



Borough of North Plainfield
MUNICIPAL BUILDING
263 Somerset Street
North Plainfield, New Jersey 07060-4895

Zoning Department
(908) 769-2900 Ext. 2915
Board of Adjustment/Planning Board Application

Address of Property: 933 Route 22 West

Block: 158 Lot: 9 Zone: B-3 & R-5

Name of Applicant or Project: Popeyes Restaurant with Drive-thru

Applicant's Name: 933 Route 22 West, LLC is owner - leasee - purchaser
under contract

Applicant's Address: P.O Box 4158, Dunellen, NJ 08812

Daytime Phone Contact: (908) 698-1132

Attorney (if any):

Name/Firm: Joseph Paparo, Esq. - Porzio Bromberg & Newman

Address: 100 Southgate Parkway, P.O. Box 1997, Morristown, NJ 07962

Daytime Phone Contact: (973) 889-4042 Fax: (973) 538-5146

Where do you want correspondence regarding this application sent?

Attorney Applicant Pickup Other

Type of Application:

1. One and two family "C" bulk variance
2. Use variance "D" with/without site plan **X**
3. Minor Sub Division
4. Sub Division with "C" variance
5. Site Plan Review with/without "C" variances - Amended Site Plans **X**
6. "A" appeal of Zoning Officer's Decision

7. "A" appeal of Historic Preservation Commission Decision

8. Other _____

Documents Submitted:

Application Date: _____ Number of Copies _____

Survey Date: _____ Number of Copies _____

Site Plan Date: _____ Number of Copies _____

Checklist Date: _____ Number of Copies _____

For Board of Adjustment/Planning Board use only;

Date of Final Application: _____ Going to Board of Adjustment/Planning Board

Date of Hearing: _____ File #: _____

Brief Description of Project/Relief Requested

Project Name: Popeyes Restaurant with Drive-Thru

Address: 933 Route 22 West

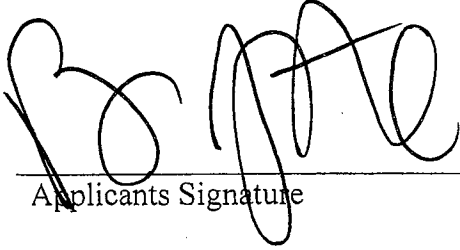
Block: 158 Lot: 9 Zone: B-3 & R-5

Proposed Use: Restaurant with drive-thru Permitted Use: No

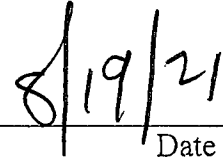
Site Information:

Bulk Requirements	Required	Proposed	Ord. Section
Lot Area	N/A	2.277 acres	22-102.3 (Attachment 2)
Front Yard	50 ft.	50 ft.	22-102.3 (Attachment 2)
Rear Yard	50 ft.	482.9 ft.	22-102.3 (Attachment 2)
Side Yard	20 ft.	53.7 ft.	22-102.3 (Attachment 2)
Combined Side Yard	40 ft.	117 ft.	22-102.3 (Attachment 2)
Accessory Buildings	N/A	N/A	
Pool Set Backs	N/A	N/A	
Buffer Area	25 ft.	25 ft.	22-115.28
Building Coverage	N/A	N/A	
Landscaping Coverage			
Paving Coverage Floor Area			
Height	35 ft./2 stories	22 ft./1 story	22-102.3 (Attachment 2)
Parking Required	17 spaces	34 spaces	22-117.2
Lighting			
Dumpster Shielding			
Fencing			
Other Requirements			
Freestanding signs	1 permitted	1 proposed	22-119
Freestanding sign area	130 sf. max.	54.66 sf. proposed	22-119
Freestanding sign setback	20 ft. (Route 22) 10 ft. (side)	20 ft. proposed 20.60 ft. proposed (side)	22-119
Freestanding sign height	30 ft. max.	17 ft. proposed	
Wall Sign (number)	4 permitted	4 proposed	22-119

Wall Sign (area)	150 sf. max. total	38.75 sf. (front) 102.08; 7.07 sf. (side)	22-119
Directional signs	2 permitted	4 proposed	22-119
Directional sign area	4 sf. max.	3.12 sf. proposed	22-119
Directional sign height	42" max.	42" proposed	22-119



Applicants Signature



Date



**BOROUGH OF NORTH PLAINFIELD
MUNICIPAL BUILDING
263 Somerset Street
North Plainfield, NJ 07060**

CERTIFICATE OF OWNERSHIP

TO THE NORTH PLAINFIELD PLANNING BOARD/BOARD OF ADJUSTMENT

I, hereby certify that I am the owner of land at

933 Route 22 West

and the proposed (Site Plan Review) (~~Subdivision~~) (Variance) of this land is made with my free consent and in accordance with my desire.

Signed: _____

BOA 8/19/21

Dated: _____

8/19/21

C-1

APPLICANT: 933 ROUTE 22 WEST, LLC

STATEMENT OF PRINCIPAL POINTS &
ARGUMENTS IN SUPPORT OF VARIANCES

The within Application involves a request for preliminary and final site plan and variance approvals in connection with the property located at 933 Route 22 West and identified as Block 158, Lot 9 on the Tax Map of the Borough of North Plainfield. The property in question is the site of an existing construction equipment rental business. The Applicant is proposing to develop the property with a new 2,338 square foot Popeyes restaurant with drive-thru along with related site improvements such as parking, lighting, landscaping and signage. The site is split-zoned with the portion fronting on Route 22 located in the B-3 Zone and the rear of the site located within the R-5 Zone. Although the B-3 Zone permits restaurant uses, the drive-thru component is not permitted, therefore, a use variance is required for the project along with variances for signage.

As noted above, the existing building, construction equipment storage yard and all related structures will be removed and the property will be completely transformed. This transformation will include a new Popeyes restaurant with 50 seats and a drive-thru component for customer convenience. Due to the size of this site, which is just over two acres, the Applicant is able to locate all aspects of the development completely within the front portion of the site in the B-3 Zone leaving the remainder of the site in the R-5 Zone undeveloped. The proposed site layout complies with all building setbacks, coverage limitations and buffering requirements. The parking supply provided exceeds the requirements of the Code with site circulation and drive-thru stacking capabilities that surpass industry standards.

Professional planning testimony will be presented at the hearing in support of the requested use variance and this testimony will address the positive and negative statutory criteria. The project planner will discuss the particular suitability of this site for the restaurant with drive-thru use which discussion will include the size and location of this site as well as the ability to locate and confine all commercial activity within the B-3 Zone. The planner will highlight the significant portion of the site to remain undeveloped and the associated buffering and screening of the proposed Popeyes restaurant to neighboring residents.

In addition to the use variance requested, the Applicant is seeking variance relief for the directional signage proposed. According to the Code, businesses are limited to one directional sign per entrance and exit, or two directional signs for the project. As noted on the plans, the Applicant is proposing two directional signs at both the entrance and exit drives for a total of four directional signs. The directional signs will assist customers properly and safely circulate into the drive-thru and navigate the site. Although the Applicant is proposing two additional directional signs than what is permitted, it should be noted that the signs are all compliant in size and height. Based upon the size of this site and importance of the directional signage, the requested relief to allow two additional directional signs should be granted.

The current use on this site involves the rental and highly visible storage of large construction equipment which, by its very nature presents a less than desirable aesthetic along this portion of Route 22. There are also truck activities associated with the construction and heavy equipment industries occurring at the site currently as part of the business. The proposed development will eliminate these aspects of the current use and provide a business and use more consistent with uses found along Route 22. The proposed drive-thru component will offer

customers the convenience of staying in their cars during inclement weather or when children are in the vehicle which also is an enhanced safety benefit. The site is large enough to provide parking in excess of the Code requirement as well as a drive-thru lane and circulation patterns that will promote the safe and efficient flow of traffic. The site layout is thoughtful and mindful of the residential zone to the rear as well as the neighboring property owners.

For these reasons, the Applicant respectfully requests that the approvals and variances sought be granted.