

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING MINOR SITE PLAN APPROVAL WITH VARIANCES PURSUANT TO N.J.S.A. 40:55D-70(c) TO CONVERT THE EXISTING FIRST-FLOOR BAR/RESTAURANT AND RETAIL USES TO A BANQUET HALL/RESTAURANT AT THE SUBJECT PROPERTY LOCATED AT 30 S. FLORIDA AVENUE, BLOCK 166 LOTS 20, 22, 29 AND 30, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2024-11-3739

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 matters, 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, adopted 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 shall become effective upon the adoption of design, development and land use regulations on January 2, 2018; and

WHEREAS, Nancy Claude (the “Applicant”), seeks Minor Site Approval with Variances pursuant to N.J.S.A. 40:55D-70(c) to convert the existing first-floor bar/restaurant and retail uses to a banquet hall/restaurant at the subject property located at 30 S. Florida Avenue, Block 166, Lots 20, 22, 29 and 30 , on the Tax Map of Atlantic City, located in the Resort Commercial (RC) Zoning District; and

WHEREAS, on January 2, 2025, the Authority’s Land Use Regulation and Enforcement Division convened a public hearing on Application 2024-11-3739 in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and the Act, and subsequently prepared and delivered a Hearing Officer’s Report and Recommendation dated January 9, 2025 (the “Report”), incorporated herein by this reference and appended hereto as Exhibit “A”; and

WHEREAS, the Authority intends to adopt the findings, conclusions and recommendations of the Hearing Officer, as detailed in the Report dated January 9, 2025.

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

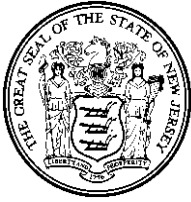
1. The above recitals are incorporated herein, as if set forth in full.

2. Based on the record in this matter, the Minor Site Plan with Variances pursuant to N.J.S.A. 40:55D-70(c) under Application 2024-11-3739 is hereby approved in accordance with the Hearing Officer's Report and Recommendation dated January 9, 2025.
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 25-05 of the Casino Reinvestment Development Authority.


MICHAEL BESON, SECRETARY

MEETING OF JANUARY 21, 2025



Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

EXHIBIT "A" TO RESOLUTION 24- , ADOPTED 1/21/2025

TO: Members of the Authority

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

COPY: Eric Scheffler, Executive Director

SUBJECT: Hearing Officer's Report and Recommendation
Application #2024-11-3739
Nancy Claude
Minor Site Plan Approval with Variances Pursuant to N.J.S.A. 40:55D-70(c)
30 S. Florida Avenue
Block 166, Lots 20, 22, 29 & 30
Resort Commercial (RC) Zoning District

DATE: January 9, 2025

EXECUTIVE SUMMARY

On January 2, 2025, the Casino Reinvestment Development Authority (the "Authority") heard testimony and public comment on the above-subject application. The Applicant, Nancy Claude (the "Applicant"), seeks Minor Site Plan Approval to convert the existing first-floor bar/restaurant and retail uses to a banquet hall/restaurant. The residential apartment uses on the second floor are to remain. No exterior improvements or changes to signage are proposed. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. Variances pursuant to N.J.S.A. 40:55D-70(c) are required for signage and parking.

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. In addition, the Applicant demonstrated by evidence and testimony that the grant of the requested variances is warranted. 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

Nancy Claude

Minor Site Plan Approval with Variances Pursuant to N.J.S.A. 40:55D-70(c)

30 S. Florida Avenue

Block 166, Lots 20, 22, 29 & 30

Resort Commercial (RC) Zoning District

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 Minor Site Plan Approval to convert the existing first-floor bar/restaurant and retail uses to a banquet hall/restaurant. The residential apartment uses on the second floor are to remain. No exterior improvements or changes to signage are proposed. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. Variances pursuant to N.J.S.A. 40:55D-70(c) are required for signage and parking.

Evidence List

A-1 Application Materials

A-2 Site Plan Drawings (6)

B-1 Letter from ARH Associates dated December 30, 2024

FINDINGS OF FACT

The Applicant seeks Minor Site Plan Approval to convert the existing first-floor bar/restaurant and retail uses to a banquet hall/restaurant. The residential apartment uses on the second floor are to remain. No exterior improvements or changes to signage are proposed. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. Variances pursuant to N.J.S.A. 40:55D-70(c) are required for signage and parking.

The attorney for the Applicant, Stephanie Bush Mann, Esq., introduced the application generally and provided background regarding the specific relief sought by the Applicant.

The Applicant presented the testimony of Nancy Claude, who is the owner of the property. Ms. Claude testified that she purchased the property in July 2024 with the intent to transform the existing bar/restaurant into an elegant banquet space for intimate to mid-size gatherings. She testified that an area will be designated for the location of a dumpster,



Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

which will be used by the banquet hall and residential uses. Trash will be removed via a commercial trash hauler.

Ms. Claude testified that the Applicant has made arrangements with the owner of a parking lot located at 2415 Pacific Avenue for the use of 20 parking spaces. She stated that the parking lot is an approximately two-minute walk from the property. Ms. Claude testified that the security cameras will be installed at the facility and shared with the Atlantic City Police Department.

The Applicant presented the testimony of Craig Dothe, R.A., P.P., who was qualified as an expert in the fields of professional architecture and professional planning. He described the location of the site, existing conditions and site layout. He noted that the building had historically been used as a bar with limited seating and parking.

Mr. Dothe explained the floor plans, site operation and architectural features. He testified regarding the interior renovations on the first floor for use as a banquet hall and restaurant. On behalf of the Applicant, he testified that the food may be prepared on site or catered from off-site vendors. Mr. Dothe noted that the three apartments on the second floor will be used as short-term rentals.

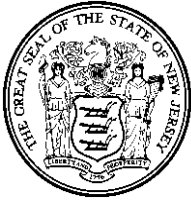
Mr. Dothe testified that a loading area will be designated for deliveries and trash removal. The Applicant agreed to coordinate with the City for the removal of one on-street parking space along Bellevue Avenue to improve loading access to the property.

Mr. Dothe testified that the Applicant seeks variances pursuant to N.J.S.A. 40:55D-70(c) to permit:

- Two awning signs where one awning sign is permitted.
- 23 parking spaces where 32 parking spaces are required.

With respect to signage, Mr. Dothe testified that two existing awning signs will remain. Although only one awning sign is permitted, Mr. Dothe testified that the total size of the signage is less than permitted. With respect to parking, Mr. Dothe testified that 16 parking spaces are proposed where 32 parking spaces are required. He noted that there is a grandfather existing shortfall of 7 spaces, so the Applicant seeks a variance to permit a shortfall of 9 parking spaces. He noted parking needs will be adequately met through off-site leased spaces and other available parking in the vicinity.

Mr. Dothe further testified that the that the approval of the application for development would advance the purposes of the Municipal Land Use Law ("MLUL") by promoting the efficient use of land (Purpose M) by renovating a building that has been vacant but has development potential. With respect to the negative criteria, Mr. Dothe testified that the grant of the variances would advance the purposes of the Tourism District Master Plan and



Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

would not have any substantial detriment to the Tourism District Master Plan or Tourism District Land Development Rules.

Christine Cofone, P.P. was qualified as an expert in the field of professional planning and provided testimony on behalf of the Authority. Ms. Cofone opined that the grant of the requested variances would be a better planning alternative to strict compliance of the Tourism District Land Development Rules and that she supports approval of the application.

Carolyn Feigin, P.E., was qualified as an expert in professional engineering and provided testimony on behalf of the Authority. She testified that she supports approval of the application subject to the submission of updated plans conforming to all representations made by the Applicant or on its behalf at the public hearing.

CONCLUSIONS OF LAW

Minor 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 Tourism District Land Development Rules.

Variances Pursuant to N.J.S.A. 40:55D-70(c)

For variances requested pursuant to N.J.S.A. 40:55D-70(c)(1) and (c)(2), an applicant must demonstrate through evidence and testimony that the positive and negative criteria of the statutory requirements have been met.

Positive Criteria

The positive criteria for variances requested pursuant to N.J.S.A. 40:55D-70(c)(1) is satisfied if relief can be granted for a specific piece of property upon the finding of hardship arising out of the exceptional narrowness, shallowness, shape, or exceptional topographic conditions of specific piece of property or from a structure lawfully existing thereon. See Lang v. Zoning Board of Adjustment, 160 N.J. 41 (1999). The positive criteria for variances requested pursuant to N.J.S.A. 40:55D-70(c)(2) is satisfied if one or more purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of that deviation would substantially out-



Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

weigh any detriment to the public good. Ketcherick v. Bor. Mountain Lakes, 256 N.J. Super. 646 (App. Div. 1992); Green Meadows v. Planning Board, 329 N.J. Super. 12 (App. Div. 2000).

Here, the Applicant seeks variances pursuant to N.J.S.A. 40:55D-70(c) to permit:

- Two awning signs where one awning sign is permitted.
- 23 parking spaces where 32 parking spaces are required.

The evidence and testimony demonstrate that the approval of the application for development would advance the purposes of the MLUL by promoting the efficient use of land (Purpose M) by renovating a building that has been vacant but has development potential. With respect to signage, the total size of the signage is less than permitted. With respect to parking, parking needs will be adequately met through off-site leased spaces and other available parking in the vicinity.

Negative Criteria

Relief under N.J.S.A. 40:55D-70(c) (1) and (c)(2) cannot be granted unless the negative criteria is satisfied. The negative criteria required for all "C" variances is that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and the zoning ordinance.

The evidence and testimony demonstrate that the grant of the requested variances will not create any detriment to the public good, and will not substantially impair the purpose and intent of the Tourism District Mast Plan and the Tourism District Land Development Rules.

RECOMMENDATION

For all of the foregoing reasons, the Hearing Officer recommends that the Application for Minor Site Plan Approval with variances pursuant to N.J.S.A. 40:55D-70(c) 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 Tourism District Land Development Rules, city of Atlantic 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.

**Principals**

Richard Rehmann, GISP
Richard Heggan, PLS, PP
Jeffery MacPhee, PLS
Carolyn A. Feigin, PE, PP

December 30, 2024

Lance B. Landgraf, Jr., PP, AICP

Casino Reinvestment Development Authority

Division of Land Use and Regulatory Enforcement

15 S Pennsylvania Avenue

Atlantic City, NJ 08401

Re: TECHNICAL REVIEW #1: CRDA # 2024-11-3739
Minor Site Plan w/ Variance Approval
Nancy Claude
30 S. Florida Avenue (Block 166, Lots 20, 22, 29, & 30)
Atlantic City, NJ 08401
ARH # 2410103

Dear Mr. Landgraf:

ARH ASSOCIATES has reviewed the following information towards issuance of Minor Site Plan with Variance Approval for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
CRDA Land Use Application	Owner / Applicant	10/23/2024	
Escrow Setup Information			
Project Narrative		11/01/2024	
Minor Site Plan Checklist (Form #5)		11/10/2024	
Property Survey	Arthur Ponzio Co.	02/15/2022	
Site and Floor Plans	Craig F. Dothe Architect, LLC	08/22/2024	09/27/2024
Parking Designation Letter	Sonraj LLC	08/19/2024	
Property Deed	Steven M. Abramoff, Esq.	07/25/2024	

Per this information, our office offers the following comments:

ARH Associates

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909
Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

www.arh-us.com

I. PROJECT INFORMATION & CONTACT INFORMATION

The 13,700 SF site is a through lot with frontage on Florida Avenue and Bellevue Avenue. The site is presently developed with a 2-1/2 story building with a restaurant/bar and two retail uses on the first floor, residential apartments above, and an onsite parking lot. The Applicant seeks approval to convert the first floor uses into a banquet hall. Landscaping and refuse area improvements are proposed for the parking lot.

Below please find the contact information for the responsible parties associated with this Application:

APPLICANT/OWNER
Nancy Claude 30 S. Florida Avenue Atlantic City, NJ 08401 Phone: 215-715-1871 609-697-0999 Email: claudenancy@ymail.com

ARCHITECT/PLANNER
Craig F. Dothe 33 N. Brighton Avenue Atlantic City, NJ 08401 Phone: 609-348-2236 Email: craig@cfidarchitect.com

II. ZONING REVIEW

The subject property is situated within the Resort Commercial (RC) zoning district. Restaurants, Catering Services, Multi-family residential mid-rises and mixed uses are

ARH Associates

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909
Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

www.arh-us.com

permitted uses in the zone. The below table summarizes the bulk requirements for this zone:

BULK ITEMS	REQUIREMENT	EXISTING	PROPOSED
Max. Principal Building Height	3000 ft (from BFE)	25.9 ft	NC
Min. Lot Area	7,500 sf	13,700 sf	NC
Min. Lot Depth	150 feet	165 feet	NC
Min. Lot Width	50 feet	46.25 feet (ENC)	NC
Min. Lot Frontage	50 feet	46.25 feet (ENC)	NC
Min. Principal Front Yard Setback (< 35' in height)	0 feet	Building: 0 feet Overhang: 3.14 feet over (ENC)	NC
Min. Principal Side Yard Setback (< 35' in height)	0 feet	0.25'	NC
Min. Principal Rear Yard Setback	20 feet	N/A	N/A
Max. Building Coverage	70 %	33.5 %	NC
Max. Impervious Coverage	80 %	98.4 % (ENC)	NC

N/A = Not Applicable; NC = No Change; ENC = Existing Non-Conformity;
 NP = Not Provided; TBP = To Be Provided; **V = Variance Required**

PARKING	REQUIREMENT	REQUIRED	PROPOSED
Restaurants	Greater of: 1 space per 30% capacity (TBP) OR 1 Space per 150 SF (3,897 sf)	TBP	0 Spaces (See Comment III.B.1. below)
Residential (1-BR)	1.8 spaces per unit (2 units)	4 spaces	
Residential (2-BR)	2.0 spaces per unit (1 unit)	2 spaces	
TOTAL		TBP	

The Applicant has requested the following variances with their application:

ARH Associates

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909
 Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

www.arh-us.com

- a. Section 19:66-5.8 – Where 32 parking spaces are required, whereas 23 parking spaces are grandfathered and 17 spaces are existing on site and to remain, creating a deficiency of 9 parking spaces. However, our office requests clarification regarding the calculated methods used for the existing restaurant and proposed banquet hall. Please See Engineering Comment B.1 below for clarification.

The Applicant should be prepared to provide testimony to the Board in support of the requested variances.

III. ENGINEERING COMMENTS

A. GENERAL

1. Right of way widths of adjacent public roadways shall be provided on the site plan.
2. The site plan shall be revised to provide the missing tax map sheet # and the block and lot(s) as a condition of approval.
3. The site plan shall be revised to contain a north arrow and graphic scales.
4. The site plan shall be revised to provide the CRDA professionals signature block on the first sheet adjacent to the plan's title block.
5. The site plan shall be revised to provide key maps showing surrounding existing features, zoning, and tax lots. This can be achieved by providing an aerial image, the CRDA zoning map, and the tax map with a 200' radius around the lot.

B. PARKING, LOADING, & CIRCULATION

1. As per N.J.A.C. 19:66-5.8, for restaurants, the greater of one (1) parking space per 30% capacity or one (1) parking space per 150 sf is required. Per RSIS, 1.8 spaces are required for one-bedroom apartments and two (2) spaces are required for a two-bedroom apartment. Two (1) one-bedroom apartments and one (1) two-bedroom apartment exist and are to remain, requiring six (6) parking spaces. The Applicant shall provide the calculations for the existing restaurant and proposed banquet hall based on capacity vs floor area to demonstrate the greater of the two methods. This impacts the deficient parking variance for the site. Our office cannot provide an accurate analysis of the deficiency of parking until the parking calculations on the Site Plan are revised accordingly.
2. The Applicant shall demonstrate there is ADA access into the building. There

ARH Associates

appears to be a step up into the building in the proposed S. Florida front elevation view which will prevent ADA access into the building. Also, it does not appear any parking stalls are designated for ADA. At least one parking stall on-site shall be a van-accessible ADA stall with the appropriate signage.

3. Traffic circulation / traffic arrows shall be provided on the site plan. Is the S. Florida Ave driveway to be one-way or two-way access?
4. It is unclear if existing striping is to remain or if new striping and pavement markings are proposed. This shall be depicted on the site plan.
5. Sight triangles shall be provided for all driveways in accordance with N.J.A.C. 19:66-7.4. The Applicant is asked to reanalyze the placement of any structures/plantings when providing sight triangles on the plan.
6. The Applicant shall demonstrate if a vehicle can access parking space #'s 5 & 6 as depicted on the site plan as there are structures and end walls possibly impeding their entry/exit.
7. It appears no new parking areas or reconstruction to existing parking areas are proposed, if so then no EV parking is required.
8. The Applicant shall provide testimony regarding if any spaces are to be designated for the residential or the banquet use on site. If so, proper designation signage shall be provided on the site plan.
9. The Applicant shall provide testimony on the loading operations, including location and size of loading vehicles, for the first-floor banquet use.
10. The Applicant shall clarify if protective structures, i.e. bollards, are to be proposed along the perimeter/at the corners of the subject building and/or adjacent buildings.
11. The Applicant shall provide testimony regarding refuse collection operations for the site for both the banquet and residential uses. Is a refuse vehicle to access the site? Are the bins depicted on the site plan to be designated for each residential unit and the banquet facility? Will it be private or public refuse collection? If necessary, a refuse collection vehicle circulation plan shall be provided.
12. Testimony regarding emergency vehicle circulation for the subject site shall be provided.
13. The Applicant shall clarify where the parking lot is as referenced in their agreement letter from Sonraj LLC. Testimony shall be provided regarding if the subject parking lot has sufficient parking or is part of any prior/ongoing CRDA approvals.

C. SITE LAYOUT

1. A reduced size scanned copy of the Survey has been provided. A full-size

ARH Associates

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909
Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

www.arh-us.com

legible copy of the Survey shall be provided. The site plan shall be revised to match the survey as there are discrepancies in the locations of existing structures between the plan and survey.

2. The site plan shall be revised to clearly depict what is existing vs what is proposed.
3. The site plan shall be revised to depict the surfaces of ground covers such as pavement, concrete, grass/mulch areas etc. Testimony shall be provided about the conditions of existing on-site surfaces and if they are to be resurfaced.
4. The site plan shall be revised to provide dimensions of curb cuts/driveway entrances, sidewalks, parking stalls, access aisles, etc.
5. The Applicant shall provide testimony of the fencing in compliance with N.J.A.C. 19:66-7.7. Is access from Bellevue Avenue to be restricted via a gate? If so, this shall be depicted on the plans. Fencing details shall be provided.
6. The Applicant shall provide testimony regarding the condition of existing sidewalk, curb, and gutter along the project frontages. If in disrepair these shall be replaced.
7. Elevation views of the rear (Bellevue Avenue frontage) and the sides shall be provided.
8. The FF and building height as measured from the BFE shall be provided on the plans and/or building elevations.

D. LANDSCAPING, LIGHTING & SIGNAGE

1. The site plan shall be revised to provide quantities and the exact species for the plant schedule as per N.J.A.C. 19:66-7.6. If non-tree vegetation is to be proposed (i.e. shrubs or flowers), the appropriate planting detail in addition to the tree planting detail shall be provided. Testimony shall be provided regarding the proposed landscaping conformance with N.J.A.C. 19:66-7.6.
2. The site plans shall be revised to provide the schedule and statistics of the existing modeled lighting in order to know the light fixture, mounting height, etc. The Applicant shall provide testimony regarding the lighting's compliance with N.J.A.C. 19:66-7.10. House side shields shall be provided for any lighting spillage beyond the property line. Are any building mounted lights proposed?

E. DETAILS & MISCELLANEOUS

1. It appears the Applicant is proposing signage at the front S. Florida building elevation. Additional details of these signs shall be provided. The Applicant shall provide testimony if any additional signage is to be provided along any other building elevations especially near the door at the Bellevue Avenue

ARH Associates

frontage. The Applicant shall demonstrate compliance with the proposed signage in accordance with N.J.A.C. 19:66-5.7.

2. Construction details shall be provided for all proposed site improvements.
3. All improvements in the City's ROW including signage, building overhangs, and planter boxes/curbing shall require a revocable license from the City.
4. Our office reserves the right to additional technical review comments upon resubmission of revised plans.
5. Three (3) additional photos from different viewpoints shall be provided as a condition of approval. These do not need to be placed on the plans.

IV. COFONE CONSULTING PLANNING REVIEW

Zoning Compliance

The property is located in the Resort Commercial (RC) District. As stated at CRDA Land Development Rules Section at N.J.A.C. 19:66-5.10, the purpose of the RC District is as follows:

The purpose of the RC Resort Commercial District is to provide an array of land uses that will capitalize on the zoning district's geographical advantages of the zoning district's proximity to the boardwalk and the Atlantic Ocean. The Resort Commercial District also offers the highest intensity residential offerings within the Tourism District with a variety of supportive commercial and services uses. The vision is to create an environment where residential and resort offerings seamlessly integrate.

The proposed mixed-use (banquet hall and existing apartments) is permitted in the RC District, which permits, relevant to this application, "indoor and outdoor restaurants," "catering services," and "mixed 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

ARH Associates

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).

Planning Analysis and Issues for Consideration by the Board

In regard to the “c” variance, the Municipal Land Use Law (MLUL) at NJSA 40:55D-70c sets forth the standards for variances from the bulk regulations of a zoning ordinance. A “c(1)” variance is for cases of hardship due to factors such as shape or topography, or due to “an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.” A “c(2)” variance may be granted where the purposes of zoning are advanced and the benefits of deviating from the ordinance requirements outweigh any detriments. The benefits derived from granting a “c(2)” variance must include benefits to the community as a whole, not just to the applicant or property owner. A “c” variance application also must address the “negative criteria.”

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

- 1) The Applicant’s professional planner shall provide the required statutory proofs for the proposed variance.
- 2) The Applicant’s architect shall provide detailed testimony relative to the proposed design, materials, lighting, landscape architecture, signs, and curb appeal elements. Relative to signage, the Applicant shall discuss design and lighting.
- 3) The Applicant has provided a general narrative about the proposed site usage. The Applicant shall provide detailed testimony about the layout, operations, and function of the proposed uses in the building.
- 4) In terms of the parking deficiency, the Applicant shall provide testimony about how the shortfall will be accommodated. We note that the applicant has an agreement with the principal of Sonraj LLC for "up to 20 parking spots if needed," per a letter dated August 19, 2024. There are also multiple parking options in the surrounding area, as well as the availability of transit and ride-share.

ARH Associates

- 5) The Applicant shall discuss how loading will be accommodated and the types of trucks expected.
- 6) The applicant shall provide testimony regarding proposed security and the adequacy of egress/escape points during a fire.
- 7) The Applicant shall discuss how the application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan and the Tourism District.
- 8) The Applicant shall comply with the conditions of all previous approvals received for the site.
- 9) The Applicant shall furnish any resolution and/or prior approvals from, and agreements with, the City of Atlantic City, if any.

V. POST APPROVAL CONSIDERATIONS

Should the Board grant the desired approval for this Application, Applicant, and/or its professionals must:

- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature, or the issuance of building permits, as applicable.**

Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. To facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

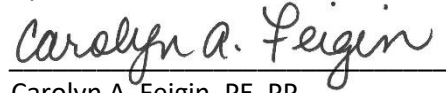
ARH Associates

TECHNICAL REVIEW #1: CRDA # 2024-11-3739
Minor Site Plan w/ Variance Approval
Nancy Claude
30 S. Florida Avenue (Block 166, Lots 20, 22, 29, & 30)
Atlantic City, NJ 08401
ARH # 2410103
Page 10

Respectfully Submitted,

ARH ASSOCIATES

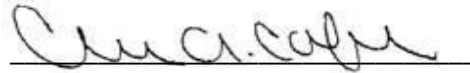
By



Carolyn A. Feigin, PE, PP
CRDA Consulting Engineer

COFONE CONSULTING GROUP

By



Christine A. Nazzaro-Cofone, AICP, PP
CRDA Consulting Planner

cc: Robert L. Reid, AICP, NJPP
Christine A. Nazzaro-Cofone, AICP, PP
Scott Collins, Esq.
Tetje Linsk

w:\fileroom\tf\2\2410103\eng\cor\2024-12-30 technical review letter #1.docx

ARH Associates

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909
Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

www.arh-us.com

Tally

DATE: JANUARY 21, 2025

NANCY CLAUDE - RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING MINOR SITE PLAN APPROVAL WITH VARIANCES PURSUANT TO N.J.S.A. 40:55D-70(c) TO CONVERT THE EXISTING FIRST-FLOOR BAR/RESTAURANT AND RETAIL USES TO A BANQUET HALL/RESTAURANT AT THE SUBJECT PROPERTY LOCATED AT 30 S. FLORIDA AVENUE, BLOCK 166 LOTS 20, 22, 29 AND 30, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2024-11-3739

Motion: **MB**

Second: **JT**

Michael Beson	<u>Y</u>
Chris Brown <i>for the DCA Commissioner</i>	<u>Y</u>
Daniel Cosner	<u>Y</u>
Christopher Glaum <i>for the State Attorney General</i>	<u>Y</u>
Michael Hanley	<u>Y</u>
Michael Laughlin	<u>Y</u>
Brett Matik	<u>Absent</u>
William Mullen	<u>Y</u>
Paulina O'Connor	<u>Y</u>
James Plousis	<u>Y</u>
Mayor Marty Small, Sr.	<u>Absent</u>
William Sproule	<u>Y</u>
Robert Tighue <i>for the State Treasurer</i>	<u>Absent</u>
Joseph Tyrrell	<u>Y</u>
Chairman Mo Butler	<u>Y</u>