



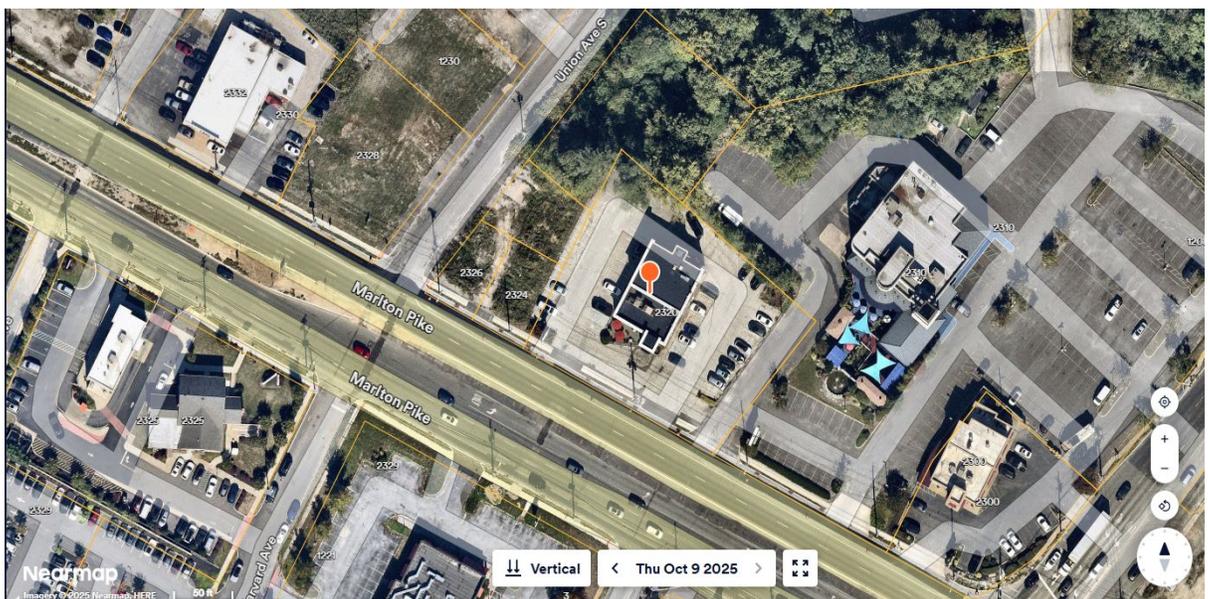
You couldn't pick a better place.

Department of
Community Development

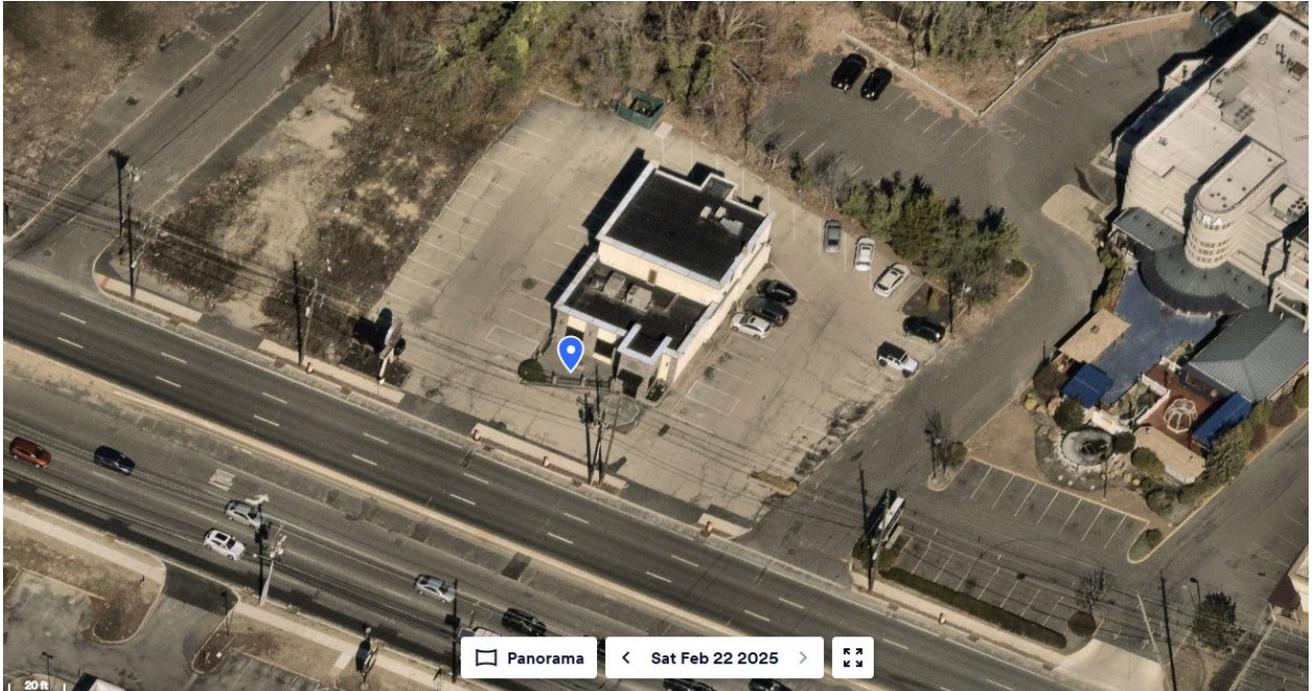
TO: Cherry Hill Township Zoning Board Members
FROM: Kathleen Cullen, Director
Jacob Richman, PP, AICP, Deputy Director
Samuel Opal, PP, Assistant Planner
RE: **COMPLETENESS & PLANNING REVIEW**
Mikado, Inc.
2320 Route 70 West
Block 12.01 Lot(s) 16
Application No. 25-Z-0018
DATE: January 16, 2026

I. GENERAL INFORMATION

- A. **Applicant & Owner.** Mikado Inc., 2320 Route 70 West, Cherry Hill, NJ 08002; 2320 Marlton Pike, LLC, 2320-2326 Route 70 West, Cherry Hill, NJ 08002.
- B. **Proposal.** Site Plan Waiver with a Use d(2) Variance and Bulk (C) Variances to enclose Mikado's existing outdoor dining patio with a 514 SF waiting area and service bar, accommodating approximately 10 seats, which will require a Use d(2) variance as Restaurant 'B' uses (those between 51 and 199 seats) are not permitted on lots less than five (5) acres.
- C. **Zone.** Regional Business (B4).
- D. **Site Area.** The subject property, which is approximately 0.70 acres in size, is located in the eastern portion of the township on the north side of Marlton Pike West (State Route [SR-70]), mid-block between Union Avenue South to the west and Cornell Avenue to the east, with the site having one (1) right-in and one (1) right-out access point onto Marlton Pike West. Nearby major roadways include Park Boulevard ([CR-628]) to the south, Haddonfield Road ([CR-644]) to the east and Cuthbert Boulevard to the west. The subject property primarily borders properties located in the Regional Business (B4) zone with Highway Business (B2) zoned properties located nearby to the south across Marlton Pike West. Directly to the west of the subject property is "Vera", a restaurant and club. Directly to the east of the property is a number of vacant lots.



- E. **History.** Township records indicate that the original structure on the subject property was built around 1940, with the current occupant, occupying the property in 2010 (although no formal permits could be found for the certificate of occupancy) and current owner taking ownership in 2011. Generally, there is limited record available to the department. In April of 1999, a zoning permit was issued (#37681) was issued for a change of occupancy for “Fuji Mountain” to occupy the site. In February of 2010, a zoning permit was issued (#6313) for Mikado to construct an outdoor dining patio, the restriping of existing parking space, installation of parking islands as well as other various minor sit improvements. Also, in February of 2010, a zoning permit (No Permit Number) to install a no freestanding sign for “Mikado”. In March of 2010, a zoning permit was issued (#6354) to remove four (4) angled parking spaces in the front of the property.



II. COMPLETENESS REVIEW

- A. **Submitted Items.** The following information has been submitted in support for this application and reviewed by the Cherry Hill Township Department of Community Development for conformance to the Zoning Ordinance:
1. Proposed Building Addition Plan, prepared by *Teal Jefferis, PE, CME, CDT. of Jefferis Engineering Associates LLC*, dated August 18, 2025 and last revised January 9, 2026.
 - a. Parking Lot Restriping Plan, Sheet C-1.0, 1 of 3;
 - b. Grading Plan, Sheet C-2.0, 2 of 3 and;
 - c. Standard Details, Sheet C-3.0, 3 of 3.
 2. Plan of Boundary and Topographic Survey, prepared by *Donald C. Pennell, PLS of Pennell Land Surveying, Inc.*, dated May 29, 2025
 3. Architectural Site Plan, Elevation Renderings and Proposed Floor Plans prepared by *Raymond Brogden, AIA. of Brogden Architectural Office*, dated February 10, 2025 last revised November 5, 2025.
 - a. Existing Site Plan Zoning, Sheet .Z001, 1 of 5;
 - b. Existing Site Plan Zoning Photos, Sheet .Z002, 2 of 5;
 - c. Zoning Phase 01, Sheet .Z100, 3 of 5;
 - d. Zoning Packet (Elevations), Sheet .Z100.A, 4 of 5 and;
 - e. Proposed Floor Plan, sheet A100, 5 of 5.

4. Historical Architectural Site Plan, prepared by John Walker, RA of John L. Walker & Associates dated October 30, 2009, last revised December 30, 2009.
 5. Site Photographs.
 6. Architect Response Letter September 22, 2025.
 7. Project Summary and Operations Report.
 8. Permit #6313.
 9. Land Use Development Application.
- B. **Standards of Review.** The following standards for review apply for Site Plan Waivers, per §804-A., “Where site plans are required, the Administrative Officer may determine that the purposes of this Ordinance and the public interest can be served by approval of a site plan waiver. A site plan waiver may be requested provided that such change in use or modification of an existing conforming use would not involve any of one or more of the following B. **Standards of Review.** The following standards for review apply for Site Plan Waivers, per §804-A., “Where site plans are required, the Administrative Officer may determine that the purposes of this Ordinance and the public interest can be served by approval of a site plan waiver. A site plan waiver may be requested provided that such change in use or modification of an existing conforming use would not involve any of one or more of the following:
1. A significant structural improvement that would alter the exterior of the building (**Not Applicable – Although the applicant is seeking to construct a 514 SF building addition as part of this application, the addition is being built directly over an existing patio that is currently utilized as an uncovered outdoor dining area abutting the existing restaurant. As such, the addition is essentially enclosing the existing outdoor dining area with roof and walls and not expanding the operational footprint of the restaurant).**
 2. Drainage modifications, including but not limited to:
 - a. Major storm drainage installations (**Not Applicable).**
 - b. An increase of stormwater runoff of more than one cubic foot per second during a twenty-five year rainfall event (**Not Applicable).**
 - c. Redirecting of stormwater runoff (**Not Applicable).**
 3. Any change in vehicular traffic circulation patterns or intensity of use (**Not Applicable – No significant changes to traffic patterns are proposed (only restriping). The applicant shall provide testimony confirming that there are no anticipated operational changes if the patio enclosure is approved. Furthermore, the Department defers to the Zoning Board Engineer’s review of the provided parking calculations).**
 4. No approval for the proposal is required by outside agencies, such as the County or State (**Not Applicable – no changes are proposed to the site’s access).**
 5. The requirement for a major or minor site plan would not forward the purposes of this Ordinance or otherwise serve the public interest (**It is the opinion of the Administrative Officer that a major or minor site plan would not forward the purposes of the Cherry Hill Township Ordinances or otherwise serve the public interest).**”
- C. **Determination.** The Department of Community Development has reviewed the aforementioned application and it has been deemed technically complete.

III. DEPARTMENT OF COMMUNITY DEVELOPMENT COMMENTS

- A. **Zoning Requirements.** While Restaurants are permitted in the Regional Business (B4) zone per §417.C.3.a of the Zoning Ordinance, they are limited to certain sized sites based on the number of seats within the restaurant. Per the density requirements of the B4 zoning district, restaurants such as Mikado are classified as Restaurant ‘B’ (i.e. Restaurants with 51 to 199 seats) which are

only permitted in the Regional Business (B4) zone (as a percentage of the overall use group) on lots 10 acres in size or greater, per §417.G.5 of the Zoning Ordinance (Table 4.1). On lots under 10 acres in size, specifically lots 0-4.99 acres in size, Restaurant ‘B’ (Restaurants with 51 to 199 seats) are **not permitted at all** and technically no percentage of a site that size is permitted to have a Restaurant ‘B’ on it. Per table 4.1 and section §417.G.3.c explains that: “If only the number zero is in a box, that use is not permitted in a site of that size.” As such, the existing use on the site in question is not currently permitted and is considered an existing legal non-conforming use. Bulk requirements for the B4 zone are found in §417.H. as listed below:

CODE SECTION	MINIMUM REQUIREMENTS	REQUIRED/ (Inside Lot)	EXISTING	PROPOSED	CONFORM
§417.H.1	Lot Area (square feet)	Based on Use Per Table 4.1	30,446.38 SF	No Change	C
§417.H.1	Lot Frontage (feet)	150'	187.10'	No Change	C
§417.H.1	Lot Depth	125'	129'	No Change	C
§417.H.2.a	Front Yard (To State ROW)	50'	35.9'	30.37'	V
§417.H.1	Side Yard	20'	62.47'	62.16'	C
§417.H.1	Aggregate Side Yard	50'	145.77'	145.46'	C
§417.H.1	Rear Yard	20'	30.06'	No Change	C
§417.H.1	Maximum Height	150'	23'	No Change	C
§417.H.1	Maximum Building Cover	30% (9,133.91 SF)	≈11.86% ≈3,611.42 SF	≈13.55% ≈4,125.35 SF	C
§417.H.1	Maximum Lot Cover	70% (21,312.47 SF)	≈94.59% ≈28,800.43 SF	No Change	ENC
§417.H.1	Open Space	25% (7,611.56 SF)	5.03% 1,532.48 SF	No Change	ENC
§417.H.2.d	Off-Street Parking Setback to Structure	10'	4.2'	3.5'	V
§511.B.2	Off-Street Parking Requirements	45 Spaces	51	51	C
§511.H.2.b	Right-of-way Parking Setback	20'	13.3'	No Change	ENC
§511.H.2.c	Non-residential Parking Setback	5'	<0'	<0'	ENC

V Variance

ENC Existing Non-conformance

C Conforms

B. **Use (D) Variances.** A use D(2) variance (expansion of a nonconforming use) is necessary from §417.G.3 of the Zoning Ordinance to permit the expansion of a legal nonconforming restaurant use on a lot 0.70 acres in size within the Regional Business (B4) zone, where Restaurant ‘B’ uses (those between 51 to 199 seats) are not specifically permitted on lots between 0 and 4.99 acres (NJSA 40:55D-70(d)(2)). Justification should be provided for the requested variances in accordance with N.J.S.A. §40:55D-70(d)(2), where the Township recommends that the burden of proof be provided by a licensed New Jersey Professional Planner (P.P.).

- C. **Bulk (C) Variances.** Justification should be provided for the requested variance in accordance with N.J.S.A. §40:55D-70, where the Township recommends that the burden of proof be provided by a licensed New Jersey Professional Planner (P.P.):
1. From §417.H.1, to permit a lot coverage of 94.59%, where a maximum of 70% is permitted. ***This represents a pre-existing nonconforming condition that is unaffected by this application.***
 2. From §417.H.1, to permit an open space of 5.03%, where a minimum of 25% is required. ***This represents a pre-existing nonconforming condition that is unaffected by this application.***
 3. From §511.H.2.b, to permit a right-of-way parking setback of 13.3' where a minimum of 20' is required. ***This represents a pre-existing nonconforming condition that is unaffected by this application.***
 4. From §511.H.2.c, to permit a non-residential parking setback of less than 0' where a minimum of 5' is required. ***This represents a pre-existing nonconforming condition that is unaffected by this application.***
 5. From §417.H.2.a, to permit a front yard setback of 30.37' along a State Right-Of-Way, where a minimum of 50' from buildings to a State Right-Of-Way is required. **The current structure is 35.87' away from the front property line and the new addition will extend in front of the existing principal structure and will be 30.37' away from the front property line; therefore, a new variance is required. It shall be noted that the baseline front yard setback requirement for B4 zoned uses is 30' which the site does meet.**
 6. From §417.H.2.d, to permit off-street parking spaces to be 3.5' from the principal structure, where a minimum setback of 10' is required between off-street parking spaces and the principal structure. **Existing parking spaces appear to be approximately 4.2' from the principal structure; however, due to the restriping of the certain parking spaces some parking spaces will not maintain the existing condition of 3.5' away from the principal structure. Therefore, a new variance is required.**
 7. Any other Variances deemed necessary by the Zoning Board or Zoning Board professionals.
- D. **Design Waivers.** The Department defers to the Zoning Board Engineer to identify any additional design waivers.
1. From §511.G.1, to permit a one-way drive aisle width of approximately 21', where 22' is required. **This is due to restriping along the eastern drive aisle of the parking lot.**
 2. From §511.L.6, to permit a non-residential driveway throat length of less than 30'. ***This is an existing nonconforming design condition.***
 3. From §511.N, to not have a bicycle parking facility on site.
 4. Any Design Waivers deemed necessary by the Zoning Board or Zoning Board professionals.
- E. **Comments.**
1. The applicant shall provide testimony regarding existing site operations (type of use, hours of operations, number of employees, etc.) and shall provide testimony regarding the new operations for the site.
 2. The applicant shall provide testimony as to how its business will expand as part of the physical expansion that is set to occur (new employees, additional deliveries, etc.) and confirm that parking on-site can sufficiently accommodate the business and the new proposed bar area.
 3. The applicant shall provide testimony as to the parking configuration on the site and how/if circulation will be affected as a result of this project. Testimony regarding the proposed ADA improvements shall also be provided.

4. The applicant shall provide testimony as to the proposed bar area, and shall provide testimony as to how the bar will operate/function with the rest of the building.
5. The applicant shall provide testimony regarding the proposed design/architecture of the addition. Please confirm the dimensions and size of the addition and discuss how the addition will blend in with the existing restaurant both aesthetically and functionally. Please discuss the floor plan layout, number of seats, and points of ingress/egress.
6. The applicant shall provide testimony regarding the existing conditions of the property and affirm the existing and proposed coverages (building, lot, open space).
7. The applicant shall provide testimony regarding any potential signage updates that are proposed as part of this application and shall affirm that they will comply with the township signage ordinance (Section 517) or they will be required to come back to the board for further relief. **This will be a condition of approval.**
8. The applicant shall also provide testimony whether exterior lighting will be installed on the new addition. If so, the lighting shall be shielded and directed downward in order to comply with the Section 509 of the Township's zoning ordinance. If deemed necessary, the applicant shall conduct and pass a night light function test (NLFT) in order to ensure that all lighting is compliant around the site. **This shall be a condition of approval.**
9. The applicant shall work with the Board Engineer to identify areas in the parking area and/or drive aisles that are in poor condition and require repair. **This shall be a condition of approval.**
10. The applicant shall work with the Zoning Board Engineer on the final design of circulation on the site. This includes any potential upgrades or changes to directional flow, striping, and related directional signage. **This shall be a condition of approval.**
11. If approved, the applicant shall ensure that an ADA accessible entrance is maintained at all times during and post-construction. The applicant shall ensure that the ADA parking spaces and pathways will be compliant and re-striped where needed. **This shall be a condition of approval.**
12. The applicant shall address all applicable performance & design standards per Section 502 of the Zoning Ordinance.
13. Signs capable of illumination shall be turned off between the hours of 10:00 p.m. and 7:00 a.m. the following morning, unless the business or uses identified are open to the public later than 10:00 p.m. or earlier than 7:00 a.m., in which event any such establishment may keep a sign illuminated during business hours only.
14. The application may be subject to additional comments by members Zoning Board, the Cherry Hill Department of Community Development, the Township's Zoning Board consultants, and/or the public.
15. The statements, opinions, and conclusions contained within this Completeness Review are based upon the information, plans, and other documents provided to the Department as of the date of its issuance. The Department reserves the right to supplement or amend any of the statements, opinions, and/or conclusions contained herein at any time up to, and including, at the time of the hearing of this application.

E. Conditions. Should the Zoning Board consider and grant the requested relief to permit the proposed improvements, they may impose reasonable conditions, as they deem necessary, in addition to the following recommended conditions of approval:

1. All taxes and assessments shall be paid on the property for which this application is made. The Applicant shall submit proof that no taxes or assessments for local improvements are due or delinquent on the property for which the application is made.

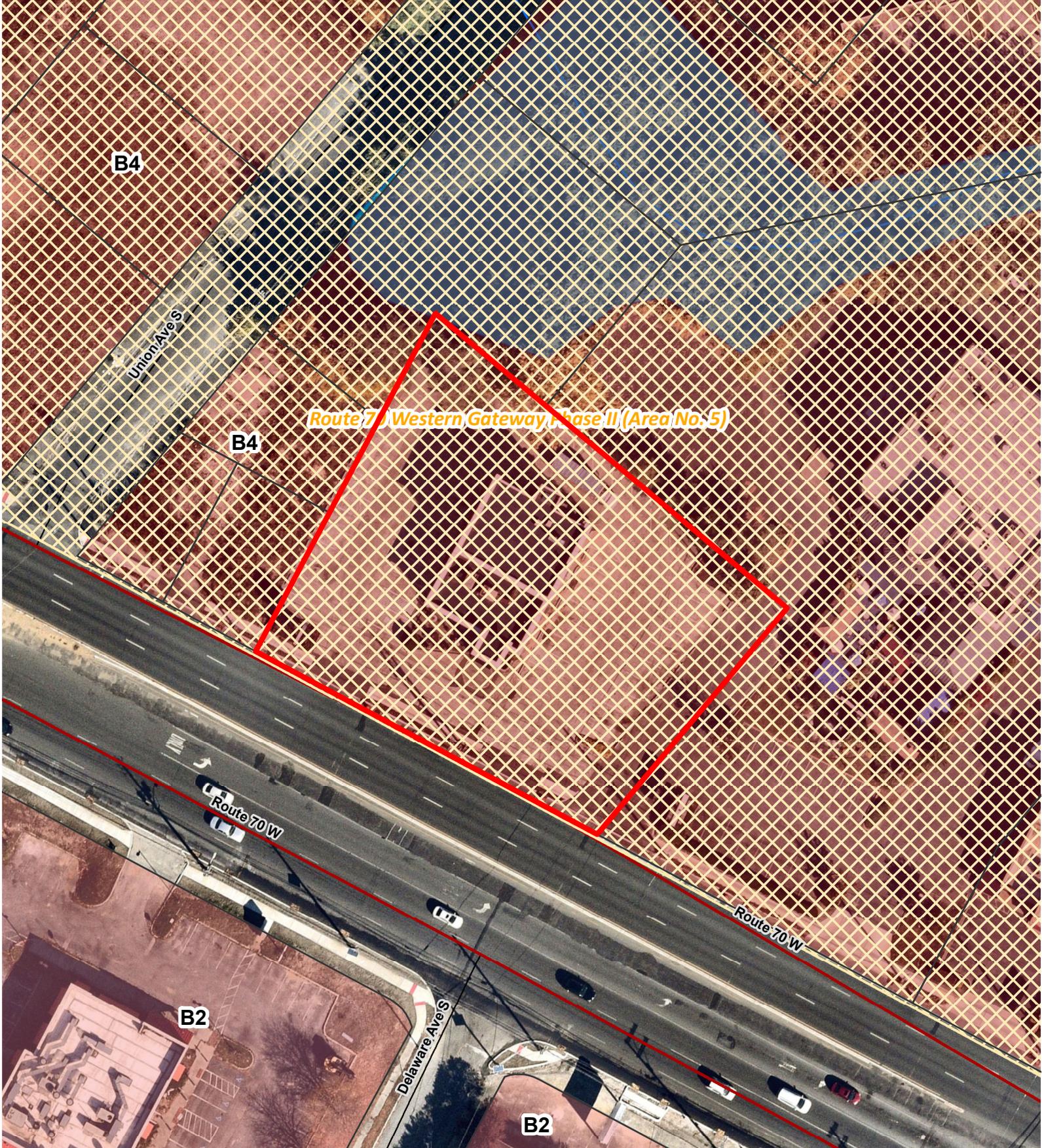
2. Any and all conditions made a part of any approval, including those noted by reference in this or any other reports of any consultants to the Zoning Board, or as set forth on the record at the Zoning Board hearing, must be satisfied.
3. The Applicant shall pay all required escrows, costs and professional fees associated with the application to the Department of Community Development within fourteen (14) days of receipt of a written request for payment of escrow funds. The failure to pay the required escrow funds within the fourteen (14) day period after receipt of written notice may result in the voiding of this approval. Negative escrow account balances shall incur interest at the rate of 1.5% per month. **BEWARE OF SCAMMERS. WIRE FRAUD IS ON THE RISE. Cherry Hill Township and the Department of Community Development will NEVER request funds be transferred by wire. Cherry Hill Planning & Zoning Boards NEVER requires Applicants to wire funds to the Township for payments so that if any request for such wire payment of funds is received, the recipient should first contact the Dept. of C/D for verification.**
4. Any and all outside agency reviews and/or approvals shall be obtained, if applicable.
5. The failure of the Applicant to comply with any of the conditions contained in this Resolution will permit the Zoning Officer to withhold or rescind any zoning permits issued to the Applicant, pursue any other enforcement actions permitted by the Cherry Hill Township Zoning Ordinance, and/or refer the matter back to the Zoning Board where it may, at its sole option, revoke the approval being granted by any Resolution of Approval.

IV. APPROVAL PROCESS

If approved, the following items are required to complete the approval process (notwithstanding any other needed items due to the unique nature of the application):

1. After the resolution is memorialized, a **Notice of Decision** will be published in the Courier Post by the Department of Community Development.
2. **Two (2) copies of revised site plans along with an electronic copy**, which provide completeness items and all conditions of approval, shall be submitted to the Department of Community Development for review.
3. After comments from the Department of Community Development and the Board Engineer have been provided, **revise (if needed), and submit six (6) copies of finalized plans for signature along with an electronic copy.**
4. Payment of any outstanding **Review Escrow**.
5. Payment of **Inspection Escrow**, if deemed necessary.
6. Submission of a **Non-Residential Development (N-RDF) Form and Fee**, if applicable.
7. Complete and submit a **Zoning Permit** (for the addition and site work). *To learn about how to submit a zoning permit, please visit the following webpage: <http://www.chnj.gov/203/Zoning>. Specific permit questions can be directed to zoning@chnj.gov*

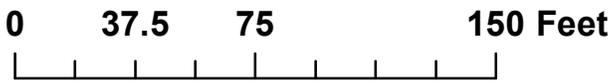
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Fred Kuhn (via email) *Sharon Walker (via email)*
Joe Cornforth (via email) *Kathleen Gaeta (via email)*



2320-2326 ROUTE 70

BLOCK 12.01 LOT 16

1 inch = 60 feet



- Legend**
- Parcels selection
 - Parcels
 - Rail Lines
 - + Bus Stops

PREPARED BY:
 JACOB RICHMAN, PP, AICP, SENIOR PLANNER
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 LICENSE NO. 33LI00629000

