

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 Fees: _____

Application No. _____
Escrow Deposit _____

Scheduled for:
Review for Completeness _____ Hearing: _____

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1. SUBJECT PROPERTY

Location: Caesars Beach Bar to be located on Beach Lot 25

Tax Map	Page <u>7</u>	Block <u>1</u>	Lot(s) <u>87, 88, 89, 90, 91 and 92</u>
	Page _____	Block _____	Lot(s) _____
	Page _____	Block _____	Lot(s) _____

Dimensions Frontage _____ Depth _____ Total Area 4.05 ac

Zoning District Beach (B)

2. APPLICANT

Name Boardwalk Regency LLC

Email c/o Attorney, ntalvacchia@cooperlevenson.com

Address 2100 Pacific Avenue, Atlantic City, NJ 08401

Telephone Number c/o Attorney, 609-572-7544

Applicant is a: Corporation Partnership Individual
Limited Liability Company

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

Owner's Name City of Atlantic City

Email jberenato@acnj.gov

Address 1301 Bacharach Boulevard, Atlantic City, NJ 08401

Telephone Number _____

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 attached Address _____ Interest _____
 Name disclosure statement. 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: Public Beach

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

Email ntalvacchia@cooperlevenson.com

Address Cooper Levenson, P.A., 1125 Atlantic Avenue, Third Floor, Atlantic City, NJ 08401

Telephone Number 609-572-7544

FAX Number 609-572-7545

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

Email jbarnhart@aponzio.com

Address 400 N. Dover Avenue, Atlantic City, NJ 08401

Telephone Number 609-344-8194

FAX Number _____

8. Applicant's Planning Consultant (same as above)

Email _____

Address _____

Telephone Number _____

FAX Number _____

9. Applicant's Traffic Engineer N/A

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 N/A
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 _____ 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
 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] Testimony to be provided at Hearing.

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

Requirements: [attach additional pages as needed] See Checklists for submission waivers.

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? N/A

20. Are any off-tract improvements required or proposed? N/A

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? As required by MLUL

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

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
20th day of FEBRUARY, 20 26

Danielle Thomas
NOTARY PUBLIC

Nicholas F. Talvacchia
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
____ day of _____, 20 ____

NOTARY PUBLIC

See Lease between
Applicant and Owner

SIGNATURE OF OWNER

29. I understand that the sum of \$ 5,100 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.

FEBRUARY 20, 2026
Date

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

LIST OF PROPERTIES

57191-66

BLOCK	LOT	ADDRESS (TAX RECORDS)	KNOWN AS	OWNER (TAX RECORDS)
1	87-92	BEACH	BEACH	CITY OF ATLANTIC CITY
41	1	2101 BOARDWALK	CASINO HOTEL	CAESAR'S ATLANTIC CITY LLC
41	2	2125 BOARDWALK	CASINO HOTEL	CAESAR'S ATLANTIC CITY LLC
42	4.01	139 S ARKANSAS AVE	CENTURION TOWER	CAESAR'S ATLANTIC CITY LLC
159	1.02	10 S MICHIGAN AVE	GARAGE 2	CAESAR'S ATLANTIC CITY LLC
159	1.03	15 S ARKANSAS AVE	GARAGE 2	CAESAR'S ATLANTIC CITY LLC
161	1.02	2101 PACIFIC AVE	GARAGE 1	CAESAR'S ATLANTIC CITY LLC
1	93	1 ATLANTIC OCEAN	THE PIER	CAESAR'S ATLANTIC CITY LLC
1	93 B01-B11	1 ATLANTIC OCEAN	BILLBOARDS	CAESAR'S ATLANTIC CITY LLC
1	93 B13	1 ATLANTIC OCEAN	BILLBOARD	CAESAR'S ATLANTIC CITY LLC
1	93.01	1 ATLANTIC OCEAN	THE PIER	CAESAR'S ATLANTIC CITY LLC
41	10	PACIFIC AVE	AIR RIGHTS	BOARDWALK REGENCY CORP.
41	11	ARKANSAS AVE	AIR RIGHTS	BOARDWALK REGENCY CORP.
159	27	ARKANSAS AVE	AIR RIGHTS	BOARDWALK REGENCY
159	28	ARKANSAS AVE	AIR RIGHTS	BOARDWALK REGENCY CORP.
159	29	ARKANSAS AVE	AIR RIGHTS	BOARDWALK REGENCY CORP.
159	30	ARKANSAS AVE	AIR RIGHTS	BOARDWALK REGENCY CORP.
42	1.05	2020 PACIFIC AVE	WILD WILD WEST	BALLY'S ATLANTIC CITY LLC

PROJECT NARRATIVE

Block 1, Lots 87, 88, 89, 90, 91 and 92
also referred to as Beach Lot 25
Atlantic City, New Jersey

February 20, 2026

Boardwalk Regency LLC (“Applicant”) requests preliminary and final site plan approval with variance relief to construct/install a beach bar with seasonal amenities on the beach in front of Caesars Atlantic City Hotel & Casino on property it leases from the City of Atlantic City known as Block 1, Lots 87, 88, 89, 90, 9 and 92, also identified as Beach Lot 25 (the “Property”).

The Property will consist of a container bar, social area of approximately 4,607 SF with tables and chairs and seasonal amenities including restrooms, wood decking, trash storage area, signage, and two (2) seasonal storage sheds and is located within the Beach (B) zoning district where the use is permitted.

Applicant requests variance relief to construct each shed at a height of 10’7”.

Applicant requests variance relief for number of permitted signs and the total area of permitted signs.

Applicant requests variance to permit parking offsite because parking is not allowed on the public beach. The project complies with the required number of parking spaces as follows:

Hotel Room Count:	1141 rooms
Non-Hotel / Public Space:	682,000 SF
Beach Bar:	5,000 SF
Total	687,000 SF

Calculation in accordance with § 9:66-5.8:

1 space per hotel room for the 1 st 500 rooms (500 x 1)	500 spaces
1 space per 2 hotel rooms thereafter (641 rooms divided by 2)	321 spaces
12 spaces per 1,000 SF for the 1 st 40,000 SF (40 x 12)	480 spaces
6 spaces per 1,000 SF for the next 60,000 SF (60 x 6)	360 spaces
<u>3 spaces per 1,000 SF thereafter (587 x 3)</u>	<u>1,761 spaces</u>
Total parking spaces required	3,422 spaces

Existing Parking Spaces:	
Garage 1 and Garage 2	5,200 spaces

Applicant believes that this project will provide a benefit to the City and its visitors by providing a unique entertainment experience. The project is consistent with the Tourism District legislation to promote tourism in Atlantic City. Additional testimony will be provided at the time of the hearing.

Applicant also requests any variances, waivers, exceptions or other relief that the Casino Reinvestment Development Authority Land Use Board deems 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)**

BOARDWALK REGENCY LLC

See attached organizational chart for ownership of **Boardwalk Regency LLC**.

The persons or entities with a 10% or greater interest in parent entity, Caesars Entertainment, Inc, a publicly traded company are:

Capital Group
2100 Pacific Avenue
Atlantic City, NJ 08401

Vanguard Group
2100 Pacific Avenue
Atlantic City, NJ 08401

Blackrock, Inc.
2100 Pacific Avenue
Atlantic City, NJ 08401

