

**A RESOLUTION OF THE WASHINGTON TOWNSHIP PLANNING BOARD  
GRANTING APPROVAL FOR WAIVER OF SITE PLAN AND BULK VARIANCES  
FOR SIGNAGE TO THE APPLICANT, KIEFFER & CO. INC. f/b/o ULTA BEAUTY  
BLOCKS 115.01 and 115, LOTS 23 and 23.01  
(3501 ROUTE 42)  
APPLICATION #2002**

*WHEREAS*, the Applicant, Kieffer & Co. Inc. f/b/o Ulta Beauty, whose mailing address is 585 Bond Street, Lincolnshire, IL 60069, for property owned by Brixmor Cross Keys Commons, LLC, whose mailing address is 450 Lexington Avenue, 13<sup>th</sup> Floor, New York, New York 10017 is requesting a waiver of site plan and bulk variances for two (2) façade signs, seven (7) awning signs and one (1) tenant sign on an existing freestanding shopping center sign on property located at 3501 Route 42, Washington Township, New Jersey and known as Blocks 115.01 and 115, Lots 23 and 23.01, on the Washington Township Tax Maps; and

*WHEREAS*, the subject property is located in the Area II of the Washington Square Redevelopment Zone (underlying zone = HC – Highway Commercial) site and also known as Cross Key Common Shopping Center; and

*WHEREAS*, the Applicant had obtained prior approval for this unit under Resolution R-35-2014 for a façade sign with 4-ft tall letters for Party City; and

*WHEREAS*, no other site improvements are proposed; and

*WHEREAS*, the Applicant seeks a waiver of site plan and bulk variances for two (2) façade signs, seven (7) awning signs and one (1) tenant sign on an existing freestanding shopping center sign; and

*WHEREAS*, public notice of the hearing was provided in accordance with the requirements of Municipal Land Use Law, N.J.S.A. 40:55D-12; and

*WHEREAS*, the Applicant is requesting the following variance(s) and/or waiver(s), which variance(s) and/or waiver(s) were properly noticed in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-12:

1. Variances: Section 285-231.C – Number and size of façade signs
2. Waivers: Land Development Checklist – Submission information  
Section 199-4.B – Site Plan Waiver; and

*WHEREAS*, in support of the application, the Applicant submitted a plan received at the Planning Office on September 19, 2017, consisting of the following:

Sheet	Title	Date	Latest Revision Date
B71037	Front Elevation – Option 1	05-12-16	---
B68423	Front Elevation – Option 1- Detail	03-18-15	---
B71037-1	Front Elevation – Option 2	05-12-16	---
B68423C	Front Elevation – Option 2 – Detail	03-18-15	---
B71037A	Side Elevation	05-12-16	---
B71037B	Pylon Sign Insert	05-12-16	---
B71037C	Sign Location Plan	05-12-16	---

The signage plans were prepared by Kieffer & Co. Inc. f/b/o Ulta Beauty 585 Bond Street, Lincolnshire, IL 60069; and

**WHEREAS**, the Applicant was represented by Rosemary Stone-Dougherty, Esquire, at the October 17, 2017 hearing on this matter; and

**WHEREAS**, the Planning Board made its decision in this matter based on the documentation set forth above, the testimony of the Applicant and the Applicant’s Professionals and the Board’s Professionals made at the time of the hearings on the application and on each of the following:

1. Joseph M. Petrongolo, L.L.A., R.L.A., P.P., Board Planner, submitted a report dated September 22, 2017; and

**WHEREAS**, based upon the above, the Board, at the October 17, 2017 hearing date, finds as follows:

1. Joseph Petrongolo, L.L.A., R.L.A., P.P., Board Planner, first addressed submission items requested and those submission items requested to be waived by the Applicant. Mr. Petrongolo stated he had no objection to the waiver of the remaining submission items as requested by the Applicant. The Applicant is requesting a waiver of site plan and approval of signage. Otherwise, the application is deemed complete.
2. Rosemary Stone-Dougherty, Esquire stated she is representing the Applicant and has had an opportunity to speak to the Township’s Planner. The Applicant is requesting approval of sign package Option #2 but had supplied sign package Option #1 for comparison by the Board.
3. Ms. Stone-Dougherty stated Ulta Beauty is coming into the center as an anchor tenant. She stated there is other signage as large or larger at this site. She stated the dimensions for the Ulta Beauty signage is provided in the plans submitted to the Board.

variance (s) and/or waiver(s) were required given the existing shopping center site conditions.

**NOW, THEREFORE, BE IT RESOLVED** by the Washington Township Planning Board that the application for waiver of site plan and bulk variances for signage by the Applicant, Kieffer & Co. Inc. f/b/o Ulta Beauty is hereby **GRANTED** by the Planning Board, subject to the following terms and conditions:

1. All of the Agreements and/or representations made by the Applicant as set forth at the hearing in this matter or as contained in this Resolution must be fully satisfied by the Applicant.
2. All of the initial findings of fact, conclusions and conditions as set forth in the “Whereas” recital paragraphs of this Resolution and as set forth above are hereby incorporated by reference herein as further findings of fact and conditions as applicable.
3. The Applicant testified that it will comply with all the terms and conditions of the Planning Board Professional review letters except as noted on the record.
4. The Applicant is hereby granted the following variance(s):
  1. Signage at 94.3 square feet for the two (2) Ulta Beauty front and side façade signs
  2. Signage height for each sign at 6.16 feet for the two (2) Ulta Beauty front and side façade signs.
5. The Applicant is granted approval for one (1) Ulta Beauty sign on each façade side of the building.
6. The Applicant is not proposing seven (7) new awning signs, but, rather, to maintain the existing awnings with a cover over.
7. The Board found that the Applicant has not proposed any site improvements other than becoming a new tenant in the existing unit space.
8. The Applicant is granted approval for the one (1) tenant replacement sign to be installed on the existing freestanding shopping center pylon sign.
9. Applicant is required to obtain any and all necessary Township permits for the installation of the free standing signs.
10. If an inspection escrow, performance bond and/or maintenance bond are required with this application, an estimate of all on/off site improvements (excluding structures) must be reviewed and approved by the Washington

4. Ms. Stone-Dougherty stated she is not proposing new awnings.
5. Mr. Petrongolo stated the Applicant is proposing two (2) tower signs and to maintain the existing awnings with a cover over.
6. Ms. Stone-Dougherty stated the signs are located on the diagram. She stated there are no other stores at the shopping center once you pass this corner unit.
7. Mr. Petrongolo submitted a report dated September 22, 2017. Mr. Petrongolo stated the Applicant is proposing two (2) façade signs at 94.43 square feet. Township Ordinance permits a height up to three (3) feet but the Applicant is asking for a height of six (6) feet. Mr. Petrongolo stated the signs, however, are not inconsistent with other signs at the center. Since the unit is a corner unit, the Applicant can have two (2) signs. The size of the signs are comparable to the Ross and Marshall store signs. In fact, the sign, if not consistent with those, is actually smaller and therefore, would have no negative impact on the site. Mr. Petrongolo stated there were previous signs at this location which were higher than three (3) feet.
8. Board Chairman Fratalli stated the proposed signage appears to be appropriate for this location.
9. Mr. Petrongolo stated the free standing shopping center sign is a pylon sign and the Applicant is not requesting any new approval but just removing the previous tenant board and putting in a new Ulta Beauty tenant sign; and

**WHEREAS**, the meeting was opened to the public and no one from the public commented on the application; and

**WHEREAS**, the Planning Board of the Township of Washington has made the following findings:

1. The subject property is located in the Area II of the Washington Square Redevelopment Zone (underlying zone = HC – Highway Commercial.
2. The Applicant is requesting a waiver of site plan and bulk variances for two (2) façade signs, seven (7) awning signs and one (1) tenant sign on an existing freestanding shopping center sign.
3. It was the finding of the Planning Board and Planning Board Professionals that the Applicant had demonstrated both the positive and negative criteria necessary for granting the requested variance(s) and/or waiver(s). It was the finding of the Planning Board that the variance(s) and/or waiver(s) could be granted without substantial detriment to the public good and the intent and purposes of the zone plan and zoning ordinances and that said

Township Engineer. Any required performance Bond and/or inspection escrow and/or maintenance bond must be posted prior to the signing of any plans or deeds.

11. The Applicant shall contact the Planning Board Office to settle any outstanding review and escrow accounts prior to the issuance of any building permits.

12. The Applicant must submit a certification that all taxes on the property have been paid to date.

13. The Plan is subject to review and approval of the following authorized review agencies, if applicable, with evidence of these approvals to be submitted to the

Planning Board office prior to final signature:

- a. Gloucester County Planning Board;
- b. Gloucester County Soil Conservation District
- c. Gloucester County Utility Authority
- d. Washington Township Municipal Utilities Authority
- e. New Jersey Department of Environmental Protection
- f. Washington Township Fire Marshall
- g. Any other outside agency approvals that may be deemed as a necessary approval of and/or required for this project

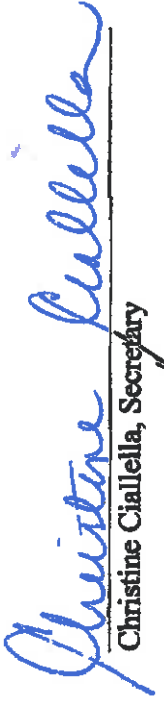
**BE IT FINALLY RESOLVED** that the Applicant shall cause a brief notice of this resolution to be published in the South Jersey Times at the Applicant's expense and forward a copy thereto to the Board within ten (10) days of the date hereof.

This is a Resolution memorializing the vote taken by the Washington Township Planning Board at the aforesaid meeting held on October 17, 2017 and is hereby adopted at the meeting held on November 9, 2017.

WASHINGTON TOWNSHIP PLANNING BOARD

  
TERRY McPOYLE, Vice Chairperson

ATTEST:

  
Christine Ciallella, Secretary

ROLL CALL VOTE

	Mayor	YES ↓	NO	ABSENT	ABSTAIN
J. Gattinelli, Chair	YES	YES	NO	ABSENT ✓	ABSTAIN
A. Frattali, V. Chair	YES ↓	YES ✓	NO	ABSENT	ABSTAIN
T. McPoyle, V. Chair	YES ✓	YES ✓	NO	ABSENT	ABSTAIN
J. Perry	YES	YES	NO	ABSENT ✓	ABSTAIN
M. Martin, III	YES ↓	YES ↓	NO	ABSENT	ABSTAIN
M. D' Ariano, IV	YES ✓	YES ✓	NO	ABSENT ✓	ABSTAIN
E. D' Orazio	YES ↓	YES ↓	NO	ABSENT ✓	ABSTAIN
T. Sparacio, IV	YES ✓	YES ✓	NO	ABSENT ✓	ABSTAIN
J. Bidingler, IV	YES ↓	YES ↓	NO	ABSENT ✓	ABSTAIN
B. Dennis (Alt #1)	YES ↓	YES ↓	NO	ABSENT ✓	ABSTAIN
R. Centrone (Alt #2)	YES	YES	NO	ABSENT	ABSTAIN ✓

I certify the above to be a true copy of a resolution adopted by the Washington Township Planning Board at a regular meeting held on November 9, 2017, memorializing the action taken by the Board on October 17, 2017.

  
Christine Ciallella, Secretary

Date: 11/9/17