



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

September 13, 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 # 2024-08-3688
Minor Site Plan Approval
MAP 3 Partners, LLC
112 & 114 S. Tennessee Avenue, 1400 Pacific Avenue (Block 53, Lot 26, 27, & 28)
Atlantic City, NJ 08401
ARH # P2024.0569

Dear Mr. Landgraf:

ARH ASSOCIATES has reviewed the following information towards issuance of Preliminary & Final Major Site Plan Approval for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Cover Letter from Applicant's Attorney	Nicholas F. Talvacchia, Esq. Cooper Levenson, PA	08/14/2024	
Cover Letter from Applicant's Engineer	Jason T. Sciallo, PE, PP of Sciallo Engineering Services, LLC	09/03/2024	
CRDA Land Use Application	Applicant	08/14/2024	
Project Narrative			
Escrow Setup Information			
Four (4) Color Photographs of Site			
Minor Site Plan Checklist (Form #5)	Jason T. Sciallo, PE, PP of Sciallo Engineering Services, LLC	08/14/2024	
"c" Variance Checklist (Form #12)			
Orange Loop Container Park Preliminary and Final Major Site Plans	Jason T. Sciallo, PE, PP of Sciallo Engineering Services, LLC	08/09/2024	09/03/2024
Boundary and Topographic Survey	David J. Von Steenburg of Morgan Engineering & Surveying	02/01/2024	
Architectural Floor Plans, Elevations, & Renderings	Antonio Scalise, AIA of Parallel Architectural Group	07/17/2024	
200' List	City of Atlantic City	07/24/2024	
Request of Proof of Payment of Taxes	Nicholas F. Talvacchia, Esq. Cooper Levenson, PA	08/08/2024	
Agreement of Sale	Applicant	12/27/2023	

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

Per this information, our office offers the following comments:

I. PROJECT INFORMATION & CONTACT INFORMATION

The 25,000 sf site is situated along the corner of South Tennessee Avenue and Pacific Avenue. The site is currently a vacant parking lot. The Applicant seeks minor site plan, conditional use, and variance approvals to consolidate the lots and proposes a Container Park at the Orange Loop. The proposed improvements consist of retail containers, a restroom container, farming containers, a covered stage for entertainment purposes, a second deck seating area, and a food truck. Also proposed are parking lot, landscaping, lighting, and signage improvements.

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

APPLICANT
MAP 3 Partners, LLC c/o Nicholas F. Talvacchia, Esq. Cooper Levenson, PA 1125 Atlantic Avenue, Third Floor Atlantic City, NJ 08401 Phone: 609-572-1544 Email: ntalvacchia@cooperlevenson.com

OWNER
AC Market Jumbo QOZB, LLC 1141 Winding Drive Cherry Hill, NJ 08003 Phone: 856-428-2024 Email: rforman130@gmail.com

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

TECHNICAL REVIEW #1: CRDA # 2024-08-3688

Minor Site Plan Approval

MAP 3 Partners, LLC

112 & 114 S. Tennessee Avenue, 1400 Pacific Avenue (Block 53, Lot 26, 27, & 28)

Atlantic City, NJ 08401

ARH # P2024.0569

Page 3

ENGINEER/PLANNER

Jason T. Sciuillo, PE, PP
Sciuillo Engineering Services, LLC
137 South New York Avenue, Suite 2
Atlantic City, NJ 08401
Phone: 609-300-5171
Email: jsciullo@sciulloengineering.com

ARCHITECT

Antonio Scalise, AIA
Parallel Architectural Group
494 Broadway, Suite 3
Long Branch, NJ 07740
Phone: 732-229-4400
Fax: 732-229-4488
Email: ascalise@parallelgroup.com

ATTORNEY

Nicholas F. Talvacchia, Esq.
Cooper Levenson, PA
1125 Atlantic Avenue, Third Floor
Atlantic City, NJ 08401
Phone: 609-572-7544
Fax: 609-572-7545
Email: ntalvacchia@cooperlevenson.com

II. ZONING REVIEW

The subject property is situated within the Resort Commercial (RC) zoning district. Retail is a permitted use in the zone and food trucks are a conditional use subject to approval. The below table summarizes the bulk requirements for this zone:

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

TECHNICAL REVIEW #1: CRDA # 2024-08-3688

Minor Site Plan Approval

MAP 3 Partners, LLC

112 & 114 S. Tennessee Avenue, 1400 Pacific Avenue (Block 53, Lot 26, 27, & 28)

Atlantic City, NJ 08401

ARH # P2024.0569

Page 4

BULK ITEMS	REQUIREMENT	EXISTING	PROPOSED
Max. Principal Building Height	300 ft (from BFE)	N/A	35 ft
Min. Lot Area	7,500 sf	25,000 sf	NC
Min. Lot Depth	150 feet	250 feet	NC
Min. Lot Width	50 feet	100 feet	NC
Min. Lot Frontage	50 feet	100 feet / 250 feet	NC
Max. Building Coverage	70 %	N/A	29.5 %
Max. Impervious Coverage	80 %	95.7 % (ENC)	86.6 % (V)
Min. Principal Front Yard Setback	0 feet (up to 35' in height)	N/A	0 feet / 4 feet
Min. Principal Side Yard Setback	0 feet (up to 35' in height)	N/A	0 feet / 0 feet
Min. Principal Rear Yard Setback	20 feet	N/A	N/A

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
Retail	1 space per 300 sf of GFA (6,630 sf)	23 spaces	28 spaces

The Applicant has requested the following variances with their application:

- Section 19:66-5.7(j)3.v. – Where one electronic billboard sign is allowed, whereas two electronic billboard signs are proposed.
- Section 19:66-5.7(j)4.ii. – Where the maximum allowable display area for electronic billboard signs is 650 SF, whereas 756 SF is proposed.
- Section 19:66-5.7(j)6.ii. – Where the minimum required setback for a pole sign is five feet, whereas the proposed setback of the pole sign is two feet.

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

- d. Section 19:66-5.7(j)6.ii. – Where the minimum required setback for an electronic billboard sign is five feet, whereas the proposed electronic billboard sign is setback four feet.
- e. Section 19:66-5.10(a)(1)iv.(7) – Where the maximum allowed impervious coverage is 80%, whereas 86.6% is proposed for impervious coverage. It shall be noted that the existing impervious coverage is 95.7% and the proposed plan provides a reduction in impervious coverage.

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

III. CONDITIONAL USE REVIEW

According to N.J.A.C. 19:66-5.10(a)1.iii.(4), food trucks use require a conditional use approval subject to the specific conditions as per N.J.A.C. 19:66-6.3(a)4. The Applicant has demonstrated compliance with the conditional use requirements as the food truck will be operated by an existing restaurant owner with the required governmental approvals and is to remain parked on-site, not on a public roadway.

IV. ENGINEERING COMMENTS

A. GENERAL

- 1. The Applicant shall confirm the proposed building coverage in the Zoning Schedule as it does not appear to contain all covered areas including the stage, pergola and roof overhangs.
- 2. The Applicant shall provide testimony regarding the use, hours of operations, and number of employees for the project site.
- 3. Our office has concerns with the noise generated from the outdoor TV and the stage. The Applicant shall demonstrate that noise generated from the project site will be in compliance with N.J.A.C. 19:66-7.1.(g)4.

B. PARKING, LOADING, & CIRCULATION

- 1. As per N.J.A.C. 19:66-5.8(b)1., for retail uses, one (1) parking space is required per 300 square feet of floor area. The 6,630 sf GFA retail use will require 23

parking spaces, whereas 28 parking spaces are proposed. This is compliant with the minimum parking requirements. The required parking in the Zoning Schedule shall be revised to reflect 23 required spaces. The Applicant shall provide testimony on the necessity of providing an overabundance of parking stalls. If each container requires an employee that will make the majority of the parking stalls to be used for employees.

2. Two (2) ADA parking stalls are required for a parking lot with 26 to 50 parking spaces, whereas two (2) ADA parking stalls are proposed with one being van accessible. This is compliant with the minimum required ADA parking criteria.
3. Per N.J.A.C. 5:23-2.36, as a condition of preliminary site plan approval, each application involving a parking lot or garage shall install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces, whereas no Make-Ready parking spaces are proposed. The Applicant shall provide one (1) Make-Ready parking space.
4. The Applicant shall provide testimony regarding the general vehicle and pedestrian safety circulation for the site. Although the sizing meets industry standards our office has concerns with the parking lot containing various different access aisle/driveway widths especially where smaller driveway widths and angled parking are proposed.
5. The parking stall under the covered pergola facing Pacific Avenue appears to be encumbered by columns on the architectural plans not shown on the site plans. These columns shall be shown on the Site Plan as they affect the layout of the parking. The Applicant shall verify if a 9' wide parking stall will be able to fit in this area and revise the plans if necessary. The Applicant shall provide testimony regarding the purpose of the covered pergola over the access aisle as it does not appear to be a covered pedestrian route.
6. It appears the space next to the designated food truck stall will need to be utilized for ordering/queuing. The site plan shall be revised to show both spots being utilized for the food truck. The Applicant shall provide testimony on where pedestrians will order and queue for the food truck and the safety of pedestrians navigating the live traffic site.
7. Adequate circulation of a garbage truck traversing the site has been provided. However, no circulation has been provided for an emergency fire or ambulatory vehicle. It appears an ambulance will be able to circulate the site if a refuse vehicle can. The Applicant shall provide testimony on where emergency fire vehicles will be able to navigate or combat the site during an emergency.

C. SITE LAYOUT

1. The shaded curb graphic for flush curbs shall be provided in all areas intended to be flush curb on the site plan. The Grading Plan indicates additional flush curb areas than what are delineated on the Site Plan.

2. The area in front of the restroom trailer shall be concrete.
3. A dimension of the ADA access aisle shall be provided.
4. A detectable warning surface shall be provided for the curb ramp in front of the ADA access aisle and at the ends of the crosswalk connecting to the restroom trailer.
5. The roof overhang limits for the proposed retail containers along Pacific Avenue shall be clearly delineated on the site plans. The roof overhang limit callout points to the containers and it appears there is an overhang beyond the containers' limits.
6. The location of the outdoor TV shall be provided on the site plans.

D. GRADING & DRAINAGE

1. Spot elevations shall be provided at the corners of the containers/set of containers.
2. The Applicant shall reanalyze the FF elevation of the proposed retail containers. Our office has the following concerns:
 - a) The FF at the easterly end of the (11) retail container set is 0.85' higher than the adjacent grade. This will impede ADA access into the containers as moving from west to east.
 - b) The proposed grades at the entry area leading into the (9) container set indicate slopes in excess of 1:12 to access these containers.
 - c) The FF of the (11) and (9) container sets have FF elevations greater than 1' from the adjacent grades in the ROW's of Pacific Ave and Virginia Ave. The Applicant shall clarify how proposed grades will meet existing grades in these areas.
3. The FF of the restroom container shall be provided.
4. The two (2) most southerly curb ramps connecting into the ROW shall be revised to provide a slope less than 1:12 in order to achieve ADA compliance.
5. The 9' elevation contour appears to be missing from the plans.
6. The Applicant shall provide testimony regarding flood damage prevention measures for the proposed containers as there proposed FF elevation is less than the BFE of 10'.
7. The Applicant shall provide testimony regarding how roof runoff and the second floor deck runoff will be discharged. Are downspouts proposed? If so, has consideration for icing in pedestrian pathways been taken into account?

ARH Associates

E. LANDSCAPING, LIGHTING & SIGNAGE

1. The Applicant shall provide testimony regarding the proposed landscaping conformance with the design requirements as per N.J.A.C. 19:66-7.6(d), particularly parking lot landscaping.
2. There are proposed plantings greater than 30" in mature height within the proposed sight triangle areas. These plantings shall be relocated out of the sight triangle or revised to be lower than 30" in mature height.
3. The Applicant shall provide testimony regarding the proposed lighting's conformance with the design requirements per N.J.A.C. 19:66-7.10. Our office has concerns with the spillage of lighting into the public ROW and adjacent private properties in excess of 1.0 footcandles.

F. DETAILS & MISCELLANEOUS

1. Details for a curb ramp and detectable warning surface shall be provided.
2. Details of the wall sign and pole ID sign shall be provided including their size, materials, and if they will be illuminated.
3. The Driveway Apron detail shall be revised to indicate a 30" wide concrete gutter.
4. The Applicant shall identify the applicable location of the 6' Wide Pedestrian Crosswalk W/ Stop Bar detail on the site. If sign R1-5b is to be proposed as shown in the detail, this sign's location shall be provided on the site plans and a detail of the sign shall be provided.
5. A detail for the electronic billboard including its height shall be provided to demonstrate they will be 40 feet from grade as indicated in the Zoning Schedule. The electronic billboard should be shown in the proposed rendering.
6. A large TV is proposed on the second floor deck seating area on the architectural plans. This TV shall also be shown on the site plans. The size of the TV including its overall height from grade shall be provided.

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:

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

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 use is a permitted use in the RC District.

The engineering review portion of this letter lists required variance relief.

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 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 shall provide such statutorily required testimony through a New Jersey licensed professional planner.
2. The Applicant shall provide detailed testimony on the operation of the business, with a specific focus on staffing, security, etc.
3. While variances are required for non-compliance with the impervious coverage and ground pole setback standards, I note that the proposed conditions are an improvement over the existing conditions.
4. The Applicant’s architect shall provide testimony on the proposed site design, layout, materials/colors, etc.
5. The Applicant’s engineer shall provide testimony on site ingress/egress and vehicular circulation.
6. 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.
7. The Applicant shall comply with the conditions of all previous approvals received for the site.
8. 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:

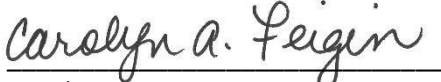
- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature,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

Respectfully Submitted,

ARH ASSOCIATES

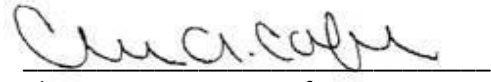
By



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

CAF\jmb

w:\proposals\arh\2024\0569\technical review letter\2024-09-13 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