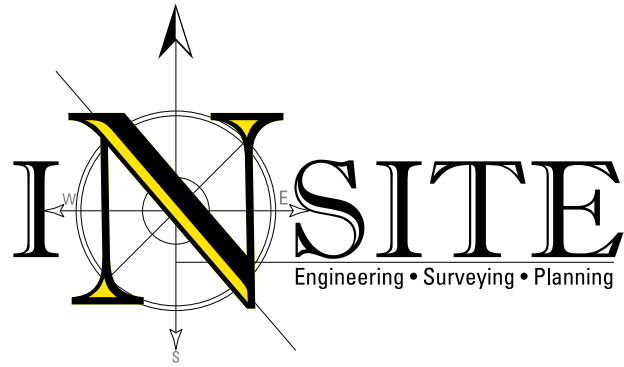


Casino Reinvestment Development Authority
c/o: Lance Landgraf, PP, AICP
CRDA Director of Planning
15 South Pennsylvania Avenue
Asbury Park, NJ 08401



Via Email: llandgraf@njcrda.com

April 14, 2017

Subject: **ENGINEERING & COMPLETENESS REVIEW**
Site Plan – Bungalow Biergarten
Block 32; Lot 8
2701 Boardwalk
City of Atlantic City, Atlantic County, NJ

Mr. Landgraf:

In accordance with your request, we have reviewed the application by Dectrinity, LLC for compliance with the Casino Reinvestment Development Authority's (CRDA) completeness submission checklist for the above-referenced property. A list of documents provided to InSite is included at the end of this review letter.

PROJECT DESCRIPTION

The applicant is seeking preliminary and final site plan approval from the CRDA for the construction of an open air restaurant and bar located at 2701 Boardwalk, Block 32, Lot 8. The property is located within RS-C Resort Commercial Development District per the Atlantic City Zoning Map. It is currently surrounded by a mix of commercial, surface parking and residential uses. The proposed use is permitted.

According to the applicant, the proposed restaurant and bar will be located in an area adjacent to the surface parking which is currently used for entertainment. The restaurant will have a combination of table, bench and bar seating for 322 guests and will also consist of an outdoor kitchen area, two (2) bars, three (3) propane fire pit areas, and a game area. The applicant is also proposing four (4) distressed wood shipping containers which will be used for dry storage, a walk-in refrigerator, kitchen area, and restrooms. The kitchen area and one (1) bar are proposed to have an overhead canopy not exceeding ten (10) feet in height. Landscaping features are proposed as part of the project.

The applicant is not proposing any additional parking. The applicant is therefore seeking variance relief for the minimum parking requirements. Additionally, the applicant is seeking variance relief for front yard setback, as well as two (2) principal uses on one (1) lot.

InSite Engineering, LLC

1913 Atlantic Avenue, Suite F4 • Wall, NJ 08736
732-531-7100 (ph) • 732-531-7344 (fx) • InSite@InSiteEng.net • www.InSiteEng.net
Licensed in NJ, PA, DE, NY, CT, NC, DC, & CO

COMPLETENESS REVIEW

We offer the comments below for purposes of our review, but we defer the completeness determination to the Land Use Regulation Enforcement Officer. From an engineering perspective, **we find the application satisfactorily complete**. The following checklist items shall be addressed through testimony or added to the plans prior to final CRDA approval:

1. The applicant's name and address, shall also be added to the Cover Sheets of the Site and Architectural Plans. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans prior to final Board approval. § 163-97C(1)
2. The applicant has provided a lease agreement as part of the submission and the owner's name and address on Sheet C-3 of the Site Plan. The owner's name and address, shall also be added to the Cover Sheets of the Site and Architectural Plans, along with an owner's consent signature block. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans prior to final Board approval. § 163-97C(2)
3. The applicant has provided the name and addresses of all professional consultants advising the applicant within the Site Plan Application. Same, however, shall also be added to the Cover Sheets of the Site and Architectural Plans. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans prior to final Board approval. § 163-97C(3)
4. A list of property owners located within 200 feet of the subject property has not been provided. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans prior to final Board approval. § 163-97C(5)
5. A statement of intent has not been submitted. We have no issue with the Board waiving this requirement for the purpose of completeness, but testimony shall be provided at the public hearing. § 163-97C(12)
6. The applicant has not provided evidence of a financing plan or prior successful completion of projects of similar scope. We have no issue with the Board waiving this requirement for the purpose of completeness but the applicant shall provide testimony to satisfy this requirement. § 163-97C(15)
7. The applicant has not provided traffic, transit and pedestrian circulation studies indicating the relationship of the proposed development to existing and projected transit, vehicular and pedestrian traffic volumes and use in the immediate area, based upon both existing and proposed or planned traffic, transit and pedestrian systems and use and indicating any proposals of the applicant for upgrading those systems. We have no issue with the Board

InSite Engineering, LLC

waiving this requirement for the purpose of completeness but the applicant shall provide testimony to satisfy this requirement. § 163-97C(16)

8. The applicant has not provided studies indicating the adequacy of existing or proposed public improvements. We have no issue with the Board waiving this requirement for the purpose of completeness. Testimony, however, shall be provided which demonstrates that all existing and proposed public improvements will be adequate to serve the development. § 163-97C(17)
9. The applicant has not provided an analysis of any dislocations of either residences or business establishments that will result from the proposed development, together with any proposals the applicant may have for ameliorating the impacts of its development upon those whom it will displace. We have no issue with the Board waiving this requirement for the purpose of completeness. The applicant shall provide testimony accordingly. § 163-97C(19)
10. The applicant has not provided a summary of public improvements, public sites and rights-of-way and public or quasi-public facilities, if any, which the applicant proposes to construct, contribute or dedicate to the public in light of the impact of its proposed development upon existing improvements and facilities and the general health, safety and welfare of the community. We have no issue with the Board waiving this requirement for the purpose of completeness. The applicant shall provide testimony accordingly. § 163-97C(20)
11. The applicant's contact information shall be added to the cover sheet. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans prior to final Board approval. § 163-97C(21)(b)[6]
12. The area of the subject property in square feet has not been provided. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans prior to final Board approval. § 163-97C(21)(b)[7]
13. The applicant has not provided circulation layout and planting strips. We have no issue with the Board waiving this requirement for the purpose of completeness. § 163-97C(21)(e)
14. The applicant has not provided proposed contours. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans for review prior to final Board approval. § 163-97C(21)(f)
15. Existing and proposed storm sewer lines within two hundred (200') feet of the proposed development, in all directions, have not been provided. Additionally, the flow direction of the storm sewer system proposed for the development has not been provided. How does this applicant plan to discharge stormwater from the site? We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans for review prior to final Board approval. Testimony shall be provided. § 163-97C(21)(l)

InSite Engineering, LLC

16. The plans do not show any proposed utilities. How does the applicant plan to service the proposed restaurant/kitchen/bar/restrooms with sanitary sewer service, water, gas and public utilities? We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans for review prior to final Board approval. Testimony shall be provided. § 163-97C(21)(m, n, o)
17. Lighting details, including but not limited to type of standards, location, radius of light and intensity in footcandles have not been provided. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information must be added to the plans for review prior to final Board approval. Testimony shall be provided. § 163-97C(21)(p)[3]
18. The applicant has not provided size and height of all structures within two hundred (200) feet and all access points to such uses. We have no issue with the Board waiving this requirement for the purpose of completeness. § 163-97C(21)(q)
19. The applicant has not provided an Energy Impact Statement. We have no issue with the Board waiving this requirement for the purpose of completeness with the stipulation that testimony will be provided which outlines the necessary approvals anticipated. Additionally, the Board shall be copied on all correspondence related to the procurement of said approvals, and all approvals being obtained prior to the commencement of any construction related activity. § 163-97C(22)
20. Certification from the City Tax Collector has not been provided. We have no issue with the Board waiving this requirement for the purpose of completeness, but this information but be submitted prior to final Board approval. § 163-97C(23)

ZONING & DEVELOPMENT REVIEW

The following are comments/observations related to the Zoning & Development Standards of the City of Atlantic City, as applicable to our review of the proposed improvements:

21. The applicant is proposing a front setback of three and one-half (3.5) feet from California Avenue and is proposing to extend into the Boardwalk right-of-way. Variances are required. Approval from the governing body may also be required for the encroachment into the Boardwalk right-of-way. §163-Attachment 4
22. The parking requirement for outdoor restaurants is one (1) space for each customer based upon thirty (30%) percent of building capacity. The applicant is proposing zero (0) parking spaces where ninety-seven (97) are required. A variance is required. §163-Attachment 32
23. The applicant is proposing two (2) principal uses on one (1) lot. A variance is required. §163-68

InSite Engineering, LLC

24. The Ordinance requires that privacy fences be limited to the rear yard and shall not exceed six feet in height. The existing wall is ten feet high and the proposed distressed wood fence height is not specified. A detail shall be provided. A variance may be required. *§163-68*
25. The applicant shall clarify whether or not wheel stops are present in the existing parking area adjacent to the proposed development. The plans shall be revised to show concrete wheel stops in the parking spaces abutting the proposed development. *§163-70A(2)(c)[7]*
26. Testimony shall be provided regarding required loading zones. What is the total square footage of the outdoor restaurant? If greater than ten-thousand (10,000 sf) square feet, a loading zone will be required and a variance may be necessary. *§163-70B*
27. Signage requirements and proposed signage shall be added to the Zoning Table in order to evaluate for variance conditioning. *§163-71*
28. Testimony shall be provided regarding fire and explosive hazards. The applicant shall comply with the fire protection regulations of the City of Atlantic City. *§163-73E*
29. The finished floor/grade of the outdoor restaurant shall be added to the plans. *§163-74F(1)*
30. A design waiver is required since the outdoor restaurant/bar exceeds thirty (30%) percent of the property's Boardwalk frontage. *§163-74F(2)*
31. The ordinance requires at least fifty (50%) percent of the total exposed surface of all flat roofs, shall be landscaped as roof gardens. Testimony shall be provided; a design waiver is required. *§163-74G(1)*
32. Testimony should be provided regarding prevention of any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive, or other hazardous condition; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance, glare or heat; liquid or solid refuse or wastes; or other substance, condition or elements in a manner or amount so as to adversely affect the surrounding area. Ordinance Section *§163-73*

ENGINEERING CONSIDERATIONS

33. Please note that our review of the application documents does not include a structural engineering review. We defer this to the Construction Official. If requested, we can provide a structural engineering review to support the CRDA or Construction Official.
34. Since the development will be comprised of food areas, games, etc., it is anticipated that loading/unloading activity other than trash hauling will be required. The applicant should provide testimony which describes the frequency and type of anticipated deliveries to the site. Any loading activity which would occur within the right-of-way shall be appropriately

InSite Engineering, LLC

signed with delivery times and will require approval by the governing body. The plans shall be revised accordingly.

35. The applicant should provide testimony with respect to their intention on providing building mounted lighting features to ensure that safe and adequate lighting levels will be present along all pedestrian pathways. The applicant should also submit details and specifications of lighting methods for the CRDA's review. The plans shall be revised to incorporate a point by point lighting analysis as well as the proposed lighting details.
36. It appears several proposed planter stanchions will impede on the existing surface parking area in the southeast corner of the parking lot, however a note designates, "existing surface parking area to remain with no changes proposed." The plans shall be revised to clarify.
37. Sheet C-4 calls out the construction entrance from Belmont Avenue. This will require vehicles to cross over adjacent properties (Lots 6 & 7 in Block 32) to access the construction area. Easements are required.
38. The existing ten (10') foot high frame wall scales to approximately seven (7') feet south of the back of curb of the existing surface parking lot. The plans identify the wall "to remain." However, when scaling the same seven (7') foot on Sheet C-3, the existing ten (10') foot wall is in conflict with the proposed improvements. It is also important to note that the existing ten (10') foot wall has an extensive support structure which includes lateral bracing and concrete supports. This conflict must be resolved.
39. The applicant has not provided any stormwater analysis, specifically whether impervious cover will be increased or decreased and how they plan to mitigate any increase in runoff from the proposed development. The plans shall be revised to include, at a minimum, a coverage analysis comparing existing and proposed conditions. Furthermore, the plans provide existing topography, but no proposed topography. Based on what appears to be significant grade changes, the plans must be updated for review prior to Board approval.
40. The site is within a FEMA flood zone, with an elevation of 10 (NAVD88) on the preliminary flood map and an elevation of 10 (NGVD29) on the effective flood map. The site plans do not indicate a finished floor elevation of the shipping containers. In the event of a flood, water may be able to get to the building. Testimony shall be provided to clarify how the building will be safeguarded from flooding. Finished floor elevations and any proposed flood proofing is subject to NJDEP review and approval.
41. Testimony should be provided to demonstrate that the development is in full compliance with ADA Standards. Grading within the outdoor area is unknown based on the submitted plans. There are several entrances from the boardwalk to an unknown surface within the outdoor dining area, this shall be clarified and details shall be provided. The plans shall be revised to comply with the applicable standards.

InSite Engineering, LLC

42. Testimony shall be provided to summarize traffic impacts for the CRDA and ensure no adverse conditions will be generated as a result of the development.
43. A fence with gates appears to be proposed for the site. This shall be properly designated on the plan and a detail shall be provided in accordance with the Fire Code.
44. The applicant is urged to contact the City for the purpose of determining and calculating the anticipated sewer connection fees that will be associated with the development.
45. The applicant's engineer should submit a schedule of quantities to be reviewed and utilized for the purpose of preparing a cost estimate for the installation of all improvements. Such estimate shall be the basis for our calculation for the applicant to furnish performance and maintenance guarantees in accordance with Ordinance §163-136. In addition, an inspection escrow account shall be established.
46. Upon receipt of CRDA approval, resolution compliance, and outside agency approvals, copies of all approvals along with eleven (11) sets of the complete site plans and architectural plans shall be submitted to this office for signature.
47. The applicant must contact the CRDA Land Use Regulation & Enforcement Official to settle any outstanding review escrow accounts prior to the plans being signed.

InSite Engineering, LLC

OUTSIDE AGENCY APPROVALS

This application is subject to the review and approval of the following outside authorities having jurisdiction. It is the applicant's responsibility to identify any and all other approvals required for the proposed development. Evidence of applicable approvals must be furnished to the Land Use Regulation Enforcement Division:

- New Jersey Department of Environmental Protection
- Cape Atlantic Soil Conservation District
- Atlantic County Municipal Utilities Authority
- Atlantic County Planning Board
- Atlantic City Fire Official;
- Any others as may be required

If you have any questions or require further information, please feel free to contact us anytime by phone or email (Jason@InSiteEng.net).

Sincerely,
InSite Engineering, LLC



Jason L. Fichter, PE, PP, CFM, CME
CRDA Review Engineer & Planner

Attachment A: Documents Reviewed

cc: Robert L. Reid, AICP, PP, Land Use Regulation Enforcement Officer
Dectrinity, LLC, Applicant
Nicholas F. Talvacchia, Esq., Applicant's Attorney
Arthur W. Ponzio Co. & Assoc., Applicant's Engineer

rreid@njcrda.com
c/o: ntalvacchia@cooperlevenson.com
ntalvacchia@cooperlevenson.com
jbarnhart@awponzio.com

InSite Job #17-833-09

InSite Engineering, LLC

1913 Atlantic Avenue, Suite F4 • Wall, NJ 08736
732-531-7100 (ph) • 732-531-7344 (fx) • InSite@InSiteEng.net • www.InSiteEng.net
Licensed in NJ, PA, DE, NY, CT, NC, DC, & CO

Attachment A: Documents Reviewed

Received 4/10/2017

1. One (1) completed application package to the Casino Reinvestment Development Authority for Site Plan approval;
2. One (1) copy of a narrative for the project;
3. One (1) signed and sealed copy of the architectural site plans entitled, “Bungalow Biergarten,” being dated 4/6/17, with no current revisions, totalling five (5) sheets, as prepared by SOSH Architects; and
4. One (1) signed and sealed copy of the site plan entitled, “Bungalow Biergarten,” dated 4/6/17, totalling four (4) sheets, as prepared by Arthur W. Ponzio Co. & Associates.

InSite Engineering, LLC