



BOROUGH OF METUCHEN

MIDDLESEX COUNTY

Tel. (732) 632-8540 • Fax (732) 632-8100 • 500 Main Street • Metuchen, N.J. 08840

APPLICATION FOR DEVELOPMENT

Control Information (Office Use Only)

Application Number	Applicant Name	Date Received	Date Deemed Complete
--------------------	----------------	---------------	----------------------

1. Application

A. Location

Street Address 215 Durham Avenue

Block 71 Lot 37.01 and 37.02 Zone Oakite Redevelopment Plan Area

Situated on Durham Avenue side of _____

distant _____ feet from _____

B. The Site is Located:

Within 200' of Edison Township Adjacent to County Road Adjacent to State Highway

C. Status:

New Revision or Resubmission of Prior Application No. 21-1313E

D. Type (Check all that Apply):

Concept Preliminary Final Conditional Use Approval

Minor Site Plan Major Site Plan Minor Subdivision Major Subdivision

(a) – Appeal (b) – Interpretation (c) – Variance (Bulk) (d) – Variance (Use)

Request for Waiver of Submission Requirements Other Exceptions

E. Nature of Relief or Variance Request (List Ordinance Reference Sections)

Temporary bulk deviations from the Redevelopment Plan are required for: (1) minimum lot width; (2) maximum building coverage; and (3) minimum parking setback. All deviations will be eliminated after the Phase II application is submitted and approved.

F. Date and Disposition of any previous Board Hearings involving this Site

See Narrative of Proposal. This is Phase I of a phased redevelopment project.

G. Plat Submission (List maps and other exhibits accompanying this application)

See cover letter filed with original application.

2. Applicant Information

A. Applicant

First Name Metuchen III, LLC Phone 301-758-6816
Last Name _____ Phone _____
Street Address 4905 Del Ray Avenue, Suite 200 Fax _____
City / State Bethesda, MD Zip 20814 Email aaronscholler@themavengroup.us

B. Applicant is a/an:

Individual Partnership Corporation Other Limited Liability Company

C. Applicant's Relationship to Owner:

Owner of Block 71, Lot 37.01 Lessee Purchaser Under Contract Other Metuchen III, LLC is wholly owned by Metuchen I, LLC, which is the owner of Block 71, Lot 37.02

D. Owner (If other than Applicant; requires Owner's Consent on Page 6)

First Name Metuchen III, LLC Phone 301-758-6816
Last Name _____ Phone _____
Street Address 4905 Del Ray Avenue, Suite 200 Fax _____
City / State Bethesda, MD Zip 20814 Email aaronscholler@themavengroup.us

3. Applicant's Experts

A. Attorney (Required if Applicant is a Corporation; must be a licensed in the State of New Jersey)

Name Steven J. Tripp, Esq. Wilentz, Goldman & Spitzer, P.A. Phone 732-855-6076
Street Address 90 Woodbridge Center Drive, Suite 900 Fax 732-726-6524
City / State Woodbridge, NJ Zip 07095 Email stripp@wilentz.com

B. Engineer

Name Ahmad Tamous, P.E. Bohler Engineering NJ LLC Phone 856-930-4000
Street Address 10000 Midlantic Drive, Suite 410W Fax 856-930-4001
City / State Mt. Laurel, NJ Zip 08054 Email atamous@bohlereng.com

C. Architect

Name ADA Architects, Inc. Phone 216-521-5134
Street Address 17710 Detroit Avenue Fax _____
City / State Lakewood, OH Zip 44107 Email _____

D. Other Professional Consultants

Name N/A Phone _____
Street Address _____ Fax _____
City / State _____ Zip _____ Email _____

4. Plat / Plan Data

A. Present Use of Land / Structure

Sportsplex and surface parking.

B. Proposed Use of Land / Structure

An approximately 12,870 SF daycare center is proposed on Durhan Avenue in the area of existing surface parking.

See Narrative of Proposal for further detail.

C. Building Data

Existing :	Floor Area:	66,074 SF	Height in Stories & Feet:	1 story/45'
Addition:	Floor Area:	N/A	Height in Stories & Feet:	N/A
New Bldg:	Floor Area:	12,870 SF	Height in Stories & Feet:	1 story/26'4"
Total Floor Area:	78,970 SF (Sportsplex & Daycare Center)			

D. Subdivision Data

Area:	Entire Tract:	N/A	Portion being subdivided:	
No. of Lots:	Present		Proposed:	
No. of Units:	Demolished:		Proposed:	
Purpose:				

E. Non-Residential Use Data

	Present	Proposed
Total Floor Area of Building:	66,074 SF (Sportsplex)	66,074 (Sportsplex) & 12,870 (Daycare Center)
Floor Area to be Occupied:	66,074 SF	78,970 SF (both uses)
Off-Street Parking:	175	295
Number of Employees:	No change to Sportsplex's use	To be provided
Days & Hours of Operation:	No change to Sportsplex's use	6:30 AM to 6:30 PM
Machinery / Equipment Used:	N/A	
Description of Operation(s):	See Narrative of Proposal.	

5. Request for Bulk Variance

A. Bulk Regulations

	District Requirements	Present	Proposed	Variance
Min. Lot Area	210,000 SF	195,100 SF	195,100 SF	<input checked="" type="checkbox"/>
Min. Lot Width	No standard in Redevelopment Plan			<input type="checkbox"/>
Min. Lot Depth (Average)	No standard in Redevelopment Plan			<input type="checkbox"/>
Min. Front Yard Setback	No standard in Redevelopment Plan			<input type="checkbox"/>
Min. Side Yard Setback (Left)	No standard in Redevelopment Plan			<input type="checkbox"/>
Min. Side Yard Setback (Right)	No standard in Redevelopment Plan			<input type="checkbox"/>
Min. Side Yard Setback (Combined)	No standard in Redevelopment Plan			<input type="checkbox"/>
Min. Rear Yard Setback	No standard in Redevelopment Plan			<input type="checkbox"/>
Max. Building Coverage	40%	33.9%	40.5%	<input checked="" type="checkbox"/>
Max. Impervious Coverage	90%	81.2%	83.7%	<input type="checkbox"/>
Max. Height	30'		26'4"	<input type="checkbox"/>

B. Describe below the nature of the constraints imposed by the physical characteristics of the property.

See Narrative of Proposal.

C. Describe below any other exceptional conditions of the property that prevent the applicant from complying with the Zoning Ordinance.

See Narrative of Proposal.

D. Describe below how not granting this variance request would impose difficulties or undue hardship upon you.

See Narrative of Proposal.

E. Describe below how the granting of the variance request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.

See Narrative of Proposal.

6. Request for Conditional Use Approval / Use Variance

A. Describe below the specifics of the request.

N/A
PERMITTED USE

B. Describe below the special reasons which exist that support the granting of the request.

C. Describe below how the public interest will be served by the granting of the request.

D. Describe below what circumstances exist or what measures will be taken to ensure that, if the request is granted, the surrounding property owners will experience no adverse impact or undue burden.

E. Describe below how the granting of the request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.

7. Correspondence

A. Person to be contacted in regard to all matters pertaining to this Application (If other than Applicant)

First Name	Steven	Phone	732-855-6076
Last Name	Tripp	Phone	
Street Address	90 Woodbridge Center Drive, Suite 900	Fax	732-726-6524
City / State	Woodbridge, NJ	Zip	07095
		Email	stripp@wilentz.com

8. Verification and Authorization


I, THE UNDERSIGNED, HEREBY MAKE APPLICATION FOR AN APPLICATION FOR DEVELOPMENT ONLY FOR THE LOCATION AND THE WORK DESCRIBED HEREIN AND CERTIFY TO THE ACCURACY OF THAT INFORMATION. I ACKNOWLEDGE THAT IT IS MY RESPONSIBILITY TO BE AWARE OF AND COMPLY WITH ALL ZONING REQUIREMENTS OF THE BOROUGH OF METUCHEN RELATING TO THIS APPLICATION. I UNDERSTAND THAT FAILURE TO PROVIDE ACCURATE INFORMATION OR TO COMPLY WITH ANY PROVISIONS OF THE APPLICATION RENDERS IT NULL AND VOID AND MAY RESULT IN AN ENFORCEMENT ACTION.

CONSTRUCTION OF IMPROVEMENTS WILL NOT BE COMMENCED AT THE ABOVE LOCATION UNTIL THE APPLICANT/OWNER IS IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS REGARDING ZONING AND PROPERTY MAINTENANCE AS DEFINED BY THE CODE OF THE BOROUGH OF METUCHEN. THIS APPLICATION AND ASSOCIATED APPROVALS DO NOT WAIVE ANY OTHER RESTRICTIONS OR REGULATIONS IMPOSED PRIVATELY OR BY LAW.

A. Applicant's Verification

I HEREBY CERTIFY THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE.

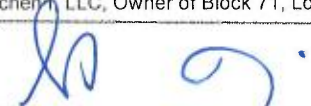
Name Wilentz, Goldman & Spitzer, P.A. on behalf of the Applicant/Owner Date 2/7/2022

Signature 
By: Steven J. Tripp, Esq.

B. Owner's Authorization

I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE PROPERTY DESCRIBED HEREON AND THAT I CONCUR WITH THE DOCUMENTS PRESENTED TO THE PLANNING BOARD / ZONING BOARD OF ADJUSTMENT. I HEREBY AUTHORIZE THE APPLICANT TO SUBMIT THIS APPLICATION FOR DEVELOPMENT.

Name Wilentz, Goldman & Spitzer, P.A.
on behalf of Metuchen III, LLC, Applicant and Owner of Block 71, Lot 37.01
and Metuchen, LLC, Owner of Block 71, Lot 37.02 Date 2/7/2022

Signature 
By: Steven J. Tripp, Esq.

Telephone & Fax Number: 732-855-6076 / 732-726-6524

Narrative of Proposal
Metuchen III, LLC
215 Durham Avenue
Block 71, Lots 37.01 and 37.02

A. Introduction

Metuchen III, LLC (the “Applicant”) is seeking preliminary and final major site plan approval, with deviations, to construct an approximately 12,870 square foot daycare center on property known as 215 Durham Avenue and also identified as Lot 37.02 in Block 71 (“Lot 37.02” or “Parcel E”). Lot 37.02 is located in the Oakite Redevelopment Plan Area, adopted on October 24, 2018 and amended on September 13, 2021 (the “Amended Redevelopment Plan”).

Lot 37.02 is currently improved with the Sportsplex, an approximately 66,074 square foot indoor sports complex, as well as surface parking. The proposed daycare center will be constructed in an area containing some of the existing surface parking to the north of the Sportsplex. No change is proposed to the existing Sportsplex. However, the Applicant is seeking confirmation of Sportsplex’s continued use and the daycare center’s proposed use of the gravel parking lot located on adjacent Lot 37.01 for additional parking stalls as discussed in Paragraph C below.

B. Phased Redevelopment Project

This application is part of an overall phased redevelopment project for both Lot 37.02, owned by Metuchen I, LLC, and adjacent Lot 37.01 in Block 71, which is owned by the Applicant, Metuchen III, LLC. Lot 37.01 is also located within the Amended Redevelopment Plan Area. The two parcels, in total, contain approximately 11 acres, with frontage along Durham Avenue and Middlesex Avenue. As contemplated in the Amended Redevelopment Plan, the two parcels ultimately will be developed as five (5) parcels, A through E, with a mid-block connector roadway running through the site from Middlesex Avenue to Durham Avenue. This application is for Phase

I, which is the development of Lot 37.02 (also designated as Parcel E in the Amended Redevelopment Plan).

Phase II will involve a future subdivision application that will add approximately 16,694 square feet of lot area to Lot 37.02 (Parcel E), ultimately creating a 211,794 square foot lot. The additional lot area will be used for paved parking, as discussed below. Redevelopment of Parcels A, B, C and D also will be accomplished through phased applications submitted to the Board.

C. Confirmation of Shared Parking

A total of 118 parking spaces are required for the existing Sportsplex and the proposed daycare uses. This is based on a ratio of one space per three children for the daycare use and 1 space per 1,000 square feet of floor area for the Sportsplex. The maximum number of children at the daycare center is 152, which requires 51 spaces.¹ The Sportsplex requires 67 spaces for the 66,074 square feet of floor area. 110 paved surface parking spaces are provided on existing Lot 37.02. Twenty-three (23) of those spaces are reserved for use by the recently approved assisted living/memory care facility on Parcel B, pursuant to the resolution of approval for that use. An additional 185 parking spaces are provided on the existing gravel surface parking lot located on adjacent Lot 37.01, which currently are used by Sportsplex. This results in a total of 295 parking spaces at the present time. The number of gravel spaces will be reduced to 111, as overall redevelopment proceeds. This will still leave 221 spaces, of which 198 will be available for Sportsplex and the daycare center, and 23 available for the assisted living/memory care facility. Ultimately, the gravel parking will be replaced by paved parking on Parcel E, for a total of approximately 222 parking stalls located to the front and rear of the Sportsplex building and to the rear of the proposed daycare center. Of these, 199 spaces will be available for Sportsplex and the

¹ The Parking Table on the site plan incorrectly indicates a maximum of 120 children.

daycare center. Thus, at all times the number of spaces available for the two uses will far exceed the Amended Redevelopment Plan parking requirements of 118 spaces. This application seeks confirmation of Sportplex's continued parking and the daycare center's proposed parking on the existing gravel lot until the Phase II application is filed, the subdivision is perfected, and the area is paved for the additional permanent parking.

D. Deviations

Three (3) deviations are triggered by this application, all of which will be brought into compliance once the Phase II subdivision application is filed. The deviations are as follows:

1. Minimum Lot Size: 210,000 square feet required, 195,100 square feet existing and proposed until Phase II. Ultimately, Parcel E will be approximately 211,794 square feet and comply with this standard.
2. Maximum Building Coverage: 40% maximum, where 40.5% proposed. This deviation will be eliminated once Parcel E is enlarged to 211,794 square feet.
3. Minimum Parking Setback: 5' required from any parcel lines. 13.3' is provided along the western boundary; however, 0' is provided between parcel lines for Lots 37.01 and 37.02 due to the shared gravel parking area. This condition will be eliminated once subdivision is accomplished.

The Amended Redevelopment Plan permits the Applicant to seek such deviations consistent with the provisions of the Municipal Land Use Law for "c" variances, N.J.S.A. 40:55D-70(c). As noted, once the additional 16,694 square feet is added to Lot 37.02, Parcel E will comply with the Amended Redevelopment Standards. Therefore, these are temporary variances to be granted in the interim so that site development can occur in an orderly process and the daycare

center can be built and may begin operations. The requested relief is *de minimis* and will permit the redevelopment of Parcel E consistent with the Amended Redevelopment Plan. As the deviations will be eliminated, and the site ultimately will be brought into compliance, there is absolutely no detriment in granting the requested relief.

E. Sign Waivers

The Applicant also is seeking waiver relief from the underlying Ordinance for the proposed wall-mounted signage. First, Ordinance Section 110-185(F) permits 1 wall-mounted sign, where 3 wall-mounted signs are proposed in connection with the daycare center use.

Second, waivers from Ordinance Section 110-186(A) are required for the sign area, height and width. Sign 1 is located on the southern façade and is approximately 48 square feet and approximately 4'- 10" in height. This requires waiver relief for maximum size and maximum height, as a maximum of 24 square feet and height of 3' is permitted by Ordinance. Sign 2 and 3 are approximately 61 square feet, 5'- 3" in height and 13'- 6" in width and located on the northern and eastern façades. Consequently, Signs 2 and 3 also require waivers for maximum size and maximum height. Signs 2 and 3 additionally require relief as to maximum permitted width. A maximum width of 12' is permitted, where Sign 2 and 3 will be 13'-6" in width.

F. Proposed Operations

Everbrook Academy is the intended daycare center operator and will be open from 6:30 A.M. to 6:30 P.M., Monday through Friday. The daycare center will provide early education and child care services for children from infancy through preschool. Staffing is to be determined based on number of classes and class size.