



**adams, rehmman & heggan**  
*associates, inc.*

June 22, 2016

Lance B. Landgraf, Jr., P.P., AICP  
Director of Planning  
Casino Reinvestment Development Authority  
15 South Pennsylvania Avenue  
Atlantic City, NJ 08401

**Re: Cory Parking, LLC (2110-2118 ACPB)  
Preliminary and Final Site Plan Approval with Use Variance  
Block 47, Lots 1-18  
1746 Pacific Avenue  
Completeness and Technical Review  
ARH #24-10020.01  
CRDA 2016-05-1913**

Dear Mr. Landgraf:

On 05/25/2016, the applicant, Cory Parking, LLC, submitted an application for Preliminary and Final site plan approval with Use variance and other waiver requests to the CRDA. The applicant proposes a surface parking lot on the site of the former Sands Hotel and Casino, which is located between Indiana Avenue and Dr. Martin Luther King Boulevard and between Pacific Avenue and the Boardwalk. Currently the site is being utilized as a grassed/earthen art exposition/park. The site proposes 703 parking spaces on the 8.66 acre site. Proposed amenities will include a new asphalt paved parking lot, attendant booths, lighting, perimeter landscaping, signage and onsite recharge/water quality features. A summary of the Applicant's recent submission is as follows:

**Applicant Information:**

Applicant: Cory Parking, LLC. 110 Sheridan Square, Unit A, Brigantine, NJ 08203  
Owner: 2110-2118 ACPB. 2050 Center Avenue, Suite 400, Fort Lee, NJ 07024  
(201-947-7188)  
Engineer/Planner: Arthur W. Ponzio Company and Associates, Inc. 400 North Dover Avenue,  
Atlantic City, NJ 08401 (609-344-8194)  
Traffic: None Noted  
Attorney: Brian J. Callaghan, Esq. 2428 Atlantic Avenue, Atlantic City, NJ 08401 (609-348-5300)

**Documents Submitted:**

1. Letter from Brian J. Callahan of Callahan Thompson and Thompson, P.A., dated May 20<sup>th</sup>, 2016
2. CRDA Application Form dated May 25, 2016;
3. CRDA Application checklist submitted by Arthur W. Ponzio Associates, Inc. dated May 17, 2016.
4. NJAC 7:7E-8.7 Stormwater Management Policy compliance Report prepared by Arthur W. Ponzio co. and Associates, Inc.
5. NJAC 7:13 Flood Hazard Area control Act Policy Compliance Report prepared by Arthur W. Ponzio co. and Associated, Inc. dated April 13, 2016
6. Preliminary and Final Major Site Plans for “Proposed Surface Parking Lot Issued for NJDEP CAFRA and CRDA Plan Set”, consisting of 7 sheets dated March 7, 2016, as follows:

<u>Sheet #</u>	<u>Plan Description</u>
C-1	Title Sheet
C-2	Property Survey
C-3	Site Development Plan
C-4	Grading, Drainage, and Utility Plan
C-5	Lighting and Landscape Plan
C-6	Soil Erosion and Sediment Control Plan
C-7	Site Details

**COMPLETENESS REVIEW:**

**Engineer’s Review Comments**

The applicant has requested waivers to some of the application checklist items, including:

12. Applicant’s intent with respect to ownership.
15. Financing plan
16. Traffic, Transit and Pedestrian studies
17. Adequacy of existing or proposed public Improvements
- 21E(2). Cross-sections of new streets and amenities
- 21F. Contours
- 21(q). Inventory of surrounding development
22. Energy Impact Statement

Based on our review of the documents submitted we take no exception to the waivers requested. It is our opinion that the application is complete and ready for a technical engineering review.

**Planner’s Comments**

- a) Our planning review has found that the major application is “complete” for our pending technical review. We defer to the CRDA Engineer on all engineering checklist items.
- b) In our technical review, we will be issuing comments on the application. However, the applicant should be prepared to address any and all planning issues through professional planning testimony.

**TECHNICAL REVIEW:**

Based upon our review of the application and submitted plans and reports, we offer the following comments:

**Engineer's Review Comments**

As a condition of any approval, the Applicant shall address the following:

1. The zoning schedule on drawing C-3 indicates that the shade tree requirement is 1 tree for every 10 parking spaces. The number of proposed spaces is 703, which requires 71 trees. Please update the zoning schedule.
2. Add a note to the drawing that any broken sidewalk or curbing shall be replaced. Sidewalk to be 400 psi concrete with air entrainment, and curbing to be granite.
3. Repair black chain link fencing as required, and match existing. Are additional man-gates/openings to be installed at the location of the 3' walkways shown adjacent to the water quality basins? If so, provide details of the opening.
4. Provide details of the footings for the parking rate signs and the parking lot ID signs.
5. Provide additional information on the operation of the infiltration swales, including but not limited to the following:
  - a. Location of any emergency overflow points. Provide a cross-section of the basin.
  - b. The drainage design report identifies the volume of storage for the water quality component of the stormwater management system. Provide soil logs, infiltration rates, time to empty the basins, etc.
  - c. Are the basins in their respective drainage areas interconnected?
  - d. Show the proposed slope stabilization measures in the basins to ensure that no erosion occurs as a result of the overland flow from the parking area into the basins (over the depressed curb).
  - e. Will the basins have a pipe and valve to drain the basins into an adjacent roadway inlet for maintenance purposes?
6. Provide a detailed operation and maintenance manual for the infiltration basins that will meet the requirements of the City's Stormwater Pollution Prevention Plan (SPPP). As a minimum the following should be included: design information; maintenance methods and frequency; reporting intervals and forms to be submitted; performance gauge; responsible party for maintenance and inspection; equipment/procedures required to maintain and reconstruct the infiltration basin to bring it back to its original performance spec; etc.
7. Provide striping details for the painted islands in the parking lot
8. Stripe barrier free walking routes from the barrier free parking spaces to a barrier free route to the sidewalks in the public right of way.
9. Clarify if all areas between the fence and the edge of the new parking lot will be landscaped. Clarify on the landscaping plans.
10. Provide details of the irrigation system, location of the water service and meter pit.

11. Provide a foundation detail for the parking lot lights, including reinforcing steel.
12. The proposed plant schedule on C-5 indicates 32 trees to be planted. The plan shows 31. This number does not reflect the required 71 trees. Please revise the landscape plan to show the location of 71 trees.
13. The parking lot pavement cross section should be revised to 2 inches compacted thickness of top course pavement on 6 inches of DGA minimum.

### **Planner's Review Comments**

#### **Surrounding Land Uses**

The subject property is located in an area generally characterized by resort development and associated uses.

#### **Master Plan Review**

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 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).

#### **Zoning Compliance**

The property is located in the RS-C District, which purpose 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.

*A d(1) variance is required from the RS-C Zone district requirements as a stand-alone parking lot is not permitted. The applicant states that a pending redevelopment plan filed by the applicant would make a stand-alone parking lot a permitted use.*

#### **Planning Analysis and Issues for Consideration by the Board**

In regard to the “d(1)” variances, the Municipal Land Use Law (MLUL) at NJSA 40:55D-70.d sets forth the standards for variances from the use regulations of a zoning ordinance. A “d(1)” variance is required when an applicant submits an application for a use that is not permitted in the list of permitted uses within a specific zoning district. As the proposed use is not an inherently beneficial use, the applicant must satisfy the *Medici* proofs:

- Is the site particularly suited for the proposed use?
- Does the proposed use advance special reasons and further the purposes of the Municipal Land Use Law (MLUL)?
- Does the proposal substantially impair the purpose and intent of the master plan, zone plan, and zoning ordinance? Does the proposal satisfy the enhanced quality of proof that the variance sought is not inconsistent with the intent of the master plan and zoning ordinance, proof which must reconcile the proposed use variance with the zoning ordinance's omission of the use from those permitted in the district?
- Can a variance for this use be granted without substantial detriment to the public good?

We offer the following for your consideration in reviewing the Application:

- a. The Applicant shall furnish testimony relative the parking lot design, stormwater management mitigation features, landscaping, signage, and proposed daily operations should the application be approved.
- b. We note that the only variance required is for the use aspect. However, the applicant shall briefly provide testimony regarding overall Ordinance dimensional, bulk, and design regulatory compliance.
- c. The Applicant shall discuss if there will be any additional improvements on the site.
- d. The Applicant shall furnish testimony how the application will advance the objectives of the Tourism District.

We will be happy to address any questions or comments on the above at or prior to the public hearing.

### **STANDARD CONDITIONS**

Any approval of this application shall also be conditioned on the following standard conditions:

1. Applicant shall revise all plans and submit a Bond Estimate for approval for each phase of work to be completed. Bonds to be provided prior to the start of construction.
2. Applicant shall schedule a preconstruction meeting with the CRDA and City Engineer 30 days prior to the start of construction. Comply with all CRDA administrative requirements.
3. Submission of the proper number plans required by the CRDA for signatures. Provide additional copies of the final plans in CAD and PDF format.
4. This application is subject to the review and approval of various outside agencies. Evidence of these approvals must be submitted to this office prior to the signature of any final plans and the start of construction:
  - a. Local Fire Marshall/DCA/OEM
  - b. NJDEP
  - c. Cape/Atlantic Soil Conservation District
5. All professional fees shall be paid and Bonds and inspection escrow posted prior to construction.

**RECOMMENDATION:**

Should the Board wish to consider approval of this application, it is the recommendation of this office 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 and the CRDA prior to the start of construction.

We reserve the right to review and provide additional comment on the revised plans and reports. We are willing to meet with the applicant and his engineer to expedite the revisions, if requested.

Should have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,



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William M. England, PE, PP, CME, CPWM  
Board Engineer



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

cc: Robert L. Reid, AICP, PP, Land Use Regulation Officer  
Paul G. Weiss, Chief Legal Counsel  
Christine A. Nazzaro-Cofone, Board Planner  
Jon Barnhart, Applicant's Engineer  
Applicant's Attorney  
Applicant