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Memorandum

To: Kathleen Cullen, Director of Community Development
Jacob Richman, PP, AICP, Community Development Planner

From: C. Jeremy Noll, PE, CPWM, CME, Zoning Board Engineer

Date: January 21, 2026 (Supersedes January 6, 2026 Letter)

Re: Mikado, Inc.
2320 Route 70
Site Plan Waiver w/ (d) and bulk variances
Block 12.01, Lot 16
Application #25-Z-0018
ERI File # 35711 01

Our office has received an application for a site plan waiver with a d(2) variance for an expansion of an existing non-conforming use as well as bulk variances. The proposed project shows that an existing outdoor seating area is to be enclosed. The plans show the location of the proposed 514 SF building's addition as well as improvements to the site parking lot striping. The site contains the existing Mikado restaurant, and the owner proposes no additional improvements to the site.

The parcel has access to westbound NJ State Highway Route 70 via a one-way in and one-way out. Circulation is one-way counterclockwise around the building, with the exception of the front drive aisle. An access easement is located at the east side of the site.

The parcel is located in the B4 (Regional Business) zoning district within the Route 70 Western Gateway Phase II (Area No. 5) overlay. Parcels to the north, east and west are within the same zoning district; across Route 70 to the south is the B2 zoning district.

The following information was reviewed:

December 2025/January 2026 submission

1. Land Use Development Application.
2. Project Summary and Operations Statement.
3. Plan of Boundary and Topographic Survey, prepared by Pennell Land Surveying, Inc., dated May 25, 2025.
4. Site Plan, prepared by Jefferis Engineering Associates, Inc., dated August 18, 2025, revised to January 9, 2026, consisting of:
 - a. Parking Lot Restriping Plan.
 - b. Grading Plan.
 - c. Standard Details.

General Information

Applicant/ Mikado, Inc.

Owner:

Engineer: Teal S. Jefferis, PE, CME

Architect: Jefferis Engineering Associates, Inc.
Ray Brogden, AIA

Attorney: Michael J. McKenna, Esq.
McKenna Law Offices

Zoning

1. The zoning district is Regional Business (B4).
2. Per Ordinance Section 417.C.3.b., the restaurant is defined as Restaurant ‘B’ with a minimum of 51 seats and a maximum of 199 seats. The existing restaurant has 136 seats and is proposed to have 136 seats.
3. A d(2) variance is required for the expansion of a non-conforming use. The applicant should discuss whether they expect additional traffic, customers or staffing because of the expansion.
4. We defer to the Department of Community Development’s review letter for bulk requirements.
5. Parking: Restaurant: 1 space per 3 seats plus 1 space per 2 employees.
The plan proposes 118 seats plus 12 employees = 39.3 (40) spaces plus 6 spaces = 46 spaces, where 51 parking spaces exist. The plan is in conformance.

Variance

1. Per Ordinance 417.F, the front yard setback is required to be 50 feet. The existing building has a setback of 35.87 feet and the proposed enclosure is proposed to have a setback of 30.87 feet.
2. Per Ordinance Section 417.H.2.d., the parking is required to be setback 10’ from the building. The parking on both sides of the building are setback 3.5’ to 6’.
3. The following are existing, non-conforming conditions:
 - a. The maximum lot coverage is 94.6% where 70% is permitted.
 - b. The minimum open spaces is 5% where 25% is required.
 - c. A right-of-way parking setback of 13.3’ where a minimum of 20’ is required.
 - d. A non-residential parking setback of less than 0’ where a minimum of 5’ is required.
4. Our office defers to the Township Planner for further comment regarding required waivers and variances.

The Applicant has the burden of proof to justify the variance, by testimony or other means, by using either the c(1) or c(2) proofs.

For c(1) variances the Applicant must demonstrate that strict application of the zoning requirement would have “peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the Applicant arising out of:

- a. The exceptional narrowness, shallowness, or shape of a specific piece of property, or
- b. By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
- c. By reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

For c(2) variances the Applicant must demonstrate that:

- a. The purposes of the Municipal Land Use Law (MLUL) would be advanced by a deviation from strict application of the zoning requirement;
- b. The variance can be granted without substantial detriment to the public good;
- c. The benefits of the deviation would substantially outweigh the detriment; and

- d. The variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

Waivers

The site is currently developed and has a number of pre-existing, non-conforming conditions. We specifically note the following and defer to the Department of Community Development for any further waivers:

1. From Ordinance Section 510-B.1. requires one (1) loading space, where no loading spaces have been specifically designated.
2. From Ordinance Section 511-G.1 to permit a one-way drive isle width of 21' where 22' is required.
3. From Ordinance Section 511-L.6 to permit a non-residential driveway length of approximately 26.5' where a minimal length of 40' is required.
4. From Ordinance Section 511-N from providing bicycle parking on site.

General Comments

1. We defer to the Department of Code Enforcement to determine if a pedestrian connection to the sidewalk in the right-of-way is required.
2. We defer to the Fire Marshal as to any additional fire lane signage or striping.
3. The design engineer should verify that the roof drain discharge will flow away from the building and not impact or pond in the pedestrian walkways or ADA areas.
4. The applicant should note if any new lighting will provided. The applicant shall confirm that the lighting in the area of the new ADA spaces and pedestrian connection to the door has lighting levels in accordance with the Township Ordinance. A night light function test may be required as a condition of approval.

Permits and Approvals

The following permits and approvals may be required as part of the Site Plan waiver:

1. Cherry Hill Code Enforcement
2. Cherry Hill Engineering
3. Any others as necessary

Administrative

1. The applicant shall pay all taxes, fees and required escrow, due and owing.
2. This office reserves the opportunity to make further comment if additional information is presented.
3. All future resubmissions of the plans shall clearly indicate a revision date and be accompanied by a point-by-point response letter to the comments of the Board's professional staff.

Should you have any questions or require additional information, please do not hesitate to call or email me at jnoll@erinj.com.

JN/sea/mbs

Cc: Mikado, Inc. (tonymikado@yahoo.com)
Teal Jefferis, PE, Applicant's Engineer
Ray Brogden, AIA, Applicant's Architect (ray@brogdenarch.com)
Michael McKenna, Esquire, Applicant's attorney