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August 31, 2022
31623 29

Re: Atlantic Beach Properties Inc
**Major Preliminary & Final Site Plan with Variances
Review #1**
Block 173, Lot 16
2707 Pacific 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 Beach Properties Inc
71 Liberty Street
Passaic, NJ, 07055
- Owner: Atlantic Beach Properties Inc
71 Liberty Street
Passaic, NJ, 07055
- Engineer: N/A
- Planner: Craig F. Dothe, Architect LLC
33 N. Brighton Avenue
Atlantic City, NJ, 08401
- Traffic: N/A

- Attorney: Brian J. Callaghan, Esquire
419 W. White Horse Pike
Egg Harbor City, NJ, 08215
- Architect: Same as Planner

Documents Submitted

1. City of Atlantic City Land Use Application July 26, 2022.
2. Site / Architectural Plans, prepared by Craig F. Dothe, Architect LLC, dated June 17, 2022, and consisting of the following sheets:
 - a. Sheet Z-0, Site Plan / Zoning Analysis / Signage Chart
 - b. Sheet Z-1, 200'0 List / Zoning Map / 200' Radius Map
 - c. Sheet Z-2, Proposed Floor Plans
 - d. Sheet Z-3, Proposed Floor Plans
 - b. Sheet Z-4, Proposed Exterior Elevations.
 - c. Sheet Z-5, Existing Floor Plans and Images
 - d. Sheet Z-6, Existing Building Elevations.
3. City of Atlantic City Certification of Payment for Real Estate Taxes.
4. City of Atlantic City Tax Map Sheet #32.
5. Deed Dated January 15, 2022, showing transfer of property.

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.

Technical Review #1

The following comments are offered:

A. Project Description and Background

The proposed development is located within the Resort Commercial (RC) Zoning District and fronts Pacific Avenue. The property is improved with an existing three-story building with no parking or loading areas on site. The property was formerly used as a hotel. The existing building consists of fourteen (14) hotel rooms on the first floor, sixteen (16) hotel rooms on the second floor, and seventeen (17) hotel rooms on the third floor for a total of forty-seven (47) rooms. The Applicant proposes to convert the first floor into two (2) studio apartments and six (6) one-bedroom apartments; convert the second floor into two (2) studio apartments, five (5) one-bedroom apartments and one (1) two-bedroom apartment; and to convert the third floor into two (2) studio apartments, five (5) one-bedroom apartments and one (1) two-bedroom apartment. The Applicant also proposes to add a fourth floor to the building consisting of three (3) one-bedroom apartments and two (2) two-bedroom apartments. This results in a total of twenty-nine (29) dwelling units proposed. Also included with the Applicant's proposal is the repair / replacement of damaged / deteriorated concrete sidewalk, curb and gutter along the property's Pacific Avenue frontage.

B. Bulk Variance Review

1. Section 19:66-5.10(a)(1)(iv)(2) of the Land Development Rules requires a minimum lot area of 7,500 square feet (SF) where 6,050 SF is proposed. We note that this is a pre-existing, non-conforming condition that will not be exacerbated by the proposed development.
2. Section 19:66-5.10(a)(1)(iv)(3) of the Land Development Rules requires a minimum lot depth of 150 feet where 137.5 feet is provided. We note that this is a pre-existing, non-conforming condition that will not be exacerbated by the proposed development.
3. Section 19:66-5.10(a)(1)(iv)(4) of the Land Development Rules requires a minimum lot width of 50 feet where 44 feet is provided. We note that this is a pre-existing, non-conforming condition that will not be exacerbated by the proposed development.
4. Section 19:66-5.10(a)(1)(iv)(5) of the Land Development Rules requires a minimum lot frontage of 50 feet where 44 feet is provided. We note that this is a pre-existing, non-conforming condition that will not be exacerbated by the proposed development.
5. Section 19:66-5.10(a)(1)(iv)(7) of the Land Development Rules permits a maximum impervious coverage of 80% where 100% is existing and proposed. We note that this is a pre-existing, non-conforming condition that will not be exacerbated by the proposed development.
6. Section 19:66-5.10(a)(1)(iv)(9) of the Land Development Rules requires a minimum side yard setback of 20 feet where 2' is provided along the westerly property line. We note

that this is a pre-existing, non-conforming condition that will not be exacerbated by the proposed development.

7. Section 19:66-5.10(a)(1)(iv)(9) of the Land Development Rules requires a minimum side yard setback of 20 feet where 4'-2" is provided for the easterly property line. We note that this is a pre-existing, non-conforming condition that will not be exacerbated by the proposed development
8. Section 19:66-5.10(a)(1)(iv)(8) of the Land Development Rules requires a minimum front yard setback of 20 feet where an encumbrance of 2'-11" exists / is proposed along the Pacific Avenue frontage (i.e. southerly property line) as a result of the existing third-floor overhanging balcony. We note that this is a pre-existing, non-conforming condition that will not be exacerbated by the proposed development. However, a License Agreement is required from the City of Atlantic City for the encumbrance.
9. Section 19:66-5.10(a)(1)(iv)(10) of the Land Development Rules requires a minimum rear yard setback of 20 feet whereas 5'-2^{1/2}" is proposed as a result of the fourth-floor addition to the building. A variance is required.
10. Section 19:66-5.7 of the Land Development Rules limits the total area of wall signs to 10 SF per frontage. The Applicant proposes a total of 35.04 SF of wall signs. A variance is required. It should be noted that the existing total area of wall signs is 74.67 SF and that the proposal represents a significant reduction in the sign area.
11. Section 19:66-7.3(a)(3) of the Land Development Rules requires a loading space and no loading space exists or is proposed. A variance is required for this pre-existing, non-conforming condition due to the proposed change of use.
12. 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. A variance is required for this pre-existing, non-conforming condition due to the proposed change of use.
13. With respect to Item Nos. 9 through 12, 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.
14. Section 19:66-5.10(a)(1)(iv)(13) of the Land Development Rules permits a maximum dwelling density (dwelling units per acre) of 50 DU/A where 208.62 DU/A is proposed. Consequently, a d(5) variance is required. It should be noted that the existing dwelling density is 338.4 DU/A and that the Applicant's proposal is reducing the dwelling density significantly. For "d" 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).

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. It should be noted that the property as it exists does not contain any parking spaces.

D. Site Photographs



Photo 1 – Site View looking Northeast



Photo 2 – Site View looking North



Photo 3 – Site View looking Northwest



Photo 4 – Site View looking South

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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 Engineering and Planning
Consultant

Cc: Atlantic Beach Properties Inc., Email: shragapier@msn.com
Brian J. Callaghan, Esq. Email: bjcLAW@comcast.net
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