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May 4, 2022

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Re: Atlantic Lofts, LLC
Major Preliminary Site Plan Approval
Major Final Site Plan Approval
With Bulk Variances Application
Review Letter #1
Block 146, Lot 1
1 South New York Avenue
Atlantic City, NJ

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 Preliminary and Major Site Plan with Bulk Variances has been received for the subject premises:

Applicant Information

- Applicant: Atlantic Lofts, LLC
1500 Market Street, Ste 3310E
Philadelphia, PA, 19102
- Owner: N/A
- Engineer: Arthur W. Ponzio Co. & Associates
400 North Dover Avenue
Atlantic City, NJ, 08401
- Planner: Same as Engineer
- Traffic: N/A
- Attorney: Jack Plackter, Esquire
1301 Atlantic Avenue, Suite 400
Atlantic City, NJ, 08401

- Architect: Thomas Sykes, AIA
1020 Atlantic Avenue
Atlantic City, NJ, 08401

Documents Submitted

1. City of Atlantic City Land Use Application March 11, 2022.
2. SOSH Architect Plans consisting of ten (10) sheets dated March 8, 2022.
3. Property Survey / Site Development Plan consisting of one (1) sheet dated March 8, 2022, prepared by Arthur W. Ponzio Co. & Associates.
4. Application Rider.
5. One copy of check payable to the Casino reinvestment Development Authority for Application Fees in the total amount of \$900.00.
6. One copy of check payable to the Casino reinvestment Development Authority for Escrow Deposit in the total amount of \$4,840.00.

Completeness Review

We have reviewed the Application for completeness, and it appears that the Applicant has not submitted the following checklist items, which are applicable:

1. NJ CRDA – City of Atlantic City – Major Preliminary Site Plan Checklist (Form #6).
2. NJ CRDA – City of Atlantic City – Major Preliminary Site Plan Checklist (Form #7).
3. NJ CRDA – City of Atlantic City – “c” Variance Checklist (Form #12).

We have no objection to the Application being deemed complete, provided that the Applicant submit the omitted checklist items (or obtain submission waivers for same) and that the information requested in this letter is submitted or addressed via testimony and that the Applicant also provide Proof of Taxes Paid, Certified 200-foot list of property owners, and a signed and notarized Owner’s certification:

Technical Review #1

The following comments are offered:

A. Project Description and Background

The proposed site is in the Central Business Zoning District (CBD) and is bounded by South New York Avenue and Atlantic Avenue. The property is improved with an existing building with no parking or loading areas on site. The existing building consists of commercial stores and office uses on the first floor and office uses on floors two through eight. The Applicant proposes to convert the commercial office spaces on floors two through eight to 56 residential units and maintain the 2,741 SF of retail / office use at ground level. All existing pedestrian surfaces are to be made ADA compliant as part of the proposed development.

B. Bulk Variance Review

1. Section 19:66-5.12(a)1(iv)(1) of the Land Development Rules permits a maximum building height of 65 feet where 101.1 feet is existing / proposed. We note that this is a pre-existing, non-conforming bulk condition that will not be exacerbated by the proposed development.
2. Section 19:66-5.12(a)(1)(iv)(4) of the Land Development Rules requires a minimum lot width of 50 feet where 48.67 feet is provided. We note that this is a pre-existing, non-conforming bulk condition that will not be exacerbated by the proposed development.
3. Section 19:66-5.12(a)(1)(iv)(5) of the Land Development Rules requires a minimum lot frontage of 50 feet where 48.67 feet is provided. We note that this is a pre-existing, non-conforming bulk condition that will not be exacerbated by the proposed development.
4. Section 19:66-5.12(a)(1)(iv)(6) of the Land Development Rules permits a maximum building coverage of 30% where 100% is existing / proposed. We note that this is a pre-existing, non-conforming bulk condition that will not be exacerbated by the proposed development.
5. Section 19:66-5.12(a)(1)(iv)(7) of the Land Development Rules permits a maximum impervious coverage of 80% where 100% is existing / proposed. We note that this is a pre-existing, non-conforming bulk condition that will not be exacerbated by the proposed development.
6. Section 19:66-5.12(a)(1)(iv)(8) of the Land Development Rules requires a minimum front yard setback of 5 feet where 0 feet is provided. We note that this is a pre-existing, non-conforming bulk condition that will not be exacerbated by the proposed development.

7. Section 19:66-5.12(a)(1)(iv)(13) of the Land Development Rules permits a maximum dwelling density (dwelling units per acre) of 25 DU/A where 334.1 DU/A is proposed. Consequently, a d(5) use variance is required. For use variances it is the Applicant's burden of proof to present "positive" and "negative" criteria to justify the variance. The Applicant must prove to the satisfaction of the Board that there are "special reasons" to exercise its jurisdiction to grant the requested relief, demonstrating that the site is particularly suited to the proposed use and that the proposal will advance the purposes of the Municipal Land Use Law and the Zoning Ordinance (POSITIVE). Additionally, the Applicant must show that the variance can be granted without substantial detriment to the public good and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinances (NEGATIVE).
8. Section 19:66-7.3(a) of the Land Development Rules requires a minimum number of loading spaces per this chapter no loading spaces are provided. We defer to the CRDA's Attorney on whether a bulk variance is required for this pre-existing, non-conforming condition considering the proposed use change.
9. Section 19:66-7.6(a) of the Land Development Rules requires that a landscape plan be submitted with all applications for new construction, additions, and site improvements. We defer to the CRDA's Attorney on whether a bulk variance is required for this pre-existing, non-conforming bulk condition that will not be affected by the proposed development.
10. With respect to Item Nos. 1 and 9, for "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 should provide testimony if the residential entrance is to be lighted. If so, the proposed lighting levels (i.e. isolux information) should be illustrated on the Site Plans for the sidewalk / pedestrian travel areas.
2. The Applicant shall provide testimony on the proposed method for handling of trash and recycling.
3. The Applicant does not propose any on site residential parking. A de minimis exemption to the Residential Site Improvement Standards (RSIS) is required.

4. The Applicant shall provide testimony and/or supplemental information as to any proposed signage at the site. All proposed signage shall conform to CRDA Rules or a bulk variance will be required.
5. The Applicant shall provide testimony regarding any proposed changes to the existing uses for the 2,741 SF of ground level space.
6. The signage for the existing storefronts does not appear to comply with Section 19:66-5.7 of the CRDA Rules. We recommend that any approval granted be conditioned upon any existing or proposed commercial units complying with the signage regulations.

D. Site Photographs



Photo 1 – Site View looking Southeast

E. Outside Agency Permits and Approvals

1. The following permits and approvals are required:
 - a. Atlantic City Building Code Official
 - b. Atlantic City Fire Marshal
 - c. All others as necessary

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 Engineer and Planning
Consultant

Cc: Atlantic Lofts, LLC, Email: jkaplan@odinprop.com
Jack Plackter, Esq. Email: jplackter@foxrothschild.com
John J. Barnhart, PE Email: jbarnhart@awponzio.com
Arthur W. Ponzio, PP Email: aponzio@awponzio.com
Thomas Sykes, AIA, Email: tsykes@sosharch.com
Rob Reid, AICP, PP, CRDA Land Use Regulation Enforcement Officer
Scott Collins, Esquire, CRDA Land Use Board Attorney

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