

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING PRELIMINARY AND FINAL SITE PLAN APPROVAL TO CONSTRUCT A SIX (6) STORY DORMITORY FOR STOCKTON UNIVERSITY STUDENTS CONSISTING OF 105 UNITS WITH 405 BEDS ON THE PROPERTY LOCATED AT 3504, 3506 AND 3532 ATLANTIC AVENUE, IN THE CITY OF ATLANTIC CITY, BLOCK 186, LOTS 5 – 9, THE GATEWAY REDEVELOPMENT AREA UNDER APPLICATION 2019-04-2638**

**WHEREAS**, pursuant to P.L. 2011, c. 18, as amended (the “Act”), the Casino Reinvestment Development Authority (the “Authority”): (i) designated the Atlantic City Tourism District by Resolution 11-25 adopted April 19, 2011, (ii) established the Land Use Regulation and Enforcement Division to, among other matter, hear applications for development in the Tourism District by Resolution 11-33 adopted April 19, 2011, and (iii) adopted the master plan, zoning and land use ordinances and regulations, and zoning maps approved by the City by Resolution 11-34 adopted April 19, 2011; and

**WHEREAS**, pursuant to Resolution 12-14 dated February 1, 2012, the Authority adopted the “New Jersey CRDA Atlantic City Tourism District Master Plan” prepared by Jones Lang LaSalle, LLC and dated February 1, 2012 (the “Master Plan”) (as affirmed and readopted pursuant to Resolution 12-23 adopted February 21, 2012), subject to further comment and revision, which master plan became effective upon the Authority’s adoption of design, development and land use regulations on January 2, 2018; and

**WHEREAS**, on April 18, 2019, the Authority’s Land Use Regulation and Enforcement Division convened a public hearing on Application 2019-04-2638 in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and the Act, and subsequently prepared and delivered the Hearing Officer’s Report and Recommendation dated May 8, 2019 (the “Report”), incorporated herein by this reference and appended hereto as Exhibit “A”; and

**WHEREAS**, Atlantic City Development Corporation (the “Applicant”) seeks preliminary and final site plan approval to construct a six (6) story dormitory for Stockton University students consisting of 105 units with 405 beds on the property located at 3504, 3506 and 3532 Atlantic Avenue, in the city of Atlantic City, Block 186, Lots 5 – 9, the Gateway Redevelopment Area under Application 2019-04-2638, with no variance relief required; and

**WHEREAS**, the Authority intends to adopt the findings, conclusions and recommendations of the Hearing Officer, as detailed in the Report; and

**NOW THEREFORE, BE IT RESOLVED** by the Casino Reinvestment Development Authority that:

1. The above recitals are incorporated herein, as if set forth in full.

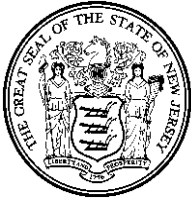
2. Based on the record in this matter, Application 2019-04-2638 is hereby approved in accordance with the Hearing Officer's Report and Recommendation dated May 8, 2019.
3. A copy of this Resolution shall be immediately transmitted to the Governor. This Resolution shall take effect immediately but no action authorized herein shall have force and effect until the earlier of the passage of ten (10) days, Saturdays, Sundays and public holidays excepted, after the delivery of the copy to the Governor, or the Governor's approval.

I hereby certify that this document is a true and correct copy of Resolution 19-59 of the Casino Reinvestment Development Authority.

  
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HOWARD J. KYLE, SECRETARY

**MEETING OF MAY 21, 2019**

**EXHIBIT "A" TO RESOLUTION 19-59, ADOPTED 5/21/2019**



## Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

### **EXHIBIT "A" TO RESOLUTION 19-59, ADOPTED 5/21/2019**

**TO:** Members of the Authority

**FROM:** Lance B. Landgraf, Jr., Land Use Hearing Officer

**COPY:** Matthew J. Doherty, Executive Director

**SUBJECT:** Hearing Officer's Report and Recommendation  
Application #2019-04-2638  
Atlantic City Development Corporation  
Preliminary and Final Major Site Plan Approval  
3504, 3506 & 3532 Atlantic Avenue  
Block 186, Lots 5, 6, 7, 8 and 9  
Gateway Redevelopment Area

**DATE:** May 8, 2019

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### **EXECUTIVE SUMMARY**

On April 18, 2019, the Casino Reinvestment Development Authority (the "Authority") heard testimony and public comment on the above-subject application. The Applicant, Atlantic City Development Corporation (the "Applicant"), seeks Preliminary and Final Major Site Plan Approval to construct at the above-captioned properties in the city of Atlantic City. The subject properties are located within the Gateway Redevelopment Area and no variances are required.

The Applicant demonstrated by evidence and testimony that the development proposal generally conforms to the site plan standards and technical requirements of the Authority's Tourism District Land Development Rules and the Gateway Redevelopment Area Redevelopment Plan. Therefore, for the reasons more fully outlined below, the Hearing Officer recommends that the Application be approved by the Authority.



# Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

## **INTRODUCTION**

### Application Information

Atlantic City Development Corporation  
Preliminary and Final Major Site Plan Approval  
3504, 3506 & 3532 Atlantic Avenue  
Block 186, Lots 5, 6, 7, 8 and 9  
Gateway Redevelopment Area

A hearing on the Application was conducted in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and P.L. 2011, c. 18.

The Applicant seeks Preliminary and Final Major Site Plan Approval to construct a six (6) story dormitory for Stockton University students consisting of 105 units with 405 beds at the above-captioned properties in the city of Atlantic City. The subject properties are located within the Gateway Redevelopment Area and no variances are required.

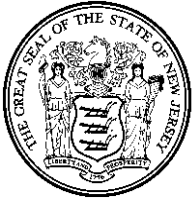
### Evidence List

- A-1 Application materials
- A-2 Perspective view of vicinity, Phase I
- A-3 Aerial of site
- A-4 Aerial perspective rendering, Phase II
- A-5 Aerial photo
  
- B-1 Letter from ARH Associates dated April 15, 2019

## **FINDINGS OF FACT**

The Applicant seeks Preliminary and Final Major Site Plan Approval to construct a six (6) story dormitory for Stockton University students consisting of 105 units with 405 beds at the above-captioned properties in the city of Atlantic City. The subject properties are located within the Gateway Redevelopment Area and no variances are required.

The attorney for the Applicant, Charles Liebling, Esq., introduced the application generally and provided background regarding the specific relief sought by the Applicant.



## Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

The Applicant presented the testimony Sarah Clarke, a representative of the Applicant. Ms. Clarke explained that the development proposal constitutes Phase II of the prior development of the Stockton University facility. Phase I included the Academic Building, a residential building, the South Jersey Gas building and parking facility. Phase II will provide dormitory housing for Stockton University students.

The Applicant presented the testimony of Stephen L. Schoch, who was qualified as an expert in the field of architecture. Mr. Schoch described the location of the site, existing conditions, development proposal and site layout. He testified as to architectural features of the proposed improvements, floor-plans, lighting, landscaping, site-circulation, loading and trash. He noted that the architecture of the structure will match the architecture of the existing Stockton University facilities constructed as part of Phase I of the project.

The Applicant presented the testimony of John Barnhart, P.E., P.P., who was qualified as an expert in the fields of professional engineering and professional planning. Mr. Barnhart described the development proposal and site layout. He testified that site lighting and landscaping will match the existing Stockton University facilities. He noted that the main point of access will be located along Atlantic Avenue, although loading will be prohibited at such location. He further noted that all utilities necessary to support the development proposal are available.

Mr. Barnhart testified that the use is permitted under the Gateway Redevelopment Plan and that no variances are required. He noted that the development proposal advances the purposes of the Tourism District Master Plan and is consistent with the Authority's Land Development Rules. Finally, he noted that the Applicant will comply with all comments and conditions contained in the ARH Associates review letter dated April 15, 2019.

Christine Cofone, P.P. was qualified as an expert in professional planning and provided testimony on behalf of the Authority. She testified that the Applicant had provided sufficient testimony to support approval of the Application. William England, P.E. was qualified as an expert in professional engineering and provided testimony on behalf of the Authority. Mr. England testified that the Applicant had addressed all issues raised in the ARH Associates planning and engineering review letter dated April 15, 2019 and supported approval of the Application.

Director of Planning for Atlantic City, Barbara Allen Woolley-Dillon, as well as Atlantic City Councilman Kaleem Shabazz, appeared and spoke in support of the Application.



## Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

### **CONCLUSIONS OF LAW**

#### Preliminary and Final Major Site Plan Approval

A land use agency's authority in reviewing an application for site plan approval is limited to determining whether the development plan conforms to the zoning ordinance and the applicable provisions of the site plan ordinance. See Pizzo Mantin Group v. Township of Randolph, 137 N.J. 216 (1994).

Here, based on the evidence and testimony, the Applicant has demonstrated that development proposal generally conforms to the site plan standards and technical requirements of the Authority's Tourism District Land Development Rules and the Gateway Redevelopment Area Redevelopment Plan.

### **RECOMMENDATION**

For all of the foregoing reasons, the Hearing Officer recommends that the Application for Preliminary and Final Major Site Plan Approval be approved.

The grant of approval of this Application shall be expressly conditioned upon the Applicant complying with all conditions of prior approvals, satisfying all representations made by the Applicant or by others on its behalf during the course of the hearing on this matter before the Hearing Officer.

The grant of approval shall be further conditioned upon compliance with all applicable requirements of the Authority's Tourism District Land Development Rules, any applicable City Ordinances, and the requirements of any City agency, board or authority. Any approval granted in accordance herewith shall be further expressly conditioned upon the Applicant obtaining all other necessary governmental approvals, and compliance with all Federal, State and local laws.

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## CRDA BOARD TALLY

May 21, 2019

**ATLANTIC CITY DEVELOPMENT CORPORATION (AC DEVCO) (3504, 3506, 3532 ATLANTIC AVENUE, 10 & 16 S. PROVIDENCE AVENUE, BLOCK 186, LOTS 5, 6, 7, 8, 9) - Preliminary and final site plan approval (LL)**

### MOTION

GH

### SECOND

HK

Modia Butler

Y

Debra DiLorenzo

A

Edward Gant

Y

Mark Giannantonio

Y

Mayor Frank Gilliam

Y

Michael I. Hanley

Y

Gary Hill

Y

Howard Kyle

Y

James Plousis

Y

William Mullen

Y

Kevin C. Ortizman

Y

David Rebeck for the State Attorney General

Y

Maureen Hassett for the State Treasurer

Y

Robert Long for the DCA Commissioner

Y

Richard Tolson, Vice Chairman

Y

Robert Mulcahy, Chairman

Recusal