

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: _____

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1. SUBJECT PROPERTY

Location: See List of Properties attached.

Tax Map	Page <u>33</u>	Block <u>183</u>	Lot(s) <u>9-19</u>
	Page <u>34</u>	Block <u>184</u>	Lot(s) <u>2-13</u>
	Page _____	Block _____	Lot(s) _____

Dimensions Frontage (Block 183) 250 ft. (Block 184) 450 ft. Depth 192 ft. 175 ft. Total Area 1456,814 sq. ft.
3.37 ac.

Zoning District Resort Commercial District (RC); Gateway District (GWAY); and
Central Business District (CBD)

2. APPLICANT

Name Colosseo Atlantic City Inc.
 Email c/o Attorney, ntalvacchia@cooperlevenson.com
 Address 244 Madison Avenue, Suite 2910, New York, NY 10016
 Telephone Number c/o Attorney, 609-572-7544
 Applicant is a: Corporation Partnership Individual

3. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name (as to Block 183, Lots 9-19) Endeavor AC II LLC
 Email _____
 Address 50 S. 16th Street, #2710, Philadelphia, PA 19102
 Telephone Number _____

(as to Block 184, Lots 2-13) Colosseo Atlantic City Inc.
 244 Madison Avenue, Suite 2910, New York, NY 10016

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 See Disclosure Address _____ Interest _____
 Name Statement attached. Address _____ Interest _____
 Name _____ Address _____ 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 Proposed _____
 Present use of the premises: Parking lot.

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 Nicholas F. Talvacchia, Esquire of Cooper Levenson, P.A.
 Email ntalvacchia@cooperlevenson.com
 Address 1125 Atlantic Avenue, 3rd Fl., Atlantic City, NJ 08401
 Telephone Number 609-572-7544
 FAX Number 609-572-7545

7. Applicant's Engineer Jason T. Sciuillo, PE PP of Sciuillo Engineering Services, LLC
 Email jsciuillo@sciuilloengineering.com
 Address 137 S. New York Avenue, Suite 2, Atlantic City, NJ 08401
 Telephone Number 609-300-5171
 FAX Number _____

8. Applicant's Planning Consultant Same as Engineer.
 Email _____
 Address _____
 Telephone Number _____
 FAX Number _____

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 _____
Field of Expertise _____
Email _____
Address _____
Telephone Number _____
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 76 Number of proposed dwelling units 74
(including remainder lot) (if applicable)

SITE PLAN:

_____ Administrative Review of Minor Site Plan
_____ Administrative Review of Major Site Plan
_____ Minor Site Plan Approval
 Major Preliminary Site Plan Approval [Phases (if applicable) ___]
 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] 5:21-4.14(f), 19:66-5.8(a), 19:66-5.10(a)1, 19:66-5.12(a)1 and 19:66-5.13(a)1.

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.
Requirements: [attach additional pages as needed] None.

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.

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 attached.

- 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? Not yet
- 20. Are any off-tract improvements required or proposed? No
- 21. Is the subdivision to be filed by Deed or Plat? Plat
- 22. What form of security does the applicant propose to provide as performance and maintenance guarantees? TBD

23. Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	<u>X</u>	<u> </u>	<u>Pending</u>
Atlantic County Health Department	<u> </u>	<u>X</u>	<u> </u>
Atlantic County Planning Board	<u>X</u>	<u> </u>	<u>Pending</u>
Atlantic County Soil Conservation Dist.	<u>X</u>	<u> </u>	<u>Pending</u>
NJ Department of Environmental Protection	<u>X</u>	<u> </u>	<u>Pending</u>
Sewer Extension Permit	<u>X</u>	<u> </u>	<u>Pending</u>
Sanitary Sewer Connection Permit	<u>X</u>	<u> </u>	<u>Pending</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>X</u>	<u> </u>	<u>Pending</u>
Other	<u> </u>	<u>X</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>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

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

Quantity	Description of Item
<u>2</u>	<u>Site Plan prepared by Scullo Engineering Services dated January 23, 2026</u>
<u>2</u>	<u>Architectural Plans prepared by Applicant, dated February 11, 2026</u>
<u>2</u>	<u>Survey prepared by Daniel J. Ponzio Sr, dated September 28, 2025</u>

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:

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

Applicant's Professional Reports Requested All

Attorney All

Engineer All

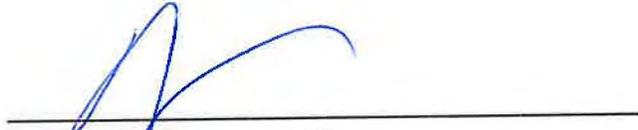
CERTIFICATIONS

27. I Nicholas F. Talvacchia, Esquire
Attorney for Applicant 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 18th day of February 20 26

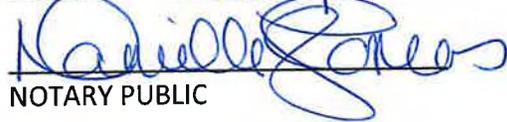

NOTARY PUBLIC

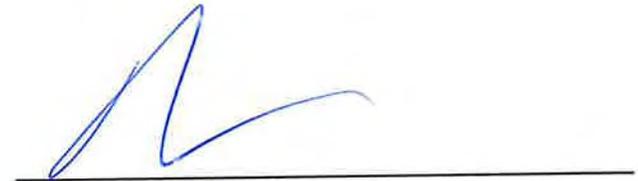

SIGNATURE OF APPLICANT
Nicholas F. Talvacchia, Esquire
Attorney for Applicant

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.]

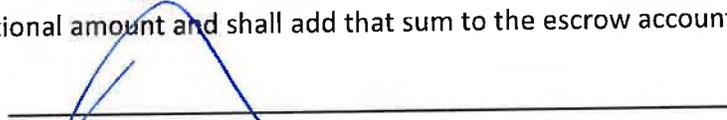
Sworn to and subscribed before me this 18th day of February 20 26


NOTARY PUBLIC


SIGNATURE OF OWNER
Nicholas F. Talvacchia, Esquire, Attorney for Owner (as to Block 184)
See Agreement of Sale (as to Block 183)

29. I understand that the sum of \$ 22,800 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.

Date 2/18, 2026


SIGNATURE OF APPLICANT
Nicholas F. Talvacchia, Esquire
Attorney for Applicant

DANIELLE THOMAS
Notary Public of New Jersey
Commission #50142997
My Commission Expires 11/9/2030

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Notary Public of New Jersey
Commission #50142997
My Commission Expires 11/9/2030

LIST OF PROPERTIES
66506-1

BLOCK	LOT	ADDRESS
183	9	8 S. MONTPELIER AVE
183	10	10 S. MONTPELIER AVE
183	11	12 S. MONTPELIER AVE
183	12	3201 PACIFIC AVE
183	13	3203 PACIFIC AVE
183	14	3205 PACIFIC AVE
183	15	3207 PACIFIC AVE
183	16	53 S. SOVEREIGN AVE
183	17	49 S. SOVEREIGN AVE
183	18	45 S. SOVEREIGN AVE
183	19	41 S. SOVEREIGN AVE
184	2	3308 ATLANTIC AVE
184	3	3306 ATLANTIC AVE
184	4	3304 ATLANTIC AVE
184	5	3302 ATLANTIC AVE
184	6	3300 ATLANTIC AVE
184	7	14 S. SOVEREIGN AVE
184	8	ALLEY
184	9	16 S. SOVEREIGN AVE
184	10	18 S. SOVEREIGN AVE
184	11	3301 PACIFIC AVE
184	12	34 S. SOVEREIGN AVE
184	13	29 S. BOSTON AVE

PROJECT NARRATIVE

Atlantic City, New Jersey

February 18, 2026

BLOCK	LOT	ADDRESS
183	9	8 S. MONTPELIER AVE
	10	10 S. MONTPELIER AVE
	11	12 S. MONTPELIER AVE
	12	3201 PACIFIC AVE
	13	3203 PACIFIC AVE
	14	3205 PACIFIC AVE
	15	3207 PACIFIC AVE
	16	53 S. SOVEREIGN AVE
	17	49 S. SOVEREIGN AVE
	18	45 S. SOVEREIGN AVE
	19	41 S. SOVEREIGN AVE

BLOCK	LOT	ADDRESS
184	2	3308 ATLANTIC AVE
	3	3306 ATLANTIC AVE
	4	3304 ATLANTIC AVE
	5	3302 ATLANTIC AVE
	6	3300 ATLANTIC AVE
	7	14 S. SOVEREIGN AVE
	8	ALLEY
	9	16 S. SOVEREIGN AVE
	10	18 S. SOVEREIGN AVE
	11	3301 PACIFIC AVE
	12	34 S. SOVEREIGN AVE
	13	29 S. BOSTON AVE

Colosseo Atlantic City Inc. (“Applicant”) seeks preliminary and final major subdivision and preliminary and final major site plan approval with use variance relief, maximum density variance relief and bulk variance relief to create 76 new lots and develop 74 single-family townhouse residential dwelling units at the property located at Block 183, Lots 9-19 and Block 184, Lots 2-13 in the City of Atlantic City, County of Atlantic and State of New Jersey (the “Property”)

Applicant proposes twenty-six (26) units at 20 ft. x 40 ft. and forty-eight (48) units at 16 ft. x 40 ft. Each unit will be four levels and contain 4 bedrooms, 4 ½ baths, 3 parking spaces (2-car stacked garage with a 1-car driveway) and a roof top deck.

The Property is split zoned across three zoning districts, Resort Commercial (RC), Gateway District (GWAY) and Central Business District (CBD). Townhouse residential dwellings are not permitted in any of the three zoning districts. Accordingly, Applicant is seeking variance relief to permit townhouse residential dwellings within the RC, GWAY and CBD zoning districts.

Applicant also seeks maximum density variance relief in GWAY and CBD zoning districts. The overall density of the project complies.

Applicant further seeks bulk variance relief for: (a) minimum lot area; (b) minimum lot depth; (c) minimum lot width; (d) minimum lot frontage; (e) maximum building coverage; (f) maximum impervious coverage; (g) minimum front yard setback; (h) minimums side yard setback; (i) minimum rear yard setback; and (j) maximum height for principal building.

Applicant is proposing three (3) on-site parking spaces where 2.5 spaces are required. In addition, Applicant will provide twenty-eight (28) visitor parking spaces.

Applicant requests that the requirement to pay taxes and assessments in order to be heard be waived. Instead, Applicant requests a condition that all taxes and assessments be paid prior to the signing of the subdivision plat.

The Applicant also requests any variances, waivers or exceptions that the Casino Reinvestment Development Authority may deem necessary and/or appropriate.

DISCLOSURE STATEMENT

**LIST OF NAMES AND ADDRESSES OF OFFICERS, DIRECTORS,
AND INDIVIDUALS OR ENTITIES
OWNING 10% OR MORE INTEREST IN THE APPLICANT
(N.J.S.A. 40:50D-48.1)**

COLOSSEO ATLANTIC CITY INC.

The persons or entities with a 10% or greater interest in applicant, **Colosseo Atlantic City Inc.:**

Rocco Sebastiani
244 Madison Avenue
Suite 2910
New York, NY 10016-2817