incorrect dimensions (18" wide x 24" tall) shown in the plan.
17. The Left Turn Only and Right Turn Only signs are also not sized correctly. They should be designated as R(NJ)3-5L & R(NJ)3-5R and the size should be 24" wide x 30" tall.
18. The Arrow Symbols do not meet MUTCD and NJDOT Standards. The arrow sizes shown in the plans are bicycle sizes, not for vehicular movement. The correct arrow sizes are depicted below. Please address this issue.



Preliminary and Final Site Plan w/Variance SP-6/23
Chick-fil-A - Expanded Parking Lot and Dual Lane
Outside Meal Delivery Canopy
Planning Board Memorandum #1
Township of Lawrence, Mercer County, New Jersey
January 10, 2024

19. The Sign Details shown on Sheet C-4.1 say 'Refer to Sign Package'. But the 'Sign Package' was not included in the submission received. Please provide the Sign Package.
20. The Ford F-150 Super Cab turning template shown in the plans should show the vehicle completing the turn onto Bakersville Road toward US Route 1. Additionally, the outside drive-through turning template should also be provided for review, which is missing.
21. The Arrows exiting the driveway should be left and right turn arrows not through arrows. Also, lane separator lines should be included.
22. The proposed third drive-through lane does not have a "drive-thru order point island", nor a "menu board" shown (#25 & #26 of the site plan legend). Per Section 535.Y "Signs Permitted in the HC District" § 535.Y.13 "*Fast food restaurants with a drive-thru facility shall be permitted two menu signs.*" As such, if a third menu board is proposed then a waiver will be required.
23. Please include a General Note regarding Title 39 enforcement.

This completes our comments at this time. Additional comments will be provided as this project moves forward.

CC: *James Parvesse, P.E.*
Brenda Kraemer, P.E.
Susan Snook

TOWNSHIP OF LAWRENCE
Division of Planning and Redevelopment

RECEIVED

NOV 16 2023

ENGINEERING DEPT.

TO: Brenda Kraemer, Assistant Municipal Engineer
Elizabeth McManus, Planning Consultant
Edwin W. Schmierer, Planning Board Attorney
Quazi Masood, Traffic Consultant
✓ Michael Rodgers, 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 *JF*

SUBJECT: Preliminary & Final Site Plan w/Variance Application No. SP-6/23
Chick-Fil-A, 2950 Brunswick Pike
Tax Map Page 36.01, Block 3601, Lot 1.01

DATE: November 13, 2023

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

- Application No. SP-6/23 and Supporting Documents
- Site Plans, dated September 28, 2023
- Landscape Plans, dated July 25, 2023
- Architectural Plans, dated October 2023
- Photometric Plan, dated July 5, 2023
- Traffic Impact Study, dated July 26, 2023 (Traffic Consultant only)
- Stormwater Management Report, dated July 24, 2023 (Engineer & Environmental Resources only)

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

JRT

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Attachments

11/15/2023 NO FIRE COMMENTS *SM*
11/15/2023 NO PLUG COMMENTS *SM*
11/16/23 NO BLDG COMMENTS *MR*
11/16/23 NO ELECTRIC COMMENTS *RM*



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

Filed 1/25/2024 from January 22, 2024 meeting (fourth Monday of the month) 7 PM

Committee members David Bosted (chair), Ed Sproles, Ed Brzoza, Pam Mount, and Council liaison Chris Bobbitt contributed to this report.

The outdoor improvements adjacent to Chick-fil-A on Rt 1 / Brunswick Pike were reviewed. The proposed changes were mostly circulation and landscaping. **We have some recommendations.**

- **The unusual triangular parking lot needs a different, wider entrance and exit. The proposed configuration is risky, and endangers the trees that are proposed to bracket the combination entrance / exit.** The entrance can be separated from the exit, and/or the proposed tree moved back from the proposed double-wide curb cut and driveway. In the proposed configuration, Drivers entering the triangular lot will be suddenly confronted head-on with exiting vehicles, and may jump the curb and hit the tree. There will also be pedestrians moving about this area so that will be another confusing factor for drivers to consider and avoid.
- **There is good variety in the selection of trees.** We would like to suggest adding an evergreen such as "Green Giant" which is a successful type of thuja, The little-leaf linden proposed for the middle of the triangular parking lot might be switched with a red maple. Or, a willow oak might be placed in that central location. Either a willow oak or red maple may do better in that exposed, windy, central spot. The design concept of a central tree is good.
- **Remember that trees will need water during the inevitable dry periods that regularly occur during summer. How will the plantings be irrigated?** This is a windy location with lots of concrete and black asphalt. **Is all that asphalt really needed?** Additional trees and shrubs might be planted to further green the crescent alongside Rt 1. It is a busy highway. Planting more trees and shrubs is a reliable technique for "traffic calming." **Plantings can improve safety.** LT and NJDOT have made great efforts to make the heavy-volume highway safer. Whenever more can be done, it should be done. Tree planting can help.

Respectfully submitted, David Bosted, STAC Chair

LAWRENCE TOWNSHIP HEALTH DEPARTMENT

2207 Lawrenceville Road - Box 6006 - Lawrenceville, New Jersey 08648

Telephone: (609) 844-7089

Date: January 11, 2024

To: James F. Parvesse

From: Aimee Landau, Registered Environmental Health Specialist

REVIEW FOR:

<input type="checkbox"/>	Building Permit	<input type="checkbox"/>	Retail Food Establishment
<input type="checkbox"/>	Continuing 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 type="checkbox"/>	Other: _____

PROJECT NAME: Chick-Fil-A Drive thru and parking site improvements

LOCATION: 2950 Brunswick Pike

BLOCK: 3601 LOT # 1.01 PR# _____

OWNER: Chick-Fil-A, Inc. Phone: (404)309-6301 Chad Baker

ENGINEER/ARCHITECT: Eric L. Keller, P.E.

ADDRESS: c/o Bowman Consulting Group Ltd.
6 Campus Drive, Suite 302, Parsippany, NJ 07054 PHONE: (973)359-8400
jbaez@bowman.com

APPROVAL DISAPPROVAL APPROVAL WITH CONDITIONS

COMMENTS:

PLEASE NOTE: Corrections, additional information, and plans revised after the date: November 14, 2023
must be submitted to the HEALTH DEPARTMENT prior to final approval.

If there are questions concerning this matter, call (609)844-7089

Aimee Landau
Health Inspector

Keith Levine
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: November 13, 2023

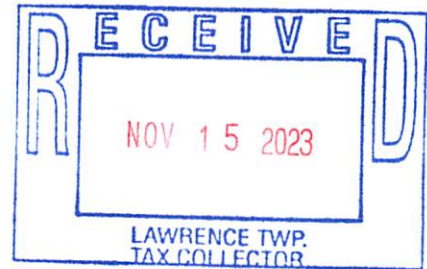
Please update the status of taxes and sewer payments with regard to the following application:

Application No(s): SP-6/23
Application Name: **Chick-fil-A, Inc.**
Street Address: 2950 Brunswick Pike
Tax Map Page(s): 3
Block: 3601
Lot(s): 1.01

Qualif. # S05

Thank you for your anticipated assistance and response.

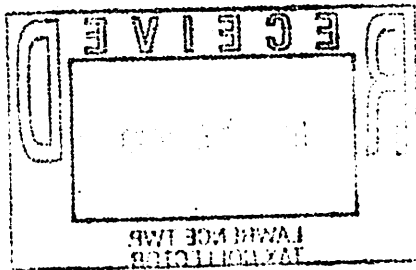
JRT
g:\engineering\tax request.doc



*Taxes and sewer are current
through Dec. 31st 2023.*

[Signature]
Tax Collector

LAWRENCE TOWNSHIP TAX COLLECTOR
PO BOX 6006
2207 LAWRENCE ROAD
LAWRENCE TWP NJ 08648
609-844-7041



LAWRENCE TWP
600 844-3041
LAWRENCE TWP 19108
3307 LAWRENCE ROAD
PO BOX 6008
LAWRENCE TOWNSHIP TAX OFFICE

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
Michael Rodgers, 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 *JF*

SUBJECT: Preliminary & Final Site Plan w/Variance Application No. SP-6/23
Chick-Fil-A, 2950 Brunswick Pike
Tax Map Page 36.01, Block 3601, Lot 1.01

DATE: November 13, 2023

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JRT
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Attachments

No Comment
[Signature]
1/23/2024





To: Lawrence Township Planning Board
From: Environmental and Green Advisory Committee (EGAC)
Date: January 26, 2024
Re: 2950 US 1, Chick-Fil-A, Block 3601, Lot 1.01

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

SUMMARY

Chick-fil-A proposes to make changes to the drive-through and add parking to increase service capacity and traffic flow. As the application is a *modification* of a previous municipality-approved plan, *current* Inland Flood Protection, Stormwater Management (including Green Infrastructure), and Flood Hazard Area Regulations apply. Regulations, including precipitation data, have changed.

Suggestions/ Recommendations:

- Has the applicant obtained a major modification or applied for a new permit and verification from DEP? Or has there been an applicability determination?
- Have the existing infiltration basins been checked at least twice a year for permeability as required and are they functioning as designed? Poorly maintained and failing infrastructure increases flooding, and additional volume would add to issues.
- If basins were previously not in a flood plain, but now are, does the design meet current regulations, how does that affect functionality, and what would be the impact of an increase?
- Is the amount of parking truly necessary?
- Consider pervious pavement for new drive, sidewalk, and if additional parking is required.
- Plans indicate the Correlated Color Temperature required of the lighting is to be 3000k (and is recommended for limiting light pollution), however, some of the lighting is 5250k. Replace.
- Confirm existing and proposed impervious cover percentages (stormwater facilities are to be considered impervious for Zoning percentage purposes).
- Substitute non-native and hybrid plant species with native non-hybrids.

SUGGESTION/RECOMMENDATION DETAIL

Stormwater Management

The existing stormwater basins were designed to conform to outdated regulations and not for current and future precipitation data. Any additional volume will exacerbate overflow issues. The Committee's concern is the impact on the health and safety of the township and residents from the increased impervious surface in a floodplain and the increased stormwater runoff to undersized management facilities.

- The applicant's Stormwater Report indicates a de minimus 1% increase, but that is for the entire 12-acre site (using that same logic, one could also say the development is in the Delaware River Watershed and pre- and post-development has 0% impact and is therefore de minimus). For an accurate understanding of impact, the comparison of pre- and post-development using *current* and *future* precipitation data (per current regulation) of the **proposed** improvement area would seem to be required.
- If the determination (from DEP) is that this is de minimus, if other retail businesses within the parcel propose similar enhancements, would the individual or the cumulative increase be calculated? Would additional increases still be de minimus?
- How are the current stormwater basins functioning? In general, they appear silt-filled and marshy. Poorly maintained and failing infrastructure increases flooding. Are the basins being inspected at least twice a year to check permeability and is the design drain time for the maximum design storm runoff volume being met (as required by SW BMP)? If the application is approved, does the Stormwater Manual required for the facility need to be revised/updated?
- Plans indicate that 2016 Floodplain data was used. Floodplains have changed (see below). If the new development and stormwater basins are in the floodplain, how does that impact stormwater management, neighbors, and the township resources (e.g. need for emergency services, road closures, Public Works, etc.)?



- Consider alternatives including utilizing pervious pavement, minimizing parking, and using minimized parking areas for stormwater management.

Minimize Impervious Surface

- Is additional parking truly needed? How do the enhanced drive-through and added parking work together to meet demand and/or resolve traffic and idling issues? Can the additional parking/impervious surface be eliminated or minimized if the drive-through is enhanced (or vice versa)?

- How does the kitchen capacity for meals per hour compare to the current and proposed enhancements? Is staffing an issue? Why make enhancements/increase impervious cover if the applicant's capacity/meals per hour cannot accommodate increased volume capacity? Will the applicant later need to revise plans to increase kitchen capacity?
- To safely cross from the new parking lot to the restaurant, customers likely will take the shortest route to enter the restaurant, crossing the drive-through lane rather than taking the longer sidewalk route creating a safety concern. If parking here is truly needed, what can be done about this pedestrian concern?

Lighting

Thank you for choosing fully shielded outdoor lighting and indicating Chick-fil-A requires a Correlated Color Temperature of 3000k on the Photometric Plan which limits light pollution and follows Dark Skies International recommendations. However, the Challenger Medium XCHM3 "Cool White" model has a CCT of 5250k per manufacturer (see info below from the manufacturer's website). Replace all E(A) and E(D) units (there are no models in the Challenger series that meet the requirement).

Color Temperature

Cool white - 5250K provides bright and pleasing area lighting at reduced foot candle levels
Neutral white – 4100K for a warmer color temperature

Max Impervious Cover

For Zoning purposes, stormwater management facilities are included as impervious when calculating for max impervious cover. Can the applicant or township engineer provide the calculations/confirmation to show maximum impervious cover of .75 for the lot is truly not exceeded? Appears questionable.

Landscaping

Suggestions for replacing non-native, hybrid plants with native, non-hybrid:

- Instead of Deutzia Gracilis - Japanese Snowflower (type of hydrangea), suggest Oak Leaf Hydrangea.
- Liriope Muscari "big blue" is very aggressive and crowds out other natives, Pennsylvania sedge is an alternative. It looks similar but does not flower or spread.