

TOWNSHIP OF FREEHOLD



MAYOR
Anthony J. Ammiano

TOWNSHIP COMMITTEE
Thomas L. Cook, Deputy Mayor
Barbara J. McMorrow
Lester A. Preston, Jr.
David M. Salkin

"Preserving and Enhancing the Quality of Life"

Timothy White, PE, PLS, CME
Township Engineer

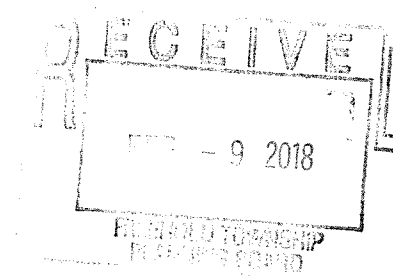
MEMORANDUM

TO: Planning Board, c/o Danielle Sims, Administrative Officer

FROM: Timothy P. White, Township Engineer

DATE: February 8, 2018

RE: Juniper Plaza Associates, LTD
Online Trading Academy of Freehold
Block 72, Lots 90.03 and 90.04 – 3449 Route 9
Preliminary and Final Major Site Plan #629-3-17 and "D" Variance #031-17



This review refers to the following:

- Survey of Property and Existing Conditions, Juniper Plaza, Lots 90.03 & 90.04, Block 72, Freehold Township, Monmouth County, New Jersey, one (1) sheet, dated November 11, 2014, last revised December 28, 2017, prepared by Crest Engineering Associates, Inc., signed by Daniel P. Hundley, P.L.S.
- Tenant Space Plan and Schedules, Juniper Business Plaza, 3499 Route 9 North, Freehold, New Jersey, two (2) sheets (SK-A2 and SK-A3), dated January 10, 2018, prepared by S. Gran Wityk-Architect, signed and sealed by S. Gran Wityk, R.A.
- Front Elevation, Tenant Sign, Juniper Business Plaza, 3499 Route 9 North, Freehold, New Jersey, Unit 2A, On Line Trading, one (1) sheet (SK-A1), dated November 1, 2017, prepared by S. Gran Wityk, Architect, signed and sealed by S. Gran Wityk, R.A.
- Building and Column Layout Plan, Juniper Business Plaza, 3499 Route 9 North, Freehold, New Jersey, one (1) sheet (DWG AB-1), dated March 25, 2017, prepared by S. Gran Wityk – Architect, unsigned.
- Certification of Floor Area, Juniper Business Plaza, 3499 Rt 9 North, Freehold, New Jersey, Online Trading Academy, Suite 2A, dated August 10, 2017, prepared by S. Gran Wityk-Architect, signed by Gran Wityk, R.A.
- Zoning Schedule, Online Trading Academy of Freehold/Juniper Plaza Associates, LTD, 3499 Route 9 North, Block 72, Lots 90.03 and 90.04, Zone CMX-10, undated, unsigned.
- Description of Online Trading Academy, 3499 US Highway 9, Freehold, NJ 07728, dated May 19, 2017, prepared by Online Trading Academy, by Steven Alexeev, President.
- Operations Statement, one (1) page, undated, unsigned.
- Floor Plan, one (1) sheet, undated, unsigned.

PB file

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To: Planning Board
Re: Juniper Plaza Associates, LTD
Online Trading Academy of Freehold
Block 72, Lots 90.03 and 90.04
Site Plan #629-3-17 and Variance #031-17

February 8, 2018

- Environmental Impact Statement Waiver Request Letter, Juniper Plaza Associates, LTD, Block 72, Lots 90.03 and 90.04, dated January 3, 2018, prepared by Sonnenblick, Parker & Selvers, signed by William J. Mehr, Esq.
- Completeness Checklist Waiver Request Letter, Juniper Plaza Associates, LTD, Block 72, Lots 90.03 and 90.04, dated January 3, 2018, prepared by Sonnenblick, Parker & Selvers, signed by William J. Mehr, Esq.
- Parking Analysis For Juniper Business Plaza, Juniper Plaza Associates, LTD, Block 72, Lots 90.03 and 90.04, dated January 3, 2018, prepared by Sonnenblick, Parker & Selvers, signed by William J. Mehr, Esq.

Executive Summary

The applicant is seeking preliminary and final major site plan approval to occupy an existing 5,832 sq. ft. office space (Suite 2A) within the 126,433 sq. ft. one-story professional office building known as Juniper Plaza. The proposed tenant is Online Trading Academy, which offers professional instruction in stock and bond trading and asset classes. In association with the application, a new façade sign is proposed. There are no additional site improvements proposed as part of this application. The project site is located within the Corporate Multi-Use-10 Acres (CMX-10) Zone. A use variance is required as the “Trading Academy” is not specifically permitted within the zone.

Online Trading Academy instructs approximately 10-70 students per day with an average of five (5) employees. The hours of operation are Monday through Friday 9:00 am to 5:00 pm and Saturday 9:00 am to 2:00 pm.

The following comments are provided:

1. The applicant is requesting various site plan submission waivers for the omission of certain requirements not associated with or required as a part of this application. This office has no objection to these waivers unless otherwise mentioned in this report or other Township professional or consultant reviews.
2. Noting that this is an application for a change in use and a “D” variance, the applicant shall provide one concise site plan that includes all of the information described below; most of which was provided within the application in a piecemeal manner.
 - a. The applicant may utilize the provided survey as a base map for preparing the site plan; however, the plan shall be entitled “Preliminary and Final Major Site Plan.”
 - b. Describe the location and limits of the proposed tenant space.
 - c. Include one zoning schedule describing the existing and proposed zoning requirements on the plan cover sheet. Minor inconsistencies were noted on the zoning schedule provided.
 - d. Describe the location of the proposed façade sign and the associated rendering with call outs, leaders and details, as needed.



To: Planning Board
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Online Trading Academy of Freehold
Block 72, Lots 90.03 and 90.04
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- e. Include parking calculations describing existing and required parking at the site. The calculation shall account for the proposed tenant and all existing tenants at the site and shall include the minimum number of required ADA parking spaces. Information relative to spaces leased to any car dealerships shall also be included, if applicable.
 - f. The plan shall describe site improvements and associated details to address the items outlined in comment #6 below.
3. As described within the applicant's operations statement, the Online Trading Academy will utilize up to 70 parking spaces on a busy day. As such, the applicant shall provide testimony to the Board related to the adequacy of parking at the site. Additionally, the applicant shall discuss any lease agreements for shared parking that may be in place related to the adjacent car dealership.
 4. The applicant shall confirm that the configuration, size, and grade of the existing ADA spaces meet current ADA standards.
 5. As it relates to the specific application (change in tenant), this office has no additional comments relative to any engineering issues. However, it should be noted that this office performed an inspection of the site and the following deficient site related items were observed. The Planning Board may require that some or all of the following items be addressed:
 - a. It is apparent that several sections of the parking lot have been recently paved. As such, in accordance with T.O. 270-32 and 270-33, the applicant shall modify the existing inlets to be in accordance with the Township Ordinance as it relates to stormwater quality.
 - b. The site exhibits several areas of cracked and/or failed pavement and damaged curb throughout portions of the parking lot and access drives. The applicant shall identify and repair these areas. A note shall also be added to the plan stating that "all failed pavement areas and curb shall be repaired to the satisfaction of the Township Engineer."
 - c. Sections of sidewalk fronting the property along Three Brooks Road are in disrepair. Additionally, the curb ramp in this area is settled and does not meet current ADA requirements. The applicant shall identify and repair these areas.
 - d. Several refuse containers are located throughout the site. Township Ordinance 190-116A(2) requires that all refuse containers are located within storage facilities constructed with masonry materials. It should be noted that prior site plans describe refuse enclosures; however, they have not been installed or have since been removed.
 - e. Two (2) portable storage containers are currently located at the northeast corner of the site. These containers are not a permitted accessory and shall be removed.
 - f. At least twenty (20) pallets of landscape block were observed within the northern parking lot. These items shall be removed.
 - g. Landscaping along U.S. Route 9 is sparse and limited to three (3) existing trees. It is recommended that the applicant provided additional shade trees at a minimum spacing of 50-ft on-center along the property frontage.



To: Planning Board
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Online Trading Academy of Freehold
Block 72, Lots 90.03 and 90.04
Site Plan #629-3-17 and Variance #031-17

February 8, 2018

- h. The privacy fence at the rear of the property contains areas of damaged or missing privacy slats. Additionally, the bottom of fence in some areas contain a significant gap from the ground surface. The applicant shall make repairs to the fence to maintain privacy and prevent light pollution from onsite vehicle traffic to the neighboring residential properties.

TIMOTHY P. WHITE
Township Engineer

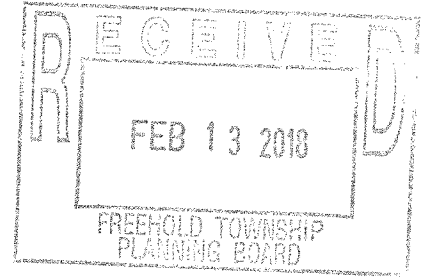
TPW/mb



PHILLIPS PREISS GRYGIEL LLC
Planning & Real Estate Consultants
33-41 Newark Street
Third Floor, Suite D
Hoboken, NJ 07030
201.420.6262
Fax 420.6222
www.ppgplanners.com

February 6, 2018

Freehold Township Planning Board
% Danielle B. Sims, Administrative Officer
Freehold Township
1 Municipal Plaza
Freehold, New Jersey 07728



**RE: Preliminary and Final Major Site Plan #629-3-17 and "d" Variance #031-17
Planner's Review Letter
Online Trading Academy of Freehold
Juniper Plaza Associates, LLC
Block 72, Lots 90.03 and 90.04 (3499 Route 9)
Block 70.05, Lot 14 (3712 Route 9)
CMX-10 Corporate Multi-Use Development Zone**

Dear Chairman and Members of the Board:

We have reviewed the above-referenced development application, including the following documents:

- Survey of Property and Existing Conditions, Juniper Plaza, Lots 90.03 and 90.04, Block 72, Freehold Township, Monmouth County, New Jersey, consisting of 1 sheet, prepared by Daniel P. Hundley, P.L.S., of Crest Engineering Associates Inc., dated 11/11/2014 and revised through 12/28/2017
- Tenant Space Plan, Juniper Business Center, 3499 Route 9 North, Freehold, New Jersey, consisting of 2 sheets, prepared by S. Gran Wityk, Architect, dated 1/10/2018
- Front Elevation, Unit 2A, Online Trading, Juniper Business Plaza, 3499 Route 9 North, Freehold, New Jersey, consisting of 1 sheet, prepared by S. Gran Wityk, Architect, dated 11/1/2017

Project Description

The applicant is seeking preliminary and final major site plan and "d(1)" use variance approval in order to locate a new tenant, Online Trading Academy, in an existing, vacant unit in the Juniper Business Plaza. The proposed use, an adult education/training facility, is not specifically permitted in the CMX-10 zone.

The subject property measures 11.1 acres and is developed with the Juniper Business Plaza, which contains a number of units occupied in main part by office tenants (e.g., medical and professional offices, New Jersey state offices, etc.), as well as a gym, and associated parking and circulation areas. The subject property is located to the east of Route 9 and to the north of Three Brooks Road. There is single-family residential development along Andorra Terrace to the east of the subject property, and commercial development along Route 9 in the vicinity of the subject property.

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The applicant is proposing to locate a new tenant, Online Trading Academy, in a vacant unit (5,832 square feet) formerly occupied by an office use. The unit would be comprised of three training rooms, eight offices, break area, reception area, utility room, server room, and common area (e.g., hallway). No changes are proposed to the exterior of the building (e.g., landscaping, parking, lighting, etc.), with the exception of the installation of one new tenant wall sign.

The proposed wall sign, to be non-illuminated, would state "Online Trading Academy" and would measure ± 15 square feet. The sign would be blue in color; more specifically, the sign application appears to indicate Shadow Blue (3M #7725-177) or Indigo (3M #3650-27).

With regard to operations, Online Trading Academy would provide professional instruction pertaining to stock and bond trading and asset classes (e.g., short-term trading, swing trading, etc.). The expected number of daily students would range from 10 to 70, with an average of five employees on site at any given time. Students would attend courses on an all-day or part-time basis. All activities associated with the use, with the exception of parking, would occur inside the building. The anticipated number of vehicles for students and employees would range from a minimum of 15 to a maximum of 70 on a busy day, most likely in the late afternoon or early evening when classes may overlap. Hours of operation would be Monday through Friday from 9:00 am to 5:00 pm and Saturday from 9:00 am to 2:00 pm.

The applicant has provided a parking analysis for Juniper Plaza, dated 1/16/2018, prepared by William J. Mehr, Esq. The analysis indicates that there are currently 731 parking spaces on the subject property (708 standard, 23 ADA).

The total building square footage (based on the exterior footprint) is 126,433 square feet. As per Section 190-163, the minimum parking requirements for business and professional offices is one space for every 200 square feet of gross floor area on the first floor. When the parking analysis assumes that the entire building is comprised of office uses, 632 parking spaces would be required.

The parking analysis further indicates that the total leasable space in the building is 121,300 square feet. Of that, the gym comprises 17,000 square feet. The minimum parking requirement for a health club use is one space per 100 square feet, plus one space per employee. As applied to the gym, 180 parking spaces would be required. Five hundred twenty-two (522) additional parking spaces would be required for the office space (104,300 square feet), for a total of 702 parking spaces. We note, however, that this calculation was based on leasable space, not gross floor area, as required by the ordinance.



In addition, application materials indicate that a maximum of 70 parking spaces would be required for the proposed adult education/training facility, where only 30 parking spaces would be required when applying the minimum parking requirements for an office use.

Zoning Compliance & Planning Comments

We offer the following for your consideration.

1. Several preexisting, non-conforming conditions are identified on the zoning schedule to which no changes are proposed as part of this application:
 - Lot width at building line: a minimum of 1,000 feet is required where 482 feet is provided
 - Lot frontage: a minimum of 1,000 feet is required where 321.30 feet is provided
 - Building coverage: a maximum of 15% is permitted where 26.1% is provided
 - Impervious coverage: a maximum of 60% is permitted where 89.6% is provided
 - Floor area ratio (FAR): a maximum of 0.15 is permitted where 0.261 is provided
 - Building height: a maximum of 35 feet/3 stories is permitted where ±40 feet/1 story is provided
 - Side yard setback: a minimum of 100 feet is required where 35 feet is provided
 - Buffer zone: a minimum width of 75 feet is required where 20 feet is provided
 - Scenic corridor: a minimum width of 50 feet is required where 0 feet is provided

2. The proposed adult education/training use is not specifically permitted in the CMX-10 zone. As such, a “d(1)” use variance is required. The MLUL at N.J.S.A. 40:55D-70d(1) permits a board of adjustment to grant a variance to allow “a use or principal structure in a district restricted against such use or principal structure.” Per the MLUL, a “d” variance may be granted only “in particular cases for special reasons.” These “special reasons” for a use variance may include that the use is inherently beneficial, that the property owner would suffer undue hardship if compelled to use the property in conformity with the permitted uses in the zone, or that the site is particularly suited for the use so as to promote the general welfare.

In addition, a variance applicant must address the “negative criteria.” A “d(1)” variance applicant for a use that is not inherently beneficial is further required to address the “enhanced quality of proof” per Medici v. BPR Co. (107 NJ 1 [1987]):



“the grant of a use variance is not inconsistent with the intent and purpose of the master plan and zoning ordinance.”

3. The applicant should provide testimony at the hearing confirming general site operations, hours of operation, average and maximum number of students and employees, etc.
4. We defer to the Township Engineer and Township Traffic Engineer for any comments regarding the applicant’s parking analysis. Application materials indicate that the parking lot is typically never more than 60% unoccupied (except for the area in front of the gym). We note, however, that the existing gym and the proposed new tenant generate significantly higher parking demands on a per square foot basis as compared to other uses in the complex.
5. Signage is subject to the general requirements set forth in Section 190-176 and Section 190-183 of the Township ordinance. Per Section 190-183A, each principal structure may display one or more signs to identify the occupant or tenant and its principal function or service flat against the building façade, facing the street on which the lot fronts; provided, however, that the total area of all such signs shall not exceed 10% of the surface area of that side of the building to which the sign is attached. The applicant should confirm compliance with the above standard relating to sign area or “c” variance relief should be sought.
6. The applicant should confirm that the wall sign color has been proposed in accordance with the Township’s approved color palette per Section 190-1760.
7. In the event “c” bulk variance(s) are required in connection with the application, the Board must find that there is either undue hardship or practical difficulty associated with the strict application of the requirements of the zoning ordinance in connection with this specific piece of property; or that one or more purposes of zoning would be advanced by the deviation and the benefits of granting the variance(s) for this specific piece of property would substantially outweigh any detriment. In addition, the Board must be satisfied that the granting of the variance(s) would not cause substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and zoning ordinance.



PHILLIPS PREISS GRYGIEL LLC
Planning & Real Estate Consultants

We trust that the above information is responsive to your needs.

Respectfully submitted,

Paul A. Phillips, P.P., AICP

cc: Frank Accisano, Board Attorney
Timothy P. White, P.E., Township Engineer

J18032

Shropshire Associates LLC

Traffic Engineering, Transportation Planning & Design

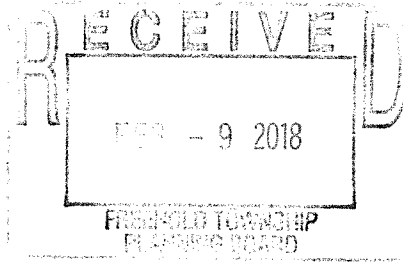
277 White Horse Pike, Suite 203, Atco, NJ 08004
P: 609-714-0400 F: 609-714-9944 www.sallc.org

ESBE / SBE Certified

David R. Shropshire, PE, PP
A Andrew Feranda, PE, PTOE, CME
Randal C. Barranger, PE
Nathan B. Mosley, PE, CME

February 8, 2018

Mr. Timothy P. White, P.E.
Freehold Township Engineer
1 Municipal Plaza
Freehold, NJ 07728-3099



(via email: TWhite@twp.freehold.nj.us)

Attn: Danielle Sims, Administrative Officer

(via email: DSims@twp.freehold.nj.us)

Re: **Preliminary & Final Major Site Plan**
SP # 629-3-17 & "D" V # 031-17
Online Trading Academy of Freehold
3499 Route 9 North
Freehold Township, Monmouth County
SA Project No. 18505

Dear Mr. White:

At the request of Freehold Township, a traffic review was performed for the above referenced site plan application. The materials submitted for review include:

1. Online Trading Academy Cover Letter & Operations Statement; prepared by Online Trading Academy; dated May 19, 2017.
2. Survey of Property and Existing Conditions; Block 72, Lots 90.03 & 90.04; prepared by Crest Engineering, dated November 11, 2014 and revised to December 28, 2017.
3. Architectural Plan-Front Elevation of Bldg-2 Unit-2A (Sheet SK-A1); prepared by S. Gran Wityk, Architect; dated November 1, 2017.
4. Architectural Plan – Floor Plan for Bldg-2 Unit-2A; no title block; undated
5. Architectural Plans-Tenant Plans for Juniper Business Center (Sheets SK-A2 & A3); prepared by S. Gran Wityk, Architect; dated January 10, 2018.
6. Architectural Plan – Floor Plan for Juniper Business Plaza; prepared by S. Gran Wityk, Architect; dated March 25, 2016.
7. Parking Analysis for Juniper Business Plaza, Block 72, Lots 90.03 & 90.04; prepared by Sonnenblick, Parker & Selvers; dated January 16, 2018

The Preliminary & Final Major Site Plan set, parking analysis and corresponding application documents were reviewed with respect to the Applicant's request for Preliminary & Final Major Site Plan approval with variance for improvements proposed for a tenant to occupy Unit 2A (5,832 sf) of Building 2 within the existing 126,443 sf Juniper Business Plaza.



Access and circulation for the business center will remain as configured. A total of 731 parking spaces are available on-site, including 23 handicap parking spaces.

Based on review of the plans, parking analysis and corresponding documents the following traffic comments are offered:

Access:

Access to the existing Juniper Business Plaza will remain as currently configured.

The proposed Online Trading Academy will re-occupy existing space within the existing business center. The proposed use is consistent with other uses in the Juniper Business Plaza and the driveways will remain. Access to the business center is under the jurisdiction of the New Jersey Department of Transportation (NJDOT), however based on information provided re-occupying the existing space does not require NJDOT approval.

Circulation:

Circulation within the Juniper Business Plaza will remain as currently configured.

- 1. The main entrance to Unit 2A, to be occupied by the Online Trading Academy, is accessed from parking to the west of the building. It is recommended that a pedestrian crosswalk be installed from the Unit 2A entrance across the circulation aisle to the adjacent row of parking spaces, similar to other pedestrian crosswalks for access to active building entrances.***
- 2. The Applicant shall provide information regarding trash storage & removal.***
- 3. The Applicant shall provide information regarding deliveries such as the size of typical delivery trucks, delivery times and where deliveries will occur. Deliveries shall not block circulation aisles.***

Parking:

The existing Juniper Business Plaza has a total of 731 parking spaces including 23 handicap parking spaces. No changes are proposed to parking.

- 1. Parking analysis was provided to review existing parking conditions and calculate parking requirement. The Freehold ordinance includes parking requirement for shopping centers (without convenience stores or supermarkets) of 5 spaces for every 1,000 sf. Based on this requirement a total of 632 parking spaces are required for the 126,433 sf building. Alternatively, if broken down by uses, there are 109,433 sf office and 17,000 sf health club. The requirement for office space is 1 space per 200 sf or 547 spaces required. The requirement for health club is 1 space per 100 sf plus 1 per employee and with 10 employees 180 spaces are required. The total parking requirement for 109,433 sf office and 17,000 health club is 727 spaces. Using either the shopping center requirement (632 spaces required) or the office and health club requirements (727 spaces required), the 731 parking spaces available satisfy the Freehold parking requirement.***



2. ***A total of 23 handicap parking spaces are provided. American's with Disabilities Act (ADA) requires 2% of the 731 parking spaces be handicap accessible, or 15 handicap parking spaces. The available handicap parking spaces satisfy the ADA requirements.***

3. ***Online Trading Academy will reoccupy 5,832 sf of the existing building. The parking requirement for this unit is 30 spaces. The Operations Statement indicates that there will be up to 70 students and on average 5 employees on-site during "extremely busy" days. The resulting demand is up to 70 parking spaces (assumes some multiple attendees per vehicle). This demand is more than twice the parking spaces allotted by requirement for Unit 2A. Information shall be provided to ensure maximum use of this unit can be accommodated within the existing parking area(s).***

Note: The parking area south of the Route 9 driveway and west of the building has 170 spaces available. Another 143 spaces are available south of the building and 86 spaces are available east of (behind) the building.

Additionally, the Applicant shall obtain all required approvals including, Monmouth County, Freehold Fire Department and any other outside agency approvals.

Sincerely,
Shropshire Associates LLC


A Andrew Feranda, PE, PTOE, CME
Traffic Consultant
AAF/aaf

TOWNSHIP OF FREEHOLD



MAYOR
Anthony J. Ammiano
TOWNSHIP COMMITTEE
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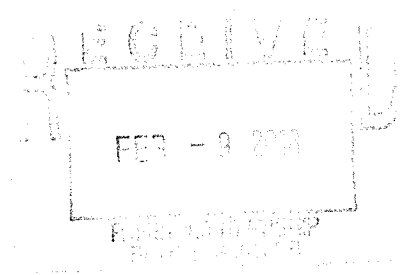
"Preserving and Enhancing the Quality of Life"

TO: The Freehold Township Planning Board

FROM: Margaret B. Jahn, Health Officer

DATE: February 9, 2018

SUBJECT: Online Training Academy of Freehold – Juniper Plaza Associates, LLC
3499 Route 9 North
Block: 72, Lots: 90.03 & 90.04
Pre & Final Site Plan #629-3-17
"D" Conditional Use Variance #031-17



We have reviewed the information for the above referenced project. The Board of Health has no objection.

TOWNSHIP OF FREEHOLD



MAYOR
Anthony J. Ammiano

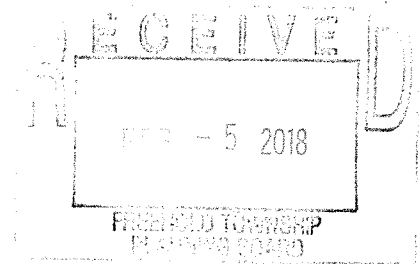
TOWNSHIP COMMITTEE
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"Preserving and Enhancing the Quality of Life"

To: Danielle Sims
Township of Freehold
Planning Board Administration Officer

February 5, 2018

From: Pasquale Popolizio
Township of Freehold
Director of Zoning/Housing



RE: Sign Review
Online Trading Academy of Freehold-Juniper Plaza Associates, LLC
3499 Route#9, Block-72/Lots-90.03 & 90.04, (Zone: CMX-10)
Preliminary & Final Site Plan# 629-3-17 & "D" Variance# 031-17

Ms. Sims,

As requested, a sign review for the above referenced site plan application has revealed the following:

Proposed:

- One (1) 15.2Sf, unlit shadow blue (ID# 7725-177) façade sign advertising; "ONLINE TRADING ACADEMY".

As proposed, this sign is in conformance with all Township Sign regulations as outlined in article XVII.

Should you have any questions or concerns please feel free to contact this office.

Respectfully,

Pasquale Popolizio
Township of Freehold
Director of Zoning

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