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January 30, 2025
31623 22A

Re: Ducktown Tavern, Inc. (CRDA Application #2024-12-3759)
Minor Site Plan with Bulk Variances
Technical Review #1
2400 Atlantic Avenue
Block 164, Lots 30, 32-34 & 36-37
Atlantic City, NJ, 08401

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 Site Plan with Bulk Variances has been received for the subject premise:

Applicant Information

- Applicant: Ducktown Tavern Inc. / John C. Exadaktilos
130 South Kingston Avenue, Atlantic City, NJ 08401
- Owner: Exadaktilos Family, LLC
2400 Atlantic Avenue, Atlantic City, NJ 08401
- Engineer: Andrew A. Previti, P.E., Colliers Engineering & Design
500 Scarborough Drive, Suite 108, Egg Harbor Township, NJ 08234
- Surveyor: Daniel J. Ponzio Sr., PLS, AW Ponzio Co. & Associates
400 N. Dover Ave., Atlantic City, NJ 08401
- Surveyor: R. Thomas Hugg, PLS
156 Stagecoach Road, Marmora, NJ 08223
- Architect: David Brand, RA, PP
3 Suffolk Court, Cherry Hill, NJ 08034
- Planner: None Noted
- Traffic: None Noted

- Attorney: Brain J. Callaghan, Esquire
101 N. Washington Avenue, Suite 14, Margate, NJ 08401

Documents Submitted

1. Application Cover Letter, prepared by Andrew Previti, PE, Applicant's Engineer, dated December 17, 2024.
2. Letter from Site Owner, John C. Exadaktilos, dated October 30, 2024
3. CRDA City of Atlantic City Land Use Application, dated December 12, 2024, including 200' List, tax certifications, etc.
4. CRDA Minor Site Plan Checklist (Form #5)
5. CRDA "c" Variance Checklist (Form #12)
6. "Minor Site Plan for Ducktown Tavern Inc.", 1 Sheet, prepared by Colliers Engineering & Design, dated March 2022 and last revised October 29, 2024.
7. "Survey of Premises for Exadaktilos Family, LLC", 1 Sheet, prepared by Maser Consulting, PA, dated October 25, 2016 (Block 164, Lots 32-34 & 36-37)
8. "Property Survey", 1 Sheet, prepared by AW Ponzio Co. & Associates, dated February 23, 2004 (Block 164, Lots 30-31).
9. Property Deeds.
10. "Proposed Garage Project Narrative", prepared by Andrew Previti, PE, dated December 10, 2024.
11. "List of Variances Required", prepared by Andrew Previti, PE, dated December 10, 2024.
12. "Project Narrative for "C" Variance", prepared by Andrew Previti, PE, dated December 10, 2024.
13. "List of Approvals or Permits Required by other Regulatory Authorities", prepared by Andrew Previti, PE, dated December 10, 2024.
14. Structural Calculations & Details for the Proposed Garage, prepared by James M. Capitanio, PE, dated November 6, 2024.

Completeness Review / Submission Waivers Required

Our office issued a Completeness Review Letter, dated January 21, 2025, recommending that the application be deemed conditionally complete, provided that the Applicant or their professionals give testimony and / or supplemental information to support the requested / required submission waivers at the land use hearing.

Technical Review #1

The following comments are offered:

A. Project Description and Background

An application for Minor Site Plan with "c" Variance Approval has been submitted by Ducktown Tavern, Inc. to permit the construction of a 36' x 60' (2,160 SF) accessory structure ("garage") with a loft above the ground floor. According to the Project Narrative submitted with the application, the purpose of the garage will be for the storage of the various vehicles used in the existing tavern's catering and event business.

The site is located within the Ducktown Arts District (DA) and the overall area of the six (6) subject lots comprises 29,146 SF (0.669 Acres). Restaurants and bars are permitted uses within the DA Zone. The existing building located on Lot 30 was formerly known as Callahan's Bar and the adjoining Cup & Saucer Breakfast Room. A doctor's office, Dr. Boxman, was also present on the site. Callahan's Bar dates back to the 1960s. The parcels consisting of Lots 32, 33, 34, 36 & 37 were formally used as a staging / work yard for Feriozzi Concrete. This dates back to the 1950s. During the 1970s the parcels were used as a parking lot. The Applicant purchased Lot 30 (Callahan's Bar) in 2005 and renamed the bar as Ducktown Tavern. The adjoining Cup & Saucer Breakfast Room also became part of the tavern. Dr. Boxman's office became the liquor store. The Applicant purchased Lots 32, 33, 34, 36 & 37 from the Feriozzi family in 2017. The use as a parking lot has continued on those lots since that time. The Applicant sought and gained approval from CRDA in 2020 to operate an outdoor seasonal bar and also to construct a one (1) story outdoor restroom building in 2022.

B. Zoning / Bulk Variance Review

1. Section 19:66-5.11(a)(1)(iv)(6) of the Land Development Rules limits building coverage within the DA Zone to a maximum of thirty percent (30%), whereas building coverage of 32.6% is proposed. A bulk variance is required.
2. Section 19:66-5.11(a)(1)(iv)(7) of the Land Development Rules limits impervious coverage within the DA Zone to a maximum of eighty percent (80%), whereas impervious coverage of 100% is proposed. A bulk variance is required. It should be noted that the current impervious coverage is 100%, however the proposed structure is replacing the current paved surface, therefore the variance should be re-affirmed.
3. Section 19:66-5.11(a)(1)(iv)(10) of the Land Development Rules requires a minimum rear yard setback of twenty feet (20') within the DA Zone, whereas a rear yard setback of 5.0' is proposed on Lots 36 and 37 for the proposed structure. A bulk variance is required.
4. Section 19:66-5.8(b)(4) of the Land Development Rules requires one (1) off-street parking space be provided for each customer based on thirty percent (30%) of building capacity or one space for each 150 SF of floor area, whichever is greater. This results in an off-street parking requirement of 61 seats ($203 \text{ total seats} \times 0.30 = 60.9$), whereas thirty-nine (39) spaces are proposed (including valet spaces). Since the construction of the accessory structure results in the loss of off-street parking spaces, a variance is required.
5. Since the overall property is divided between several individual lots, there are several existing non-conforming conditions that are not being exacerbated by the Applicant's current proposal. In Comment #5 in the Site Plan Review Section of this letter, we recommend that the various lots be consolidated. Should the Applicant decline to consolidate the lots, a list of currently existing non-conformities for the various lots should be provided so that they can be recorded and recognized in conjunction with the approvals sought.
6. With respect to "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.

C. Site Plan Review

1. The Applicant's Project Narrative indicates that twenty-eight (28) off-street parking spaces are provided on the premises, but with valet service the number of off-street parking spaces available is 39. The Applicant should provide testimony regarding where the valeted cars are parked and also provide appropriate access agreements for the use of those spaces, should he not own the lot(s) where the valeted cars are proposed to be parked.
2. The Site Plan shall illustrate where the required handicapped accessible parking spaces are located.
3. The Applicant shall provide testimony regarding any and all uses for the proposed structure, the number of and exactly what types of vehicles that will be stored in the structure and any other relevant details with respect to the use / operation of the structure.
4. The Applicant shall provide testimony regarding whether any flammable materials (i.e. fuels, oils, etc.) or other chemicals / hazardous materials will be stored within the proposed structure.
5. The Applicant shall provide testimony regarding what utilities (i.e. electric, gas, water, sewer, etc.) will service the structure.
6. The Land Use Board may wish to consider requiring the Applicant to consolidate the various lots associated with the business as a condition of approval. If it is determined that the lots are to be consolidated, then an appropriate plan and legal description should be prepared and provided to our office and the CRDA Land Use Attorney for review and comment prior to perfection.
7. The construction of the proposed structure appears that it may cause maneuverability issues for vehicles attempting to utilize the two (2) parking spaces directly adjacent to the north of the proposed structure. Similar concerns exist with the spaces across the access drive to the north of the structure. The Applicant's professionals should provide detailed testimony regarding how vehicles will be able to safely enter and exit these spaces and the site plan should include turning templates illustrating that safe maneuvering of vehicles entering and exiting these spaces can be achieved.

D. Outside Agency Permits and Approvals

1. The following permits and approvals are required:
 - a. Atlantic City Building Code Official
 - b. Atlantic City Construction Department
 - c. Atlantic City Fire Marshal
 - d. New Jersey Alcohol Beverage Control
 - e. All others as necessary

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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 Engineering and Planning
Consultant

Cc: Ducktown Tavern Inc., c/o John Exadaktilos, Applicant, ducktowntavern@yahoo.com
Brian J. Callaghan, Esquire, Applicant's Attorney, bjclaw@comcast.net
Andrew Previti, PE, Applicant's Engineer, andrew.previti@collierseng.com
Rob Reid, AICP, PP, CRDA Land Use Regulation Enforcement Officer
Scott Collins, Esquire, CRDA Land Use Board Attorney
Tetje Linsk, CRDA Administrative Assistant

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