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MEMORANDUM

TO: Jamilet Baquerizo Vite, Secretary
Township of West Orange Planning Board

CC: Geniece Gary-Adams, Director of Planning & Development & Zoning Official
Township of West Orange

FR: Gerard M. Haizel, PP, AICP, Principal

RE: PB-24-14 – 172-174 Main Street
Block 83, Lots 1 & 5.01

DT: August 12, 2024

I have completed a preliminary review of the above referenced application and offer the following comments.

The subject property is located in the Township's ***B-1 (Retail Business) District***, where the applicant, ***172-174 Main Street, LLC***, proposes to construct a 3rd floor addition to an existing 2-story building and convert the building to a mixed-use building. The proposed mixed-use building will contain 2,824-SF of office space on the 1st floor and a total of seven (7) residential units on the 2nd and 3rd floor. Additionally, twenty-six (26) existing on-site parking spaces will also be provided.

Mixed-use development **is permitted as a conditional use** in the B-1 District and the applicant appears to meet the conditional use requirement for this use. However, the applicant proposes to divide the 1st floor commercial space into two (2) tenant units, with tenant space #1 measuring 1,436-SF and tenant space #2 measuring 1,388-SF. The plans provided depict the layout of tenant space #2 as other than an office space. While the Township's Development Ordinance does permit other uses for the ground floor, the applicant should address the discrepancy between the stated proposed office use and what is depicted on their plans.

Additionally, the proposed residential on the 2nd and 3rd floors, for which seven (7) apartments are proposed, will exceed the maximum permitted density for the B-1 District. Whereas, pursuant to the Township of West Orange Zoning Ordinance **§25-7.1, Part B**, for the B-1 District, a minimum of 3,750-SF of lot area is required per dwelling unit, the applicant proposes 2,165.5-SF. **This deviation from the required density standard will require a D(5) variance. As such, in my opinion, the Planning Board does not have jurisdiction to consider this application.**