

City of Atlantic City

LAND USE APPLICATION

City of Atlantic City: (Check where applicable)**AC Planning Division Jurisdiction**

City of Atlantic City Planning Board
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
609-347-5404

CRDA: (Check where applicable)**NJ CRDA LURED Jurisdiction**

Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
609-347-0500

To be completed by staff only.

Date Filed _____

Application No. _____

Application Fees: _____

Escrow Deposit _____

Scheduled for:

Review for Completeness _____ Hearing: _____

1. SUBJECT PROPERTYLocation: 2 Convention Boulevard

Tax Map	Page <u>70</u>	Block <u>391</u>	Lot(s) <u>1</u>
	Page <u>71</u>	Block <u>395</u>	Lot(s) <u>1</u>
	Page <u>71</u>	Block <u>396</u>	Lot(s) <u>1</u>
	Page <u>81</u>	Block <u>472</u>	Lot(s) <u>2</u>

Dimensions Frontage Compliant-please Depth 475 ft Total Area 3.15 acres
see survey/site plan

Zoning District CBD subject to the Sheraton Hotel Redevelopment Plan**2. APPLICANT**Name LINY Investor, LLCEmail cbarr@pgcfund.comAddress 479 York Road, Jenkintown, PA 19046Telephone Number 609-572-2200; Jack Plackter, Esquire, Attorney for Applicant and OwnerApplicant is a: Corporation ☒ Partnership ☐ Individual ☐**3. If Owner is other than the applicant, provide the following information on the Owner(s):**

Owner's Name _____

Email _____ **Applicant is the owner of Block 391, Lot 1, which is the only property which**Address _____ **Applicant proposes to improve. The Applicant has included the other**Telephone Number _____ **properties used for parking for noticing purposes, but the Applicant does not propose any improvements or changes to the other properties.**

4. DISCLOSURE STATEMENT

Pursuant to N.J.S 40:55D-48.1 [Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.] Disclosure of owners of organization and property subject to application. [A corporation or partnership applying to a governing body of a municipality]Any organization making an application for development under this act [for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes] shall list the names and addresses of all members, stockholders or individual partners (collectively, "interest holders") [owning at least 10% of its stock of any class or at least 10% of the interest in the partnership], including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property [as the case may be]. In accordance with 40:55D-48.2 [Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership.] Listing of names and addresses of interest holders of applicant and owner organization. If [a corporation or partnership] an organization owns an interest equivalent to 10% or more of another organization the stock of a corporation, or 10% or greater interest in a partnership, subject to the disclosure requirements hereinabove described, [pursuant to section 1 of this act that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the [partnership, as the case may be, and] organization. [This requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.] In accordance with recently added 40:55D-48.3 Disclosure of all officers and trustees of a non-profit organization. A non-profit organization filing an application for development under this act shall list the names and addresses of all officers and trustees of the non-profit organization. In accordance with 40:55D-48.4 [Failure to comply with act; disapproval of application.] Approval of application. a. No municipal planning board, board of adjustment or [municipal] governing body shall approve the application of any [corporation or partnership] organization or non-profit organization which does not comply with this act. Any approval not in compliance with this act shall be voidable in a proceeding in lieu of prerogative writ in the Superior Court. b. Any party, including any member of the public, may institute a proceeding in lieu of prerogative writ in the Superior Court to challenge any PROPOSED AMENDMENTS TO MUNICIPAL LAND USE LAW approval granted by a municipal planning board, board of adjustment or governing body on the grounds that such action is void for the reasons stated in subsection a. of this section, and if the court shall find that the approval was not in compliance with this act, the court may declare the approval to be void. In accordance with 40:55D-48.5 [Concealing names of owners;] Organization or non-profit organization failing to disclose; fine. Any [corporation or partnership which conceals] organization or nonprofit organization failing to disclose in accordance with this act, [the names of stockholders owning 10% or more of its stock, or of individual partners owning a 10% or greater interest in the partnership, as the case may be,] shall be subject to a fine of \$1,000 to \$10,000, which shall be [recovered] recoverable in the name of the municipality in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.).

Name	CFC Nazareth Properties	Address	2700 Clemens Road Hatfield, PA 19440	Interest	_____
Name	Rod Werner	Address	29 Llanfair Circle	Interest	_____
Name	_____	Address	Ardmore, PA 19003	Interest	_____
Name	_____	Address	_____	Interest	_____
Name	_____	Address	_____	Interest	_____

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies] _____ No **X** _____ Proposed **N/A** _____

Present use of the premises: **Sheraton Atlantic City Convention Center Hotel.** _____

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

6. Applicant's Attorney **Jack Plackter**

Email **jplackter@foxrothschild.com** _____

Address **Midtown Building, Suite 400, Atlantic City, NJ 08401-7212** _____

Telephone Number **609-572-2200** _____

FAX Number **609-348-6834** _____

7. Applicant's Engineer **Jon J. Barnhart, PE, PP, CME**

Email **jbarnhart@aponzio.com** _____

Address **400 North Dover Ave. Atlantic City, NJ 08401** _____

Telephone Number **609-344-8194** _____

FAX Number **609-344-1595** _____

8. Applicant's Planning Consultant **Jon J. Barnhart, PE, PP, CME**

Email **jbarnhart@aponzio.com** _____

Address **400 North Dover Ave. Atlantic City, NJ 08401** _____

Telephone Number **609-344-8194** _____

FAX Number **609-344-1595** _____

9. Applicant's Traffic Engineer _____

Email _____

Address _____

Telephone Number _____

FAX Number _____

10. List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name **Tom Sykes**

Field of Expertise **Architecture**

Email **tsykes@watg.com**

Address **1020 Atlantic Ave, Atlantic City, NJ 08401**

Telephone Number **609-345-5222**

FAX Number _____

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

_____ Administrative Review of Minor Subdivision Plan

_____ Administrative Review of Major Subdivision Plan

_____ Minor Subdivision Approval

_____ Major Subdivision Approval [Preliminary]

_____ Major Subdivision Approval [Final]

Number of lots to be created _____ Number of proposed dwelling units _____
(including remainder lot) (if applicable)

SITE PLAN:

_____ Administrative Review of Minor Site Plan

_____ Administrative Review of Major Site Plan

_____ Minor Site Plan Approval

X _____ Major Preliminary Site Plan Approval [Phases (if applicable) ____]

X _____ Major Final Site Plan Approval [Phases (if applicable) ____]

_____ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet) _____

Total number of proposed dwelling units _____

_____ Request for Waiver From Site Plan Review and Approval

Reason for request: _____

MISC:

_____ Administrative Review

_____ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]

_____ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]

_____ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]

_____ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]

_____ Variance Relief (use) [N.J.S. 40:55D-70d]

_____ Conditional Use Approval [N.J.S. 40:55D-67]

_____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]

_____ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a **variance is requested and justification for said request:** [attach additional pages as needed] N/A

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.

Requirements: [attach additional pages as needed] Please see Project Narrative.

14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed. Will be provided at least three days prior to hearing.

15. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:

[attach pages as needed] See Project Narrative.

16. Is a public water line available? Yes

17. Is public sanitary sewer available? Yes

18. Does the application propose a well and septic system? No

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A

20. Are any off-tract improvements required or proposed? _____

21. Is the subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Bond or other payment acceptable to the CRDA.

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	<u> </u>	<u>X</u>	<u> </u>
Atlantic County Health Department	<u>X</u>	<u> </u>	<u> </u>
Atlantic County Planning Board	<u> </u>	<u>X</u>	<u> </u>
Atlantic County Soil Conservation Dist.	<u>X</u>	<u> </u>	<u> </u>
NJ Department of Environmental Protection	<u> </u>	<u>X</u>	<u> </u>
Sewer Extension Permit	<u> </u>	<u>X</u>	<u> </u>
Sanitary Sewer Connection Permit	<u> </u>	<u>X</u>	<u> </u>
Stream Encroachment Permit	<u> </u>	<u>X</u>	<u> </u>
Waterfront Development Permit	<u> </u>	<u>X</u>	<u> </u>
Wetlands Permit	<u> </u>	<u>X</u>	<u> </u>
Tidal Wetlands Permit	<u> </u>	<u>X</u>	<u> </u>
Potable Water Construction Permit	<u> </u>	<u>X</u>	<u> </u>
Other	<u> </u>	<u> </u>	<u> </u>
NJ Department of Transportation	<u> </u>	<u>X</u>	<u> </u>
Public Service Electric & Gas Company	<u> </u>	<u>X</u>	<u> </u>

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

CERTIFICATIONS

27. I Jack Plackter certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this

21st day of October, 20 25

Susan B. Mullen
NOTARY PUBLIC
SUSAN B MULLEN
Notary Public - State of New Jersey
My Commission Expires Jun 22, 2026

Jack Plackter
Jack Plackter, Esquire
Attorney for Applicant and Owner

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this

21st day of October, 20 25

Susan B. Mullen
NOTARY PUBLIC
SUSAN B MULLEN
Notary Public - State of New Jersey
My Commission Expires Jun 22, 2026

Jack Plackter
Jack Plackter, Esquire
Attorney for Applicant and Owner

29. I understand that the sum of \$ 5,000 has been deposited in an escrow account (Builder's Trust Account). In accordance with Land Use Fees and Escrow Deposit Requirements, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

October 21, 2025

Date

Jack Plackter
Jack Plackter, Esquire
Attorney for Applicant and Owner

APPLICATION RIDER
LINY INVESTOR, LLC
2 Convention Boulevard
Block 391, Lot 1; Block 395, Lot 1; Block 396, Lot 1; Block 472, Lot 2

LINY Investor, LLC seeks preliminary and final major site plan approval to renovate the existing Sheraton Atlantic City Convention Center Hotel, specifically the conversion of existing hotel rooms to 130 age restricted residential units; renovation of the 252 hotel rooms which will remain; expansion of existing exterior amenities; renovation of the existing 1st and 2nd level of the building in support of the hotel, residential units and other permitted uses; construction of pedestrian canopy within the porte-cochere area to provide weather protection for guests; and modified signage (the "Project"). The existing Tun Tavern Brewery and Restaurant will remain.

The existing hotel is located on Block 391, Lot 1, but the Applicant will continue to use offsite parking in connection with the Project at Block 395, Lot 1 and Block 396, Lot 1. The Applicant has also included Block 472, Lot 2 as part of the Project as this is the location of the Atlantic City Convention Center. The Property is located in Central Business District and subject to the Sheraton Hotel Redevelopment Plan. There is no variance relief associated with this application.

The Project will enhance the general welfare by renovating a 30 year old hotel and expending substantial funds to develop 252 first class hotels rooms and new age restricted rental units, its recreational facilities and other facilities, promotes the establishment of appropriate population densities and concentrations, and promotes a desirable visual environment by renovating the existing Sheraton Atlantic City Convention Center Hotel.

The Applicant requests waivers from the following checklist items:

1. Stormwater management plans and drainage calculations. (19:66-7.5);
2. Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures;
3. Landscaping Plan, details and plant schedule (19:66-7.6;
4. Lighting plan and details (19:66-7.10);
5. Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles; and
6. Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater).

While the Applicant does seek to make minor exterior improvements such as the expansion of the existing patio and construction of a pedestrian canopy, it is submitted that the requested waivers are reasonable as the Applicant is not significantly modifying the exterior of the existing building.