

July 22, 2014

Paul Weiss, Esq.
CASINO REINVESTMENT DEVELOPMENT AUTHORITY
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Re: Site Plan (2nd Review)
Block 1, Lot(s) 144, 145, 146 & 147
1000 Boardwalk
Applicant: Steel Pier Associates, LLC
Zone: B, Beach District
Application No 2013-06-679
Our File No CRDA13004



Dear Mr. Weiss:

The above referenced application is a request for preliminary and final site plan review.

1.0 Project Description

1.1 Applicant's Proposal

The applicant seeks site plan approval to expand the boardwalk on the southwest side of Steel Pier, upon which amusement rides and associated amusement pier facilities and uses will be placed, including an observation wheel. The approximate dimensions of the boardwalk expansion are 100 feet x 315 feet.

1.2 Existing Conditions

The property in question is Block 1, Lots 144, 145, 146 & 147 and is located at 1000 Boardwalk. The property is zoned B, Beach District. The property contains Steel Pier and the beach area immediately adjacent to the southwest up to Pennsylvania Avenue extended.

1.3 Adjacent Land Uses

The boardwalk and Trump Taj Mahal Hotel and Casino are immediately adjacent to the northeast and public bathing beaches are immediately adjacent to the southeast and southwest.

2.0 Materials Reviewed

We have reviewed the referenced submission, received by our office on June 11, 2013, June 18, 2013, August 23, 2013, November 13, 2013, November 14, 2013, May 30, 2014 and July 8, 2014, consisting of the following:

<u>Sheet</u>	<u>Title</u>	<u>Date</u>
---	Application Form	---

J. Timothy Kernan, Inc.
Kingsway Commons
Suite 100
935 Kings Highway
Thorofare, NJ 08086

Phone 856.251.9500
Fax 856.853.1310

www.kernaneng.com



---	Ownership Disclosure Statement	---
---	Escrow Setup Information	---
---	Notice to Property Owners within 200'	---
---	Redevelopment Plan	June 5, 2013
1 of 1	Proposed Expansion Setbacks & Easements (C-1)	April 15, 2013
---	Correspondence from R. J. Went, Jr., Esq.	August 22, 2013
---	Certified Property Owners List	June 10, 2013
---	Certificate of Formation	July 26, 2011
---	Operating Agreement	July 26, 2011
---	Statement Pursuant to § 163-97.C.(9)	August 10, 2013
---	Compliance Statement to §163-127 thru 133	August 21, 2013
---	Resolution of Steel Pier Associates, LLC	August 14, 2013
AP-1	North & West Elevations	July 16, 2013
---	Response Letter from R. J. Went, Jr., Esq.	November 13, 2013
---	Correspondence from R. J. Went, Jr., Esq.	November 14, 2013
---	Lease Agreement	August 30, 2013
---	Redevelopment Agreement	August 29, 2013
---	City of Atlantic City Ordinance No. 38 with Redevelopment Plan	June 12, 2013
---	Declaration of Covenants and Restrictions	August 29, 2013
A-1	First Floor Plan & Second Floor Plan	Revised to November 12, 2013
A-2	West & South Elevations, Section - North/South	Revised to November 12, 2013
S-1	Pier Foundation/Framing Plan	October 18, 2013
S-2	Pier Piling Layout	October 18, 2013
S-3	Sections & Details	October 18, 2013
---	Response Letter from R. J. Went, Jr., Esq.	May 28, 2014
---	Correspondence from R. J. Went, Jr., Esq.	July 7, 2014
1 of 5 (C-1)	Cover Sheet	Revised to May 20, 2014
2 of 5 (C-2)	Area Overview Plan	Revised to July 3, 2014
3 of 5 (C-3)	Survey & Existing Conditions Plan	Revised to July 3, 2014
4 of 5 (C-4)	Proposed Site Plan	Revised to July 3, 2014
5 of 5 (C-5)	Soil Erosion & Sediment Control Plan	Revised to July 3, 2014
6 of 6 (C-6)	Lighting Plan & Details	Revised to May 20, 2014

The plans are signed and sealed by Arthur W. Ponzio, Jr., P.P., P.L.S. and Thomas A. Dase, P.P., P.E. of Arthur W. Ponzio Co. & Associates, Inc. (AWP). The elevations and the architectural plans were prepared by and signed by Mark Petrella, AI of SOSH Architects. The structural plans are signed by Lamont Czar,

PE of Czar Engineering, LLC. The redevelopment plan was prepared by The Atlantic City Division of Planning and the redevelopment agreement is between the City of Atlantic City, City Council of the City of Atlantic City and Steel Pier Associates, LLC.

3.0 Submission Requirements

§ 163-97 - Application for Preliminary Site Plan/Subdivision Plan

C. The application shall be in such form and shall contain such information and documentation as shall be prescribed from time to time by the Land Use Administrator, but shall in all instances, unless an order of the LURED entered pursuant to § 163-82C or 163-90B provides otherwise, contain at least the following information and documentation, which information and documentation, taken together, shall constitute a preliminary site plan/subdivision plat:

(17) Studies indicating the adequacy of existing or proposed public improvements, public sites and rights-of-way and essential public or quasi-public facilities and services, such as transportation, police and fire protection, social and health services, education, recreation, sanitation and energy facilities and supplies, and indicating any proposals of the applicant for upgrading those improvements, sites, services and facilities. Such studies shall, when required by the Planning Board, include a full energy impact assessment prepared in accordance with the Board's regulations pertaining thereto.

Note: The applicant has requested a waiver, provided a brief narrative and will offer testimony at the hearing.

(20) A summary of the 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.

Note: The applicant has requested a waiver and provided a brief narrative.

(22) Energy impact statement.

Note: The applicant has requested a waiver.

§ 163-111 - Application for Final Site Plan/Subdivision Plat

D. The application shall be in such form and shall contain such information and documentation as shall be prescribed from time to time by the Land Use Administrator, but shall in all instances





contain at least the following information and documentation, which information and documentation, taken together, shall constitute a final site plan/subdivision plat:

- (11) Copies of all pre-construction permits and approvals required from any federal or state agency or, for any required permit not yet secured, a copy of the application as filed and a statement of its current status or a statement explaining why an application has not been filed and indicating when it will be filed.

Note: The applicant has requested that this item be deferred and provided as a condition of approval.

- (12) Detailed landscaping plans and cost estimates.

Note: The applicant has indicated that none are proposed.

- (16) Forms of the performance guaranty and maintenance guaranty to be submitted pursuant to § 163-136 of this Part 5, upon final plan approval and of any other performance or maintenance guaranties required to ensure installation and completion of the entire development or any specific portion of it or the future provision and improvement of common open space or facilities.

Note: The applicant has requested a waiver or in the alternative to be deferred and provided as a condition of approval.

- (18) Such other and further information as the Planning Board shall find necessary to a full consideration of the entire proposed development or any stage or unit thereof.

Note: The applicant has requested waivers or deferrals of the above items which I support. Subject to action on the above items, I recommend completeness be granted.

4.0 Zoning Classification

The subject property is governed by the Redevelopment Plan for the Atlantic City Beach along the Boardwalk Adjacent to Steel Pier, dated June 5, 2013. The underlying zoning is B, Beach district. The standards of the redevelopment plan have been utilized for purposes of this review.

5.0 Redevelopment Plan Standards

5.1 Use

1. Permitted uses in the Redevelopment Area shall be limited to entertainment and recreational attractions and appropriate accessory uses for the operation of these activities. The plan conforms to these requirements.



5.2 Construction Staging

1. Construction staging on City property shall be subject to approval by the City Engineering Division.

5.3 Setbacks

1. Structures greater than three (3) feet in height shall be setback as follows:
 - a. 6 feet along the westerly side;
 - b. 8 feet along the front;
 - c. 20 feet approximately midway down the length of 315 feet to the rear which may have curves along the pathway; and
 - d. to the pier, a 30 foot by 50 foot area for food kiosks, seating and observation.

The plan conforms to these requirements.

2. The location of structures and accessory facilities shall not obstruct views from the Beach Patrol Stations.

Note: The applicant should be prepared to address this requirement.

5.4 Height

1. The maximum permitted height of a principal structure is 200 feet from Boardwalk level. Accessory structures should not extend above 15 feet from Boardwalk level. The plan does not conform to these requirements, proposing the top of the skywheel at 203 feet, 10 inches from Boardwalk level. As proposed, a variance is required.

5.5 Signage

1. Signage shall be subject to the designs approved by the Planning Board and thereafter, by the CRDA.

Note: The applicant should provide information regarding signage.

5.6 Urban Design

1. Façade surfaces shall be well maintained and consistent with adjacent buildings.

Note: The applicant should be prepared to address this requirement.

6.0 Fees, Contributions and Obligations

6.1 Escrow

The applicant must contact the CRDA Land Use Regulation & Enforcement Officer to settle any outstanding review escrow accounts prior to the plans being signed.

7.0 Outside Agency Approvals

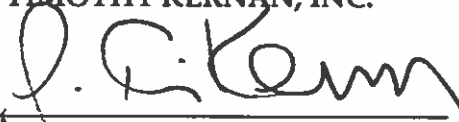
This application is subject to the review and approval of the following outside agencies with jurisdiction, if not already received, including but not limited to the following. Evidence of these approvals must be submitted to the Land Use Regulation and Enforcement Division (LURED).

- NIDEP;
- Atlantic County Planning Board;
- Cape-Atlantic Soil Conservation District;
- Atlantic City Utilities Authority;
- Atlantic City Fire Official; and
- Any others as may be required.

The above comments and/or recommendations are submitted for your review and consideration. Should you have any questions with regard to this matter or require additional information, please do not hesitate to contact our office at (856) 251-9500.

Best regards,

J. TIMOTHY KERNAN, INC.



J. Timothy Kernan, P.E., P.P., C.M.E.
President

JTK/rld

cc: Rose Ann Lafferty, Land Use Regulation & Enforcement Officer
Lance B. Landgraf, Jr., P.P., AICP
Scott Collins, Esquire
Steel Pier Associates, LLC
Raymond J. Went, Jr., Esq.
Arthur W. Ponzio, P.L.S., P.P.

