

Christopher J. Noll, PE, CME, PP
President & CEO

Barbara J Fegley, AICP, PP
Sec./Treas. & Sr. Vice President

William H. Kirchner, PE, CME, N-2
Vice President



Rakesh R. Darji, PE, PP, CME, CFM

G. Jeffrey Hanson, PE, CME

Joseph R. Hirsh, PE, CME, CPWM

Joseph P. Orsino, CET

Marc H. Selover, LSRP, PG

Benjamin R. Weller, PE, CME, CPWM, S-3, C-3

Harry R. Fox, NICET III, CPSI

C. Jeremy Noll, PE, CME

815 East Gate Drive • Suite 103 • Mount Laurel • New Jersey • 08054

Telephone (856) 235-7170 • Fax (856) 273-9239 • www.erinj.com

April 16, 2019
31623 14

Re: Showboat Renaissance, LLC
**Minor Subdivision with Bulk Variances
Use Variance
Review Letter #1**

Block 61, Lots 22 through 26; Block 134, Lot 1; and Block 302 Lots 1 & 2
801 Boardwalk
Atlantic City, NJ
Application # 2019-04-2637

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

Dear Mr. Landgraf:

An Application for a Minor Subdivision with Bulk Variances and a Use Variance has been received for the subject premises:

Applicant Information

- Applicant: Showboat Renaissance, LLC
817 North 3rd Street, Philadelphia, PA 19123
- Owner: Same as Applicant
- Engineer: Arthur W. Ponzio Co. & Associates
400 North Dover Avenue, Atlantic City, NJ 08401
- Planner: Same as Engineer
- Traffic: None Noted
- Attorney: Keith A. Davis
Nehmad, Perillo, Davis & Goldstein, P.C.
4030 Ocean Heights Avenue, Egg Harbor Twp., NJ 08234

Documents Submitted

1. Cover Letter / Narrative from Keith A. Davis, dated April 8, 2019
2. Letter from Rob Reid, CRDA, dated April 9, 2019
3. CRDA Application Form, dated April 8, 2019
4. Corporate Disclosure Statement
5. 200 Foot Property Owners List & Cover Letter from City Tax Assessor, dated April 2, 2019
6. Tax Payment Certification Letters from City of Atlantic City, dated March 29, 2019.
7. Escrow Setup Information
8. Minor Subdivision Plan, 1 Sheet, prepared by Arthur W. Ponzio Co. & Associates, Inc., dated April 8, 2019.

Completeness Review

We have reviewed the Application for completeness and it appears that the Application is complete, with the exception of the following items:

"C" Variance Checklist

6. Color photographs of site from four (4) different viewpoints.
21. Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.
22. Preliminary architectural plan and elevations and areas and type of each proposed use.

"D" Variance Checklist

6. Narrative presenting justification for the "D" variance relief sought that includes a statement of legal basis for granting of the variance.
7. Color photographs of site from four (4) different viewpoints.
22. Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.
23. Preliminary architectural plan and elevations and areas and type of each proposed use.

With respect to the color photographs, site plan and the preliminary architectural plan, we do not have any objection to the granting of the respective waivers as the information submitted is sufficient for the purposes of our review, and there is no construction proposed in conjunction with the Application.

With respect to the narrative presenting justification for the "D" Variance, we recommend that the Applicant's Planner provide the required narrative via testimony at the Land Use Regulation Hearing and/or provide a written narrative of same in advance of the hearing.

We have no objection to the Application being deemed complete provided that the aforementioned use variance justification narrative be provided.

Technical Review #1

The following comments are offered:

A. Project Description and Background

There is no construction proposed in conjunction with this Application. The Applicant's proposal includes a realignment of property lines and consolidation of five (5) existing lots (Block 62, Lots 22-26) into three (3) separate lots (Proposed Lots A, B and C). The subdivision of proposed Lot B creates several bulk variances and a use variance. The Narrative provided by the Applicant's attorney indicates that the proposed subdivision is being sought merely in order to accomplish future conveying and financing of improvements. The site is in the Resort Commercial District (RC).

The Application and Plans have been reviewed for conformance to the Casino Reinvestment Development Authority Rules at N.J.A.C. 19:66 adopted and filed November 21, 2017, together with the Atlantic City Zoning & Tourism District Zones Map updated November 17, 2017; as well as for compliance with the 2012 Title Recordation Law (NJSA 46:26A-1 et seq.).

B. Minor Subdivision Review

1. Curve data must include the radius, delta angle, length of arc, chord distance, and chord bearing that are necessary to enable the definite location of all lines and boundaries shown. The Plan should be revised accordingly.
2. All permanent easements shall be shown and dimensioned on the Plan.

3. The Atlantic City Tax Map (Sheet #12) shows an access easement between Lots 24 and 26. The Applicant should provide information and/or testimony regarding whether this is an active easement. If so, the easement must be shown in the plan.
4. The Plan shall be revised to include and define the Point of Beginning (POB) of the outbound boundary.
5. The Applicant should verify the proposed lot numbers with the City Tax Assessor's office.
6. The Block and Lot numbers shall be shown on the Minor Subdivision Plan title block once confirmed by the City Tax Assessor's office.
7. If the monuments referenced in Note #5 of the Plan were established then Note #8 does not apply. If the monuments were not established, the following note shall be included on the Plan: "The monuments shown on this map shall be set within the time limit provided in the "Municipal Land Use," P.L. 1975, c.291 (C.40:55D-1 et seq.) or local ordinance. I certify that a bond has been given to the municipality, guaranteeing the future setting of the monuments as designated and shown on this map."
8. A monument shall be set at each intersection of an outside boundary of the newly created lot or lots with the right of way line. The Plan should be revised accordingly.
9. The Applicant shall ensure that a perimeter line is accurately established on the ground.
10. The Applicant shall send legal descriptions of the proposed lots for our review and the CRDA attorney's review.
11. The duplicate distance illustrated on Lot 24 (360.60') shall be eliminated from the Plan.
12. The Plan should be revised to include property deed record information, as required.

C. Bulk Variance Review

1. Section 19:66-5.10(a)(1)(iv)(5) of the CRDA Rules requires a minimum lot frontage of fifty feet (50') in the RC Zoning District. Proposed Lot B has no lot frontage. A variance is required.

2. Section 19:66-5.10(a)(1)(iv)(6) of the CRDA Rules limits building coverage in the RC Zoning District to a maximum of seventy percent (70%). A building coverage of 84% is proposed for Proposed Lot B. A variance is required.
3. The building coverage for Proposed Lots A and C should be provided in order to determine whether a variance is required.
4. Section 19:66-5.10(a)(1)(iv)(7) of the CRDA Rules limits impervious coverage in the RC Zoning District to a maximum of eighty percent (80%). An impervious coverage of 96% is proposed for Proposed Lot B. A variance is required.
5. The impervious coverage for Proposed Lots A and C should be provided in order to determine whether a variance is required.
6. Section 19:66-5.10(a)(1)(iv)(9) of the CRDA Rules requires a minimum side yard setback of twenty feet (20') for buildings greater than 35' in height in the RC Zoning District. Due to the geometry of the landlocked Proposed Lot 'B', there are four (4) side yards associated with the lot. The corresponding proposed side yard setbacks are 6.02' (north), 9.19' (east), 0.00' (south) and 7.67' (west). Variances are required for each of the four (4) side yard setbacks.
7. With respect to Item Nos. 1 through 6, for "c" variances the applicant must demonstrate that the strict application of the zoning regulations to the property create a hardship or result in exceptional practical difficulties by reason of the exceptional shape of the property or the exceptional topographic conditions uniquely affecting the property.

D. Use Variance Review

1. Section 19:66-5.10(a)(1)(iv)(13) of the CRDA Rules limits the density of dwelling units to a maximum of seventy five (75) units per acre for high rise buildings in the RC Zoning District. A density of two hundred sixty four (264) dwellings per acre is proposed on Proposed Lot B. A use variance is required.
2. With respect to Item No. 1, for "d" variances it is the Applicant's burden of proof to present "positive" and "negative" criteria to justify the variance. The Applicant must prove to the satisfaction of the Board that there are "special reasons" to

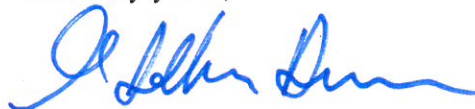
exercise its jurisdiction to grant the requested relief, demonstrating that the site is particularly suited to the proposed use and that the proposal will advance the purposes of the Municipal Land Use Law and the Township's Master Plan and Zoning ordinances (POSITIVE). Additionally, the Applicant must show that the variance can be granted without substantial detriment to the public good and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinances (NEGATIVE).

Outside Agency Permits and Approvals

1. The following permits and approvals are required:
 - a. Atlantic County Planning Board
 - b. Atlantic City Tax Assessor's Confirmation of Block and Lot Numbers
 - c. All others as necessary

If you require any additional information or have any questions please contact the undersigned. We are pleased to be of service.

Sincerely yours,



G. Jeffrey Hanson, PE, CME
CRDA Land Use Board Engineer and
Planning Consultant

GJH

Cc: Showboat Renaissance, LLC, c/o Benjamin J. Kaufman, Esq.
Keith A. Davis, Esq.
Arthur W. Ponzio, Jr., PP, PLS
Scott Collins, Esq., CRDA Land Use Attorney, Headquarters Plaza, One Speedwell Ave.,
Morristown, NJ 07962-1981

31623 14 - Review #1 - 04-16-19