



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldwpnj.com>

Meeting: 06/25/18 06:00 PM

2018 RESOLUTION APPROVAL

RESOLUTION SETTING FORTH THE REASONS FOR ADOPTING A ZONING ORDINANCE, WHICH INCLUDES AN INCONSISTENCY WITH THE MASTER PLAN, RECOMMENDING EXTENDING THE ZONE BOUNDARY LINE OF THE COMMUNITY COMMERCIAL DISTRICT (CC ZONE)

WHEREAS, on April 23, 2018, the Governing Body of the Township of Bloomfield introduced on first reading a proposed Ordinance amending the Zoning Map to move the zone boundary line separating Brookdale Shop Rite, 1409 Broad Street in the Township of Bloomfield, Block 1231, Lot 43, and the 400 Broadacres Drive, Block 1231, Lot 46; and

WHEREAS, Brookdale Shop Rite is located in the CC, Community Commercial District and the Broadacres office complex is located in the R-O, Regional Office District; and

WHEREAS, Brookdale Shop Rite has negotiated a lease with the owner of Lot 46 for approximately 26,800 square feet of parking area now servicing the office building on Lot 46, on which it proposes to construct an addition to the supermarket measuring approximately 23,600 square feet; and

WHEREAS, the Ordinance, in its recitals, was referred to the Township of Bloomfield Planning Board for review pursuant to the MLUL; and

WHEREAS, retail sales are not permitted in the R-O Zone, and thus the proposed amendment to the Zoning Map would extend the CC Zone onto Lot 46 to encompass the area leased by Shop Rite; and

WHEREAS, at its meeting held on June 12, 2018, the Planning Board reviewed the proposed Ordinance, as required by N.J.S.A. 40:55D-26(a), to determine whether it was inconsistent with the Master Plan and to make any other comments the Board may deem appropriate; and

WHEREAS, the Land Use Element of the 2002 Master Plan, Section II, pages 33-34, recommended the creation of a Community Commercial District to encompass shopping centers with large anchor, or “big box” retailers, a goal accomplished by the adoption of a new zoning map in 2004. The Master Plan discussion, however, also recognized that “[t]here will be a need renovate and possibly expand existing shopping centers within the Community Commercial District as the buildings age and market conditions change. Consideration should be given to accommodating the need to retrofit ageing shopping centers by permitting limited additions and ensuring that bulk regulations provide for balanced coverage, height and setback standards.”; and

WHEREAS, the proposed Land Use Plan Map included in the 2002 Master Plan placed Brookdale Shop Rite in the proposed CC Zone, but did not recommend its expansion into the adjacent Broadacres office complex placed in the R-O Zone, or the inclusion of retail uses in the R-O Zone; and

WHEREAS, while the expansion now proposed by Shop Rite was presciently anticipated by the 2002 Master Plan, the Master Plan did not contemplate the use of the R-O Zone to accomplish that expansion; and

WHEREAS, on October 26, 2008, the Planning Board adopted an Update of the 2002 Master Plan which focused on the Township’s industrial zones and their redevelopment. It made no recommendations with respect to the Community Commercial Districts in the Township; and WHEREAS, On August 12, 2014, the

Planning Board adopted a Master Plan Reexamination Report that, among other things, examined inconsistencies between the zoning map and existing uses in the various zones. This task resulted in multiple recommendations for zone changes within the Township, many of which were incorporated into a new Zoning Map adopted in October 2014. However, moving the CC District zone line to accommodate an expansion of Brookdale Shop Rite was not among the recommended zone changes and the 2014 Zoning Map did not alter the CC District boundary line encompassing Brookdale Shop Rite; and

WHEREAS, the expansion envisioned by Brookdale Shop Rite would allow them to service the substantial increase in on-line orders with an enlarged storage area and an improved area to pick-up the orders. The building currently is set back only ten feet from the westerly lot line that it shares with Lot 46, which is part of the Broadacres office complex. An addition also cannot be constructed on the north side of the building because that is where the loading docks are located. Constructing an addition to the south or east of the building would result in the elimination of essential parking, and would bring the building too close to Broad Street. Thus, expanding to the west into the parking area of Lot 46 is the only feasible site for an addition to the Shop Rite building;

WHEREAS, based on these facts, the Planning Board concluded that while the 2002 Master Plan contemplated an expansion of the Brookdale Shop Rite, it did not contemplate that any such expansion would encroach into what is now the R-O Zone. However, the Board also concluded that any inconsistency between the moving of the CC Zone boundary line and the Master Plan should not be a deterrent to adopting the proposed Ordinance, since adoption will promote the viability of Brookdale Shop Rite, an important community resource, while imposing no perceptible detriments on 400 Broadacres Drive or, more generally, the R-O Zone.

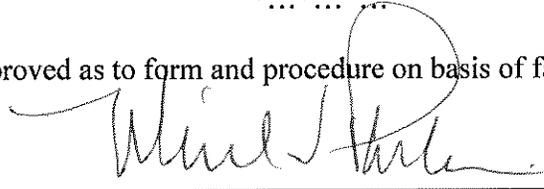
NOW, THEREFORE, be it resolved by the Mayor and Council of the Township

of Bloomfield that, notwithstanding any inconsistency with the Master Plan, the proposed Ordinance moving the Community Commercial District zone boundary line to encompass approximately 26,800 square feet of the parking area at property located at 400 Broadacres Drive, Block 1231, Lot 46, to facilitate the expansion of Brookdale Shop Rite, located at 1409 Broad Street, Block 1231, Lot 43, is justified.

BE IT FURTHER RESOLVED, that the Mayor and Council finds the proposed boundary change to the CC Zone is supported by the acknowledgment in the 2002 Master Plan that the “big box” stores in the CC Zone may need to expand, and will therefore effectuate that component of the Land Use Element of the 2002 Master Plan.

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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

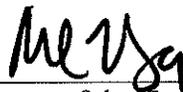
I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.



Chief Financial Officer

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on June 25, 2018.



Municipal Clerk of the Township of Bloomfield

Mayor of the Township of Bloomfield

<input checked="" type="checkbox"/> Vote Record – Resolution						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Table	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve	Ted Gamble	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Veto by Mayor	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Discussion	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						