

July 13, 2015

Lance B. Landgraf, Jr., PP, AICP
NJCRDA
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Re: Preliminary/Final Site Plan Application
For California Ventures, LLC
Proposed Food Truck Pavilion at 2701 Boardwalk
Block 32, Lot 8
File No. 11132-1A
ARH #24-10011.03
CRDA Application: 2015-06-1535

Dear Mr. Landgraf:

This office, along with the Cofone Consulting Group, LLC, has reviewed the documents associated with the referenced project submittal. The applicant's information including their professional staff and inventory of documents submitted is as follows:

Applicant Information:

Applicant: California Avenue Ventures, LLC
331 Tilton Road
Northfield, NJ 08225
(609) 646-0420

Owner: California Avenue Ventures, LLC
331 Tilton Road
Northfield, NJ 08225
(609) 646-0420

Engineer/Planner: Jason T. Sciullo, PE, PP
Marathon Engineering & Environmental Services, Inc.
1616 Pacific Avenue
Suite 501
Atlantic City, NJ 08401
(609) 437-2100

Traffic Engineer: N/A

Attorney: Jack Plackter, Esq.
Fox Rothschild LLP
1301 Atlantic Ave.
Midtown Building
Suite 400
Atlantic City, NJ 08401
(609) 348-6834

Architect: N/A

Documents Submitted:

1. Cover Letter of June 18, 2015
2. CRDA Application Form dated June 18, 2015
3. Disclosure Statement dated June/2015
4. CRDA Application Checklist dated June/2015
5. Site Engineering Plans – June 17, 2015

Document Review:

Project Description:

The subject of this application is located on Block 32, Lot 8. This property is currently used as a surface parking lot with a portion of the property adjacent to the Boardwalk, used as an art installation. The art installation is to be abandoned, and in its place will be a food truck pavilion for up to four (4) custom food trucks. These food trucks will serve Boardwalk pedestrians, picnic benches, trash/recycling receptacles and lighting will be installed.

Planner's Comments:

The property is located in the RS-C District. The purpose of the RS-C is enunciated at Ordinance Section 163-58(A) as follows:

The RS-C Resort Commercial District is intended to apply to established resort areas in the city. Its purpose is to provide for the city's main industry, consisting predominately of transient and tourist-oriented uses, at such intensity as is justified by the city's limited land resources, high land values and infrastructure capacity. Residential development is also encouraged for the purpose of preserving and enhancing the family-resort character of the city and integrating the specialized activities of the Resort Commercial District with the rest of the community.

The subject property is located within the Atlantic City Tourism District. Pursuant to the New Jersey CRDA Atlantic City Tourism District Master Plan, the overall intention and vision of the Master Plan is to “reinvigorate Atlantic City in the near-term as the leading resort destination in the Northeast and beyond (Page 4, New Jersey CRDA Atlantic City Tourism District Master Plan). Among others, overarching objectives are to “develop an economically viable and sustainable tourism district” and “[expand] Atlantic City’s tourism and economic bases” (Id, Page 1-2).

The Atlantic City Land Use Development Ordinance at Section 163-15 defines the following use as follows:

RESTAURANT: An establishment where food is available to the general public primarily for consumption within a structure on the premises and where the consumption of food in motor vehicles on the premises is neither encouraged nor permitted.

- (1) **CARRY-OUT RESTAURANT** An establishment which, by design of physical facilities or by service or packaging procedures, permits or encourages the purchase of prepared, ready-to-eat foods intended to be consumed off the premises and where the consumption of food in motor vehicles on the premises is neither permitted nor encouraged.

STRUCTURE: A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

Ordinance Section 163 Attachment 12, “Schedule III – Schedule of Permitted and Conditional Use – Food and Beverage Service Uses” lists a “restaurant, carryout, less than 500 square feet” as a permitted use.

Based upon our review of the documents submitted, this office offers the following comments:

- 1) No variances are required in connection with this application.
- 2) It is our interpretation that the proposed use meets the definition of “carry-out restaurant,” as permitted in the RS-C District. The preparation and service of food within the trucks, which falls under the definition of “structure,” meets the spirit of the definition.
- 3) The applicant shall discuss compliance with the intent of the Atlantic City Tourism District.
- 4) Given the high visibility of the area, the applicant should provide testimony relative to the extent to which the application complies with Ordinance Section 163-74, “Urban Design Standards.”
- 5) The applicant shall discuss the overall operations of the property, hours of operation, and signage.

Engineer's Comments:

Based upon our review of the documents submitted, this office offers the following comments:

- The applicant proposes to access the paved staging area for the trucks from the existing parking lot via a new gravel drive. In the proposed drive area are concrete footings for previously installed lights or signs. In addition, this area is currently a grass and landscape area that slopes down toward South Belmont Ave., where a low concrete wall and boardwalk access ramp exist. The applicant must provide profiles and details of this proposed drive, a demolition plan, along with any proposed improvements, including retaining wall details, landscaping, restoration of the irrigation system, and other amenities necessary to provide a safe means of ingress and egress from the food truck staging area. Is it the intent to have the vehicles back down the ramp to exit the staging area?
- If 4 trucks are proposed for this staging area, how will they maneuver to fit into the locations shown and then maneuver to leave the site? Is the number of 4 food trucks reasonable/manageable as shown?
- There is a trench drain located at the foot of the paved area adjacent to the boardwalk. This drain must be cleaned out and made to function as originally designed.
- The applicant shall add a yellow stripe on the ground along the edge of the transition boardwalk area along with verbiage that no vehicles are allowed beyond this point. This boardwalk area is not designed to support vehicles, and the food truck vendors must be made aware that their trucks cannot venture onto this boardwalk transition area. If the applicant requires this area for access, a professional engineer must design and certify this area to accommodate vehicles. Under no circumstances is the City's Boardwalk to be used for vehicles in this area. The existing Boardwalk railing is to remain.
- Indicate on the plan if any of the artwork installed onsite will be modified in any way, and provide details of those proposed modifications.
- Will the existing lighting be modified in any way? Is it suitable for the intended use on this site? Provide isolux lighting information to document existing and proposed light levels.
- Describe how grey water and any condensate from the vehicles will be managed since there are no sanitary sewer connections proposed.
- Will the food trucks be staged and remain for the season, or will they be moved on and off this area on a regular basis? Describe the hours of operation and the seasonal limits for the food truck operation.
- Construction access to develop this project shall be limited to the existing parking lot. No construction access from the boardwalk will be permitted.

Recommendation:

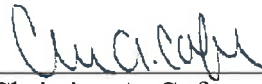
Should the Board wish to consider approval of this application, it is our recommendation that this letter, in its entirety, become part of the approval resolution. All items in this letter must be complied with to the satisfaction of this office, the CRDA and the appropriate departments of the City of Atlantic City, prior to posting of bonds, inspection fees, and start of construction. We reserve the right to make further review comments resulting from the receipt of revised plans and reports. We are willing to meet with the applicant and his engineer to expedite revisions to the plans and expedite final plan approval.

Should you have any questions or require any additional information, please do not hesitate to call.

Sincerely,



William M. England, PE, PP, CME, CPWM
Adams, Rehmann & Heggan



Christine A. Cofone, AICP, PP
Cofone Consulting Group, LLC

cc: Robert L. Reid, AICP, PP
Paul G. Weiss, Chief Legal Counsel
Christine Cofone, Board Planner
Applicant's Attorney
Applicant's Engineer