



ZONING BOARD OF ADJUSTMENT
Thursday, April 18, 2019
APPROVED MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairman Jonathan Rardin at 7:41 PM.

PLEDGE OF ALLEGIANCE: Led by Chairman Jonathan Rardin.

OPMA STATEMENT: Read by Chairman Jonathan Rardin in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** Jonathan Rardin; Daniel DiRenzo, Jr; Ivy Rovner; Jeff Potter; Nacovin Norman, Marshall Spevak, and Jill Roth-Gutman.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Director of Community Development; Jacob Richman, PP, AICP, Planner; Jeremy Noll, PE, Zoning Board Engineer; and Allen Zeller, Esq., Zoning Board Solicitor.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from April 4, 2019. Ms. Roth-Gutman made a motion, which was seconded by Mr. Potter, to adopt the Meeting Minutes from April 4, 2019. Affirmative votes by DiRenzo, Rovner, Potter, and Roth-Gutman. Minutes are approved.

AGENDA ITEMS:

18-Z-0038

Block(s) 41.01 Lot(s) 2, 3, 4 & 5 (with Lot 1)
Zone: Highway Business (B2)

VR Philly, Inc.

2101 Route 70 West
Cherry Hill, NJ 08002

Relief Requested: A bifurcated use (d)1 variance to convert a vacant computer repair business into an e-sports gaming venue on Lot 2 with off-site parking on Lots 3, 4 and 5. The applicant has provided supplemental documents indicating the execution of a reciprocal drainage, cross-access and parking easement with adjacent Lot 1, as well as a conceptual site plan showing a 50' x 10' sized rear entrance addition to the existing building on Lot 2, construction of parking on Lots 3, 4 and 5 and a conceptual architectural elevation rendering and floor plan showing improvements to the building.

Applicant's Representatives: Robert Baranowski, Esq. – Applicant's Attorney; Joe Mancini, PE, PP, CFM – Applicant's Engineer; Andrew Feranda, PE, PTOE – Applicant's Traffic Engineer; Rick Fumo, RA – Applicant's Architect; and Victor Stott – Applicant (President of VR Philly, Inc.).

Exhibits Submitted: A-1: Exhibit Packet; A-2: Rendered Variance Plan; A-3: Elevation Renderings; A-4: Materials Board; A-5: Floor Plan; A-6: Existing Elevations; and A-7: Existing Floor Plan.

Mr. Baranowski introduced the application for a bifurcated use variance to provide off-site parking to service the proposed principal. Mr. Baranowski indicated that the reason a use variance is needed is that the principal use, to be located in the building on Lot 2, and to be serviced by a proposed parking lot on Lots 3 through 5, is separated by a drive aisle that is located on Lot 1 which is owned by Tracktown Mall. Mr. Baranowski stated that the proposed principal use is an eSports gaming facility. Mr. Baranowski stated that the applicant has a cross-access easement with Lot 1 and that they will work with Tracktown Mall to amend the cross-access easement as deemed necessary. Mr. Baranowski stated that the principal use on Lot 2 has a hardship due to there being no available areas for sufficient parking for any new use. Mr. Baranowski added that the site will undergo a number of enhancements which will be preliminarily detailed during the engineer's testimony.

Mr. Stott submitted exhibit A-1 and explained the formation of the land holding company as well as the proposed use which is to be called, "Sector X." Mr. Stott stated that Sector X will host Virtual Reality (VR) gaming parting, eSports, and drone activities. Mr. Stott discussed how his company intends to beautify the existing building by way of new colors and materials. Mr. Stott stated that gaming events are scheduled; however, some walk-ins are allowed. Mr. Stott detailed the hours of operation (per page 13 of Exhibit A-1) as well as how group parties/events are managed/scheduled in order to ensure efficiency and prevent overcrowding. Mr. Stott stated that the facility will have 12 gaming stations, 2 drone

stations, 1 Augmented Reality (AR) experience, and 20 VR experiences. Mr. Stott affirmed that all activities will take place inside the building and that customers will also use headphones and goggles are part of the gaming activities. No food will be served at the facility; however, the applicant stated that he intends to partners will local businesses to have food delivered for the parties that they host. Mr. Stott discussed the scheduling and individual activity operations on the 1st and 2nd floor of the building. Mr. Stott stated that the facility can accommodate full venue rentals and corporate team building activities. Mr. Stott stated that they can also provide van and limousine (5 total) pick-up and drop-off services to reduce the demand on parking facilities. Lastly, Mr. Stott discussed delivery operations and also noted that they intend to share a trash enclosure with Tracktown Mall.

Mr. Mancini submitted exhibit A-2 and gave an overview of the subject sites and their characteristics while reiterating that a 40' strip of land as part of Lot 1 separates Lot 2 from Lots 3 through 5. Mr. Mancini noted that the front and the back of the building have no viable parking areas. Mr. Mancini indicated that the main entrance to the building will be at the rear and that the proposal calls for a total of 55 parking spaces to service the use. Mr. Mancini stated that based upon comments from the Department of Community Development and the Zoning Board Engineer that he will look at reconfiguring the parking lot layout and access points to improve circulation; however, he stated that he will still be able to maintain the required 25' residential buffer. Mr. Mancini stated that a new trash enclosure will service the applicant's site as well as the Tracktown Mall. Mr. Mancini noted that the applicant will be adding additional greenspace, sidewalks, and landscaping as well as a new stormwater management basin. Mr. Mancini acknowledged that the conditions noted in the review letters issued by the Department of Community Development and the Zoning Board Engineer is workable and acceptable. Mr. Mancini stated that the lighting system will be designed to comply with the Zoning Ordinance and it will be detailed during the site plan portion of their application if the use variance is approved. Mr. Stott added that t they will be adding surveillance cameras for security purposes. Mr. Mancini affirmed that there will be no encroachment of the building in the Right-Of-Way (ROW) and closed his testimony by discussing the anticipated buffering inclusive of landscaping and fencing.

Mr. Feranda discussed the site's access points and parking facilities. Mr. Feranda explained that his assessment of the site took a conservation approach but still shows that the site can accommodate the proposed use without creating any adverse traffic and parking impacts. Mr. Feranda added that there are other permitted principal uses that would generate more traffic than the proposed facility. Mr. Feranda stated that the peak of the proposed use and uses at the Tracktown Mall will complement one another in terms of parking availability due to their respective peak usage times. Mr. Noll noted that while the applicant is showing their will be sufficient parking and that he agrees with the applicant's parking analysis, a parking variance will still be required. Mr. Baranowski acknowledged that if any off-site parking agreement is entertained by the applicant, they will need to engage with the Department of Community Development and obtain approvals from the Zoning Board if necessary. Mr. Baranowski further acknowledged that on-street parking on Washington Avenue is not permitted nor is parking in the adjacent neighborhood. Mr. Mancini stated that they will look at directional signage to help direct people to the rear parking lot.

Mr. Fumo submitted exhibits A-3 and A-4 and described to the Board the proposed façade improvements (i.e. colors, materials, and aesthetic). Mr. Fumo submitted exhibit A-5 to detail the internal layout of the building and noted that they intend to add an elevator and ADA bathrooms. Mr. Fumo submitted exhibits A-6 and A-7 in order to show the different between what currently exists as it relates to the building's Architecturals and what is it proposed to look like once the improvements are completed. Mr. Baranowski agreed to make the proposed Architectural Plans as part of the site plan application in that they will be consistent.

Mr. Mancini provided testimony regarding the requested use variance. Mr. Mancini noted that if the parking area was contiguous to the principal use, it would be a permitted accessory use and this application would be heard before the Planning Board. Mr. Mancini stated that due to existing site conditions, any new use would need off-site parking facilities based upon the minimum parking requirements. Lastly, Mr. Mancini addressed the application's positive and negative criteria in order to justify the requested use variance for off-site parking.

Public Comment: None.

Motion: Following a review of the application and conditions of approval by Solicitor Zeller, a motion was made by Mr. Spevak and seconded by Mr. Potter, with affirmative votes for approval by Rardin, DiRenzo, Rovner, Potter, Norman, Spevak, and Roth-Gutman for the approval of the Use (D) Variance. Motion carries 7-0.

RESOLUTIONS:

None.

Meeting Adjourned: at 9:13 PM.

ADOPTED: 5/2/19

ATTEST:



**LORISSA LUCIANI, PP, AICP
ZONING BOARD SECRETARY**



JONATHAN RARDIN, CHAIRMAN