

AMENDMENT TO THE MASTER PLAN FOR CRANBURY TOWNSHIP:
HIGHWAY COMMERCIAL (HC) AND GENERAL COMMERCIAL (GC) ZONES



Prepared for the Cranbury Township Planning Board
by PHILLIPS PREISS GRYGIEL LLC
Planning & Real Estate Consultants

Adopted on September 15, 2016

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I. INTRODUCTION

The purpose of this Amendment to the Township of Cranbury Master Plan is to reexamine the permitted uses and development standards of the Highway Commercial (HC) and General Commercial (GC) districts in Cranbury Township, and to recommend changes intended to spur new development and redevelopment along the Route 130 Corridor that will promote the purposes of the Cranbury Master Plan and the Municipal Land Use Law. The recommended changes to zoning in this amendment are focused on the HC and GC districts within the Township. The proposed revisions have the potential to further advance a number of the Township's planning goals and objectives. The refinements recommended herein do not include any changes to the classifications or boundaries of the HC or GC zones within the Township. Rather, the proposed changes are recommended given the dearth of applications for new development within the above-referenced districts following the 2010 Master Plan and the associated zoning amendments enacted in 2011 intended to implement the recommendations of the Master Plan, as well as the additional refinement following the 2013 Amendment to the Land Use Element pertaining to the Route 130 Corridor and subsequent zoning amendments enacted in 2013.

II. 2010 MASTER PLAN

On December 16, 2010, the Township of Cranbury Planning Board adopted a Master Plan which included recommended changes to permitted uses and bulk standards in the HC and GC zones, as well as the addition of design guidelines in these two zones.

A. HC-Highway Commercial District

With regard to the HC district, the Master Plan states:

There is a need to substantially revise the uses permitted in the current HC zone, as well as the bulk and design standards in order to encourage the redevelopment of current marginally-used properties, to provide for the retail needs of the community, to substantially upgrade its image, and to generate tax ratables. Larger-scale retail uses and designated shopping centers are to be permitted, but within the context of a series of design requirements that would avoid the prototypical suburban highway strip center or big-box development.

The 2010 Master Plan sets forth specific recommendations regarding permitted uses in the HC zone, including:

- Larger retail stores providing goods and services that are unlikely to locate in the Village Commercial (VC) zone in downtown Cranbury, including, but not limited to, agricultural supplies and accessories, home garden centers, sporting and hobby stores, pharmacies and drug stores, and banks, including drive-thru banks
- Automobile parts and supplies, car rental or service-only stores
- Clarification so that offices, which are already permitted, are also permitted over retail uses

- Retail shopping centers combining a number of retail establishments permitted in the zone, with or without second floor offices

The 2010 Master Plan also indicated the types of uses which should be omitted or not permitted in the HC zone, as follows:

- Those smaller convenience and specialized retail and personal service establishments that would be more likely to be located and successful in Cranbury's downtown (e.g., beauty salons, gift shops, clothing and shoe stores, florists, bike sales and service, and restaurants and other eating and drinking establishments).

The 2010 Master Plan also recommended that the following uses be prohibited in the HC zone:

- Automobile, camper and truck sales
- Gas stations
- Convenience stores

B. GC-General Commercial District

With regard to the GC district, the Master Plan states:

With its larger average lot sizes, the C-R (current GC General Commercial) District at Route 130 and Brick Yard Road would be appropriate for larger, modern suburban-style shopping centers that will allow Cranbury to provide important types of retail that are not appropriate for the downtown area, and to make Cranbury's retail sector more competitive with retail offerings in adjacent communities.

Within this district, the aim is to "encourage the redevelopment of marginally-used parcels for more intensive commercial uses to generate economic activity and a better visual environment than this currently dismal gateway into Cranbury from East Windsor Township."

The Master Plan sets forth specific recommendations regarding permitted uses in the GC zone, including:

- The same uses permitted in the HC district
- Regionally, automotive-oriented establishments such as automobile sales, gas stations, convenience stores, supermarkets and designed shopping centers
- All of the permitted uses should be permitted on any floor

III. 2013 MASTER PLAN AMENDMENT

On February 21, 2013, the Township of Cranbury Planning Board adopted a Master Plan Amendment to the Master Plan for Cranbury Township which recommended further refinement of the uses permitted in the HC and GC zones, intended to encourage a wider variety of retail uses within the Route 130 Corridor. The recommendations were made to

further the Township's economic development goals by allowing a wider variety of commercial uses along the Route 130 Corridor, thereby generating ratables, employment opportunities and providing a greater variety of goods and services to the residents of Cranbury.

A. HC-Highway Commercial District

Amongst the list of uses that were recommended by the 2013 Master Plan Amendment to be added to the list of permitted uses are the following types of uses, and uses which are substantially similar to them:

- Stores selling books, music, DVDs and other media
- Office supplies and stationary stores
- Bakeries
- Restaurants, eating and drinking establishments and catering establishments, except fast food restaurants or drive-through restaurants
- Liquor stores, bars and taverns
- Car washes, subject to conditional use standards
- Establishments selling and servicing computers, electronic goods and appliances
- Grocery stores and food stores, but not supermarkets, warehouse discount stores or clubs or big-box general retail stores

B. GC-General Commercial District

The 2013 Master Plan Amendment recommended that all of the uses to be added to the list of permitted uses and conditionally permitted uses in the HC zone should also be added to the GC zone – to the extent that they are not already permitted. Furthermore, the 2010 Master Plan recommended that gasoline service stations and convenience stores, either standalone or combined, should be conditionally permitted in the GC zone. However, the 2011 Zoning Amendments did not include such provisions in the Cranbury LDO. In light of the overall objective of the 2010 Master Plan, the 2013 Master Plan Amendment recommended that such changes be incorporated into the Cranbury LDO.

IV. PROPOSED ZONING AMENDMENTS

A. Need to Reexamine HC and GC District Zoning

In 2011, and again in 2013, the Township of Cranbury Zoning Ordinance was amended to reflect many of the above recommendations for the HC and GC districts; the Township declined to change the name of the HC and GC districts, instead favoring the familiarity of the existing names. It was thought that the implementation of these recommendations would spur commercial development along the Route 130 Corridor. Like many municipalities

throughout New Jersey, at the time the 2010 Master Plan was prepared, Cranbury had seen a decline in commercial development and related economic opportunities during the recession. In recent years, as the recession has lifted and surrounding communities have seen an uptick in commercial development, and application for new retail uses or the renovation or redevelopment of shopping centers. There have been a few applications for development or renovation in downtown Cranbury in the VC zone. However, despite the existence of a number of tracts of undeveloped, underdeveloped or marginally developed land, Cranbury has not seen a similar interest in commercial development along the Route 130 Corridor.

It has become apparent that the implementation of the Master Plan and Master Plan Amendment recommendations for the HC and GC zones has not affected change as desired. As such, there is a need to reexamine the zoning changes adopted in 2011 and 2013 and consider if the uses currently permitted in the HC and GC zones are still too restrictive and/or no longer up-to-date with changing economic conditions. Additionally, at the time the 2010 Master Plan was being prepared, it was not anticipated that public sewer service would be extended to parts of the GC district that heretofore were not served by public sewer. Based upon proposed changes to the Sewer Service Area by Middlesex County, it is now anticipated that sewer service will be extended into parts of the GC zone, thereby allowing the zone to support more intensive retail development.

B. Recommended Zoning Amendments

This Master Plan Amendment recommends additional refinement of the variety of permitted uses in the HC and GC districts. These amendments are intended to help Cranbury to realize the goals articulated in the 2010 Master Plan.

This Master Plan Amendment still limits opportunities for smaller stores providing convenience goods to the VC zone. However, the opportunities for the retail sector to expand within the VC zone in downtown Cranbury are limited. Lot sizes are small. There are no vacant properties in the VC zone that could accommodate new development. Since 2010, some additional development has occurred in the downtown (e.g., the redevelopment of the PNC Bank lot for a bicycle store, office and single-family home) and some changes in tenancy have occurred which have strengthened the downtown. It does not appear that allowing a wider range of commercial uses along Route 130 would negatively impact the retail sector in downtown Cranbury.

Opportunities for more expansive, regionally-oriented commercial development do exist along Route 130. The recommendations set forth in this Amendment support the planning goals and objectives of the Township. An overriding goal in the 2010 Cranbury Master Plan was to establish a sufficient ratable base to sustain the Township's fiscal and community needs in the long term, and to focus such efforts on the Route 130 Corridor and areas east of Route 130. Relevant objectives included:

- Encourage larger properties in the HC zone, GC zone and PO/R District¹ with frontage along Route 130 to redevelop with a stronger retail focus, but not to the detriment of the Village's downtown.
- Capitalize on economic opportunities from pass-by traffic on Route 130 to increase tax ratable base and improve the appearance of existing businesses along Route 130.

This Amendment acknowledges that this goal is unlikely to be achieved if the current list of permitted uses is not expanded to allow for a wider range of opportunities.

1. Recommendations for the HC-Highway Commercial District

Amongst the list of uses that are recommended to be added to the list of permitted uses in the HC zone are the following types of uses, and uses which are substantially similar to them:

- Retail stores, including, but not limited to, clothing and shoe, musical instrument, furniture, beauty supplies, and hardware stores
- Retail bakeries, specialty food stores
- Delis and coffee shops, excluding fast food restaurants and drive-in or drive-through restaurants
- Personal service establishments, including, but not limited to, barber shops, nail salons and health supplement stores
- Professional and business offices
- Home health care services, diagnostic imaging centers, outpatient care centers, and blood and organ banks
- Passenger car rental and leasing
- Florists or nurseries, but not outdoor power equipment stores
- Health clubs, gyms and Pilates, yoga, dance and martial arts studios
- Self-storage warehouses
- Assisted living facilities

This Amendment also recommends the types of uses that should be permitted in the HC zone subject to conditional use standards, as follows:

- Coffee shops with drive-through
- Fuel stations and convenience stores
- Automotive oil change and lubrication shops
- Recreational vehicle and boat dealers

¹ The PO/R District on Route 130 was amended to the H-M Highway Mixed-Use zone.

In addition to the conditional use standards set forth for each conditional use permitted in the HC zone, it is recommended that all of the conditionally permitted uses be located on the east side of Route 130. Existing land use to the east of Route 130 within the Township is primarily industrial and commercial in nature, whereas the HC and GC zones abut residential neighborhoods to the west of Route 130. As such, this provision seeks to allow a greater variety of commercial uses along the Route 130 Corridor, while ensuring that any new development or redevelopment would be compatible with the Township's existing land use patterns.

This Amendment also recommends that the following uses be prohibited in the HC zone:

- Tattoo parlors and tanning salons
- Fast food restaurants
- Residential uses, aside from assisted living facilities
- General automotive maintenance and/or repair, including transmissions, exhaust, mechanical and electrical systems
- Automotive body maintenance and/or repair, including glass replacement shops

In order to accommodate a wider variety of uses in the HC zone, the following revisions to the bulk standards are recommended, as follows:

- Maximum permitted floor area (FAR) for two- and three-story buildings: 0.40
- Maximum building height: 40 feet or three stories, whichever is less, however, one-story buildings may not exceed 24 feet in height

2. Recommendations for the General Commercial (GC) District

This Master Plan Amendment recommends that all of the uses which are proposed to be added to the list of permitted uses and conditionally permitted uses in the HC zone should also be added to the GC zone—to the extent that they are not already permitted. In addition, this Amendment recommends permitting the following uses, and those which are substantially similar to them, in the GC zone:

- New and used car dealers
- Motorcycle, ATV other vehicle dealers
- Outdoor power equipment stores

This Amendment also recommends that the bulk standards proposed for the HC zone be similarly applied to the GC zone.

3. Recommendations for Assisted Living Facilities

There are a number of existing residential living arrangements available to seniors within Cranbury, including the Four Seasons, an age-restricted, independent living residential development. The Township also recently adopted a redevelopment plan for the Paul's Auto

site which permits an affordable multifamily development including 49 senior and special needs units. Additionally, the Township adopted an overlay Planned Adult Retirement zone over the Protinick property in the northwest corner of the Township which will add 174 age-restricted single-family homes to the Township. Cranbury also has within the Village Hamlet the Elms nursing home, which offers skilled nursing and medical and rehabilitative care. However, there are currently no assisted living facilities in the Township, which bridges the gap for the frail elderly between independent living and skilled nursing care. There is a perceived demand for this type of residential living arrangement in the Township, in order to better meet the needs of those seniors that are no longer able to live independently but who do not yet need the skilled nursing care services provided by a nursing home.

A recent change in ownership has provided an opportunity to repurpose the existing Staybridge Suites hotel building for use as an assisted living facility, which would be to the benefit to existing Cranbury residents, neighboring property owners and the Township as a whole. The Staybridge Suites property (Block 5, Lot 16.02) is located to the east of Cranbury South River Road and to the south of Security Drive within the HC zone.

The addition of assisted living facilities as a permitted use in the HC and GC zones, as recommended in this Master Plan Amendment, will create opportunities for the provision of a full range of residential health care and housing opportunities for seniors within the Township.

In addition to recommending including assisted living facilities as permitted principal use in the HC and GC zones, this Amendment further recommends that a definition of “Assisted Living Facilities” be added to the Cranbury LDO, as follows:

A residential health care facility furnishing rooms, meals, dietary services, personal care and supervision of medication to the frail elderly who are ambulatory and are not in need of skilled nursing care. They may provide other services, such as recreational facilities, financial services and transportation.

Ordinance provisions for off-street parking should also be provided at a rate of 0.5 spaces per dwelling unit, per the Institute of Transportation Engineers *Parking Generation*, 4th Edition.

3. Recommendations for Houses of Worship

Houses of worship are currently permitted in all zones in the Township, with the exception of the Agricultural Preservation (A-100) and Residential Light Impact (R-LI) zones. Prior to 2010, houses of worship were permitted throughout the Township, including within the A-100 zone and the R-LI zone; the use was removed after the Master Plan found that houses of worship and other institutional uses were incompatible with agriculture and open space. The 2010 Master Plan stated:

There are a number of suggested refinements proposed. First, no utility facilities (including cell towers) or institutional uses other than farming (which includes civic uses, schools, houses of worship, places of assembly) should be permitted in the district because of their incompatibility with agricultural

operations and their deleterious impact on the scenic resources of this district. The traffic, size of buildings and levels of activity associated with institutional uses run counter to the goals and objectives of preserving agriculture and open space in this district.

As noted above, houses of worship are permitted in all of the Township's residential zones (with the exception of the above-mentioned R-LI zone) and industrial zones, as well as in the VC and the Village Hamlet/Residential (VC/H) zones. Because there is a limited amount of land available in Cranbury that is suitable for commercial development, and also capitalizes on the pass-by traffic traveling along the Route 130 Corridor, this Amendment recommends that the HC and GC zones be reserved primarily for commercial uses. As such, it is further recommended that houses of worship be removed as a permitted use in the HC and GC zones. These zones already do not permit any other institutional uses, such as schools, libraries and open space. In order to promote consistency with the Master Plan recommendations for the A-100 and R-LI zones and subsequent zoning amendments, wherein all institutional uses were excluded from these zones, this Amendment similarly recommends the exclusion of all institutional uses from the HC and GC zones (inclusive of houses of worship).

V. GOALS OF MASTER PLAN AND PURPOSES OF MLUL ADVANCED BY PROPOSED ZONING AMENDMENTS

A. Goals of 2010 Master Plan

The following goals of the 2010 Master Plan, which are endorsed and retained in the amendment, would be furthered by the zoning amendments recommended herein.

1. Land Uses in the Route 130 Corridor

- (a) Encourage larger properties in the HC zone and GC zone to redevelop with a stronger retail focus, but not to the detriment of the Village's downtown.
- (b) Capitalize on economic opportunities from pass-by traffic on Route 130 to increase Cranbury's tax ratable base and improve the appearance of existing businesses along Route 130.

2. Economic Development

- (a) Direct retail and service commercial development to appropriate locations within the Village and encourage redevelopment at appropriate locations along Route 130 so as to strengthen its viability, to provide for the shopping needs of Cranbury residents and employees, and to generate additional tax ratables.
- (b) Increase the Township's non-residential ratable base by permitting a greater variety of retail uses along the Route 130 corridor and within the Township's professional office/residential district.

B. Purposes of the Municipal Land Use Law

The following purposes of the Municipal Land Use Law (NJSA 40:55D-2) would be advanced by the zoning amendments recommended herein:

- 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;
- 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;
- 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;