

Zoning Board Review – Planning & Engineering Report

Parcel: Block 364, Lot 8
Applicant: Jose Nunez
Owner: Jose Nunez
Attorney: N/A
Project: 408 N. High Street | A&J Tactical
Zone: Central Business (B-3)
Action Sought: D Variance Approval
Existing Streets: North High Street (Major Collector)
East Vine Street (Local)
East Oak Street (Local)

Report Date: 4/22/2020

Meeting Date: 5/7/2020

Upon review of the application regarding the above-mentioned project, the following report has been offered for the Board's consideration with respect to the Site Plan application.

ENGINEERING REPORT

Documents Reviewed:

- City of Millville Zoning Board of Adjustment Application Form, signed March 2, 2020
- Sketch of existing High Street main entrance
- Sketch of existing floor plan
- Written statement from building owner, Steve Aicea, dated March 5, 2020
- Emailed written description of proposed use of building, dated March 6, 2020

Existing Land Use & Zoning

The site is located on North High Street in the Central Business (B-3) Zone, between East Vine Street and East Oak Street. The site was previously occupied by a retail store. The proposed use is to operate A&J Tactical, a retail firearms store. The Applicant proposes interior renovations along with exterior safety enhancements.

Proposal & Variances

The Applicant seeks a D variance for the site to permit a firearms store where the Central Business zone (B-3) does not permit this use.

In order to grant a use variance under the Municipal Land Use Law, the applicant must meet three criteria to the Board's satisfaction:

- The positive criteria:
 - There must be a "special reason" for granting the variance; absent an "inherently beneficial use," the development must show how this site particularly fulfils one of the purposes of zoning as identified in the MLUL (see N.J.S. 40:55D-2), or that general welfare will be promoted because the proposed site is particularly suitable for the proposed use, or demonstrate that the property has no economic utility under any permitted use; **and**
- The negative criteria:
 - The proposed use must not cause substantial detriment to the public good, i.e., the neighborhood's welfare; **and**

- The proposed use is not inconsistent with and must not bring about substantial impairment to the intent and purpose of the Zoning Ordinance, which is based on the Master Plan.

Engineering Comments

1. Testimony shall be given as to the security improvements that will be installed in order to comply to government regulations for firearms retailers. Any construction permits shall be applied for as to comply with the City Construction Department.
2. Apartments are located above the retail space in question. Testimony shall be given regarding the security and accessibility of the retail space from the apartments above.
3. There is no off street parking required in this zone. The property is generally built out to property lines. How will loading and unloading be handled?
4. Testimony shall be given regarding any sewer and water demands that will change from the different use before, if applicable.

Other approvals: This application may be subject to review and approval by the following outside agencies:

City of Millville Department of Public Works
Cumberland County Health Department
Cumberland County Planning Board

This office recommends that any approval granted by the Board be subject to submission revised plans, calculations, and information noted above.

This office reserves the right to make additional comments pending the receipt of any revised plans, reports, correspondence, and testimony of the applicant or professionals employed by the applicant. The Applicant's Engineer is advised that all plan revisions must be detailed in a cover letter and a revision date must be included on the plan with every revision.