

**RESOLUTION NO. 2025-PB-15**  
**EVESHAM TOWNSHIP PLANNING BOARD**  
**IN THE MATTER OF EVESHAM TOWNSHIP**  
**PROMENADE AT SAGEMORE**  
**APPLICATION NO. P25-14**  
**DECIDED ON OCTOBER 16, 2025**  
**MEMORIALIZED ON NOVEMBER 20, 2025**  
**AMENDED FINAL SITE PLAN APPROVAL**

**WHEREAS**, an application for amended final site plan approval with has been made to the Township of Evesham Planning Board (hereinafter referred to as the “Board”) by Promenade at Sagemore (hereinafter referred to as the “Applicant”) on lands known and designated as Lot 1 in Tax Block 33.11 as depicted on the Tax Map of the Township of Evesham (hereinafter “Property”), and more commonly known as 500 Route 73 South in the C-1 (Commercial-1) Zone District; and

**WHEREAS**, a public hearing was held on October 16, 2025 after the Board determined it had jurisdiction; and

**WHEREAS**, the Applicant was represented by Robert Baranowski, Esq.

**WHEREAS**, a complete application has been filed, the fees as required by Township Ordinance have been paid, and it otherwise appears that proper notice has been published and the jurisdiction and powers of the Board have been properly invoked and exercised

**NOW, THEREFORE**, the Board makes the following findings of fact based on evidence presented at its public hearing, at which a record was made.

1. The subject Property contains 43.68 acres with frontage along the easterly side of NJ Route 73 South, the northerly side of Marlton Parkway, and the southerly side of Brick Road within the C1-Commercial Zoning District. Sagemore Drive is a private road within the easterly portion of the subject Property providing access to the site and multi-family residential development from Marlton Parkway and Brick Road. The subject Property is improved with the

Promenade at Sagemore shopping center, which is a multi-building retail and restaurant commercial center. The site shares access, parking, lighting, landscaping, stormwater controls, other improvements, and maintenance.

2. The adjacent parcels to the north across Brick Road contain a medical office/facility and commercial retail uses within the C-1 District and the EVCO Evesham Crossroads Overlay Zone. To the east across Sagemore Drive are multi-family residential uses within the MF, Multi-Family District. To the south across Marlton Parkway are commercial office uses within the C-1 District. To the west across Route 73 are retail commercial uses within the C-1 District.

3. The subject Property is a planned commercial development, as defined, and previously received Site Plan approval. The provided off street parking supply requirement for the specific use types (retail space, restaurant with bar space, restaurant without bar space, and warehouse space) within the shopping center is 1,909 parking spaces. Resolution #PB 88-27 granted major preliminary and final site plan approval for the shopping center, noting that 1,946 parking spaces were to be provided, a reduction of 216 parking spaces from the prior plan. Resolution No. 00-02A7 references Resolution No. 00-2A dated May 3, 2001, which conditioned the 2001 approval upon the following:

*“That restaurant proposed for the P.I.Q. shall not occupy more than 10% of the total building area of the shopping center.”*

4. Resolution No. 00-02A7 amends the final site plan approval to increase the percentage of the total building area of the shopping center that can be utilized for restaurants from 10% to 20%. The resolution estimates that approximately 2,020 parking spaces would be required, and 1,279 constructed parking spaces are provided plus 90 banked in reserve parking spaces (1,369 total possible). The existing conditions state that there are 1,269 parking spaces on the site per Note 11.

5. The Applicant is seeking amended site plan approval and specifically relief from a condition of approval to increase the permitted restaurant area from 20% of the shopping center square footage to 25%. The Applicant also seeks a bulk variance from the parking standards, but a variance is not required.

- a. Existing 265,911 square feet developed, and 53,182.2 square feet maximum permitted to be restaurant. Currently, 52,972 square feet of restaurants with and without bars exist.
- b. Proposed 265,911 square feet developed and 66,477.75 square feet maximum proposed to be restaurant with and without bars.

6. The ordinance contains specific requirements for retail uses with restaurant space that were generated in 2010, after the approvals for the referenced application. Specifically, the following at §160-32.A.(4):

*“Where more than one of the uses designated above is proposed in a development, the minimum parking requirements shall be the sum of the proposed uses based upon the minimum parking requirements. Except that restaurants may occupy up to 20% of the gross floor area of a retail shopping center without increasing the retail parking requirements.”*

7. The 2010 Master Plan Reexamination adds a sentence at the end of the recommended ordinance paragraph that states the following:

*“If more than 20% of the retail center is proposed for restaurant uses, then additional parking would be required in accordance with the restaurant parking ratios.”*

8. Based upon the standards of the current ordinance, the entire 265,911 square foot retail shopping center requires 4.5 spaces/1,000 square feet or 1,197 parking spaces.

9. The total parking provided, as characterized, is either 1,269 or 1,325 parking spaces, including standard, accessible, and EV parking spaces, calculated at two (2) parking space credit per EV parking space.

10. Counsel for the Applicant, Robert Baranowski, Esq., stated that the Applicant was seeking to amend the site plan to change the condition of approval regarding the percentage of the total square footage of the retail center that is permitted to be restaurant uses. Mr. Baranowski provided an overview of the previous resolution approvals. He stated that the condition of approval of each resolution had changed the maximum floor area that was permitted to be restaurant was 10% then changed to 20%. Mr. Baranowski stated that based upon the ordinance regulating parking at the time of the previous approval, variance relief was granted by the Board to permit up to 20% of the total floor area to be restaurant use.

11. Mr. Baranowski further stated that the ordinance had changed in July 2010, a few months after the most recent site plan approval, which permitted up to 25% of the total floor area of the retail center to be restaurant use without increasing the retail parking requirements. He stated that the retail parking requirements were 4.5 spaces per 1,000 square feet, which when calculated for the site required 1,197 parking spaces. Mr. Baranowski represented that based upon the survey, there were 1,269 parking spaces on site and that based upon the Applicant's traffic engineer's count of the parking spaces on site, there were 1,313 parking spaces. Mr. Baranowski therefore concluded that bulk variance relief was no longer necessary for the number of parking spaces. Mr. Baranowski stated that the Applicant was only seeking to amend the site plan in order to change the condition of approval of the previous resolution to reflect the latest ordinance in permitting up to 25% of the floor area to be restaurant use. He stated that 25% of the 265,911 square feet retail center was 66,478 square feet.

12. The Applicant's Traffic Engineer, Nathan Mosley, P.E., PTOE, reviewed his parking analysis dated October 2, 2025. Mr. Mosley testified that he collected traffic counts on site on Friday and Saturday of Mother's Day weekend between 2:00pm and 8:00pm. He

determined that the peak hour on Friday was 6:00pm and on Saturday was 2:00pm. Mr. Mosley further testified that he analyzed the parking requirements with 20% restaurant use and 25% restaurant use and based the prior ordinance. He testified that the site would still be able to accommodate 25% restaurant parking demand. He testified that he observed a peak parking demand of 980 cars, which there was sufficient number parking spaces on site to accommodate 980 cars.

13. The Board Planner, Michele Taylor, P.P., AICP, stated that the Applicant was only seeking relief from the condition to conform with the latest ordinance. She confirmed that no variance relief was necessary.

14. In response to questions from the Board, Mitchell Davis, representative of the Applicant, testified that the Applicant was presently in negotiations with potential restaurant tenants, however, the amount of square footage that restaurants would occupy was unknown at this time.

15. In response to further questions from the Board, Mr. Baranowski explained that the original parking calculation of the previous approvals required variance relief, however, the present number of parking spaces was compliant with the current ordinance. Mr. Davis also confirmed that the site was ADA compliant.

16. There were no members of the public expressing an interest in the follow up testimony provided.

**NOW, THEREFORE**, the Board makes the following conclusions of law, based on the foregoing findings of fact.

The application before the Board is a request for amended site plan approval in regard to Lot 1 in Tax Block 33.11 on the Tax Assessment Map of the Township of Evesham. The subject Property is located within the C-1 (Commercial-1) Zone District.

The Board finds that the Applicant does not require any variance relief. It further recognizes that preliminary site plan and final site plan approval was previously granted for the development. The Board recognizes that the parking requirements per the ordinance has been changed since the previous resolution which results in the number of on-site parking spaces being compliant, thereby variance relief for the number of parking spaces is no longer necessary. The Board further finds that no changes or improvements are proposed to the site.

The Board finds that all other zoning, site plan and design ordinance requirements except as has previously been granted and granted herein have been satisfied. Amended final site plan approval pursuant to N.J.S.A. 40:55D-50 are appropriate in this instance. The Board finds that this amended approval is granted based upon the conditions expressed in the record as well as in this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board that the application of Promenade at Sagamore for property known and designated as Lot 1 in Tax Block 33.11 on the Tax Assessment Map of the Township of Evesham requesting land use relief and checklist waivers is determined as follows:

- A. Amended final site plan approval Pursuant to N.J.S.A. 40:55D-50;

**IT IS FURTHER RESOLVED** that the above approvals are granted subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved.

2. The Applicant shall comply with any terms and conditions contained in any Reports of the Board's Professionals.
3. The Applicant represents that all its representations and stipulations made either by the Applicant or on its behalf to the Township of Evesham Planning Board are true and accurate and acknowledges that the Land Use Board specifically relied upon said stipulations in the Board's granting of approval. If any representation or stipulation is false, this approval is subject to revocation.
4. This approval is granted strictly in accordance with any recommendations set forth on the record at the time of hearing on October 16, 2025.
5. The Applicant shall comply with all conditions of the previous approvals except as modified herein.
6. The condition of Resolution No. PB00-02A7 limiting the maximum allowable restaurant square footage at the Promenade shopping center to 20% is hereby modified to eliminate the cap on the square footage for restaurant usage at the Promenade. The number of parking spaces shall comply with the applicable ordinances.
7. Payment of all fees, costs and escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
8. Certificate that taxes are paid current to date of approval.
9. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Evesham, County of Burlington, State of New Jersey or any other jurisdiction.

<b>RECORD OF VOTE FOR ACTION TAKEN</b>						
<b>BOARD</b>	<b>AYE</b>	<b>NAY</b>	<b>Abstain</b>	<b>Absent</b>	<b>Motion Made By</b>	<b>Second</b>
Lisa Killion-Smith, Chairperson	<b>X</b>					
Mayor Jaclyn Veasy	<b>X</b>					
Councilwoman Dr. Krystal Hunter	<b>X</b>					
Patricia Everhart, Vice Chairperson	<b>X</b>					
Aiden DeMarsey, BOE Member	<b>X</b>					
Craig Higginbotham, Environmental	<b>X</b>				<b>X</b>	
Tom Wyllner	<b>X</b>					
Gene Friedman				<b>X</b>		
Jacob Todd	<b>X</b>					
Steven Kavalkovich, Alt. #1	<b>X</b>					<b>X</b>
Sean McLaughlin, Alt. #2				<b>X</b>		

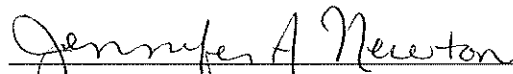
I, Jennifer A. Newton, Secretary to the Planning Board of the Township of Evesham, County of Burlington, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of the action taken by the said Board at a meeting held at the Municipal Building, 984 Tuckerton Road, Marlton, New Jersey, on the 16<sup>th</sup> day of October 2025.

  
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 JENNIFER A. NEWTON, Secretary  
 EVESHAM TOWNSHIP PLANNING BOARD

**RECORD OF VOTE FOR ACTION TAKEN**

BOARD	AYE	NAY	Abstain	Absent	Motion Made By	Second
Lisa Killion-Smith, Chairperson						
Mayor Jaclyn Veasy						
Councilwoman Dr. Krystal Hunter						
Patricia Everhart, Vice Chairperson						
David Bock, BOE Member						
Craig Higginbotham, Environmental						
Elizabeth Costello						
Gene Friedman						
Jacob Todd						
Tom Wyllner, Alt. #1						
Sean McLaughlin, Alt. #2						

I, Jennifer A. Newton, Secretary to the Planning Board of the Township of Evesham, County of Burlington, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of the action taken by the said Board at a meeting held at the Municipal Building, 984 Tuckerton Road, Marlton, New Jersey, on the 20<sup>th</sup> day of November 2025.

  
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 JENNIFER A. NEWTON, Secretary  
 EVESHAM TOWNSHIP PLANNING BOARD