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October 31, 2022
31623 31

Re: 155 S. Tennessee QOZB, LLC
**Major Preliminary & Final Site Plan with Variances
Review #1**
Block 54, Lots 16 & 17
155 & 159 South Tennessee 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 Minor Site Plan with Variances has been received for the subject premises:

Applicant Information

- Applicant: 155 S. Tennessee QOZB, LLC
PO Box 1106
Atlantic City, NJ 08401
- Owner: Same as Applicant
- Engineer: Jason T. Sciallo, PE, PP
Sciallo Engineering Services, LLC
17 S. Gordon's Alley, Suite 3
Atlantic City, NJ 08401
- Planner: Same as Engineer
- Traffic: N/A
- Attorney: Michael Peacock, Esquire
DLA Piper, LLC
1555 Zion Road, Suite 202
Northfield, NJ 08225

- Architect: William C. McLees, AIA, LEED AP
William McLees Architecture, LLC
5 Macarthur Boulevard
Somers Point, NJ 08244

Documents Submitted

1. Application Cover Letter, prepared Michael Peacock, Applicant's Attorney, dated October 6, 2022
2. City of Atlantic City Land Use Application, undated, certifications signed September 21, 2022.
3. NJ CRDA – City of Atlantic City, Minor Site Plan Checklist, prepared by Jay Sciuлло, dated September 16, 2022.
4. NJ CRDA – City of Atlantic City, “c” Variance Checklist, prepared by Jay Sciuлло, dated September 16, 2022.
5. 200' Property Owners' List with Cover Letter from City of Atlantic City Department of Planning & Development, dated August 10, 2022.
6. City of Atlantic City Office of Tax Collector Certification of Payment for Block 54, Lot 16, dates September 29, 2022.
7. City of Atlantic City Office of Tax Collector Certification of Payment for Block 54, Lot 17, dates September 29, 2022.
8. Property Deed for Block 54, Lot 16, dated June 14, 2022.
9. W-9 Form for 155 S. Tennessee QOZB, LLC, dated September 20, 2022.
10. “Map of Survey, Block 54, Lot 16”, prepared by Vargo Associates, dated March 30, 2022.
11. “Surf Lodge Site Plans”, prepared by Sciuлло Engineering Services, dated October 5, 2022, and consisting of the following sheets:
 - a. Sheet C0001, Cover Sheet
 - b. Sheet C0002, Information Sheet
 - c. Sheet C0101, Site Plan, Grading Plan & Details
12. Architectural Plans, prepared by William McLees Architecture, LLC, dated October 5, 2022, and consisting of the following sheets:
 - a. Sheet G0.00, Cover Sheet
 - b. Sheet A1.11, Floor Plans – 1st & 2nd Floor
 - c. Sheet A1.12, Floor Plans – 3rd & 4th Floor, revised to October 11, 2022
 - d. Sheet A1.13, Floor Plans – 5th Floor & Roof
 - e. Sheet A2.01, Elevations
 - f. Sheet A2.02, Elevations

Completeness Review

Since the proposed building is greater than three (3) stories in height, the application should be for a Major Site Plan approval and not a Minor Site Plan approval. The Applicant shall prepare and submit a Major Site Plan checklist. Once the Major Site Plan Checklist has been submitted we can determine whether the Application can be deemed complete.

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 South Tennessee Avenue. The property currently consists of two (2) lots, which will be consolidated - Lot 16, which is now a vacant lot that was previously occupied by the “Memphis Belle” rooming house, and Lot 17, which contains a 2-story apartment building that is proposed to be demolished. The Applicant proposes to construct a new five-story building with the first floor containing approximately 983 square feet (SF) of retail space; and the second to the fifth floors each containing three (3) one-bedroom residential apartments, for a total of twelve (12) apartments. Also included with the Applicant’s proposal is a roof top garden and seating area, selective replacement of damaged / deteriorated concrete sidewalk along the property’s Tennessee Avenue frontage, landscaping, and associated improvements.

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 2,500 SF is proposed. A bulk variance is required.
2. Section 19:66-5.10(a)(1)(iv)(3) of the Land Development Rules requires a minimum lot depth of one hundred and fifty feet (150’) where 50’ is provided. A bulk variance is required.
3. Section 19:66-5.10(a)(1)(iv)(6) of the Land Development Rules permits a maximum building coverage of seventy percent (70%), whereas 90% is proposed. A bulk variance is required.
4. Section 19:66-5.10(a)(1)(iv)(7) of the Land Development Rules permits a maximum impervious coverage of 80%, whereas 98% is proposed. A bulk variance is required.

5. Section 19:66-5.10(a)(1)(iv)(8) of the Land Development Rules requires a minimum front yard setback of 20', whereas 0' is provided. A bulk variance is required.
6. Section 19:66-5.10(a)(1)(iv)(9) of the Land Development Rules requires a minimum side yard setback of 20', whereas 0' is provided. A bulk variance will be required.
7. Section 19:66-5.10(a)(1)(iv)(10) of the Land Development Rules requires a minimum rear yard setback of 20', whereas 5' is provided. A bulk variance is required.
8. 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.
9. With respect to Item Nos. 1 through 8, 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.
10. Section 19:66-5.10(a)(1)(iv)(13) of the Land Development Rules permits a maximum dwelling density of 50 dwelling units per acre (DU/A) for midrise buildings, whereas 209.1 DU/A is proposed. Consequently, a d(5) variance is required. 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. It appears that the Applicant is proposing to consolidate Lots 16 & 17 in conjunction with the Site Plan approval. Legal descriptions and a plan for same should be provided to our office and Authority's Land Use Attorney's office for review prior to perfection of the consolidation.
2. The Applicant should provide testimony regarding whether the building entrances are 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.
3. The Applicant shall provide testimony on the proposed method for handling and storage of trash and recycling.

4. The Applicant does not propose any on site residential parking. A de-minimis exception 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 and that a grandfathered shortage of eighteen (18) spaces exists.
5. The Applicant shall provide testimony as if any signage is proposed for the building. If so the size, type and location(s) of the signage shall be provided. Any proposed signage not conforming to the Land Development Rules shall require variance relief.
6. The Applicant is proposing balconies extending beyond the property lines. License Agreements are required from the City of Atlantic City for these encumbrances.

D. Site Photographs

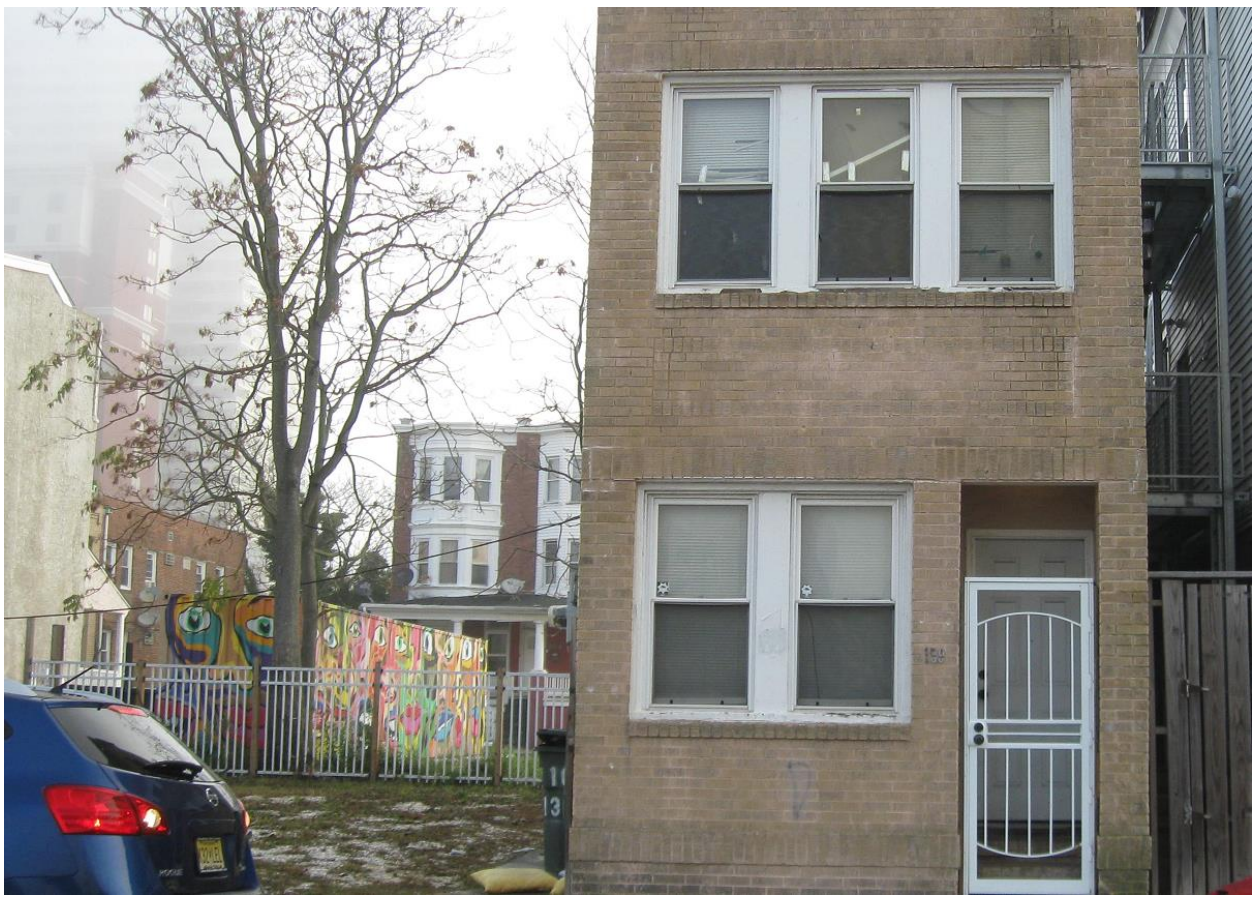


Photo 1 – Site View looking North



Photo 2 – Site View looking Northeast



Photo 3 – Site View looking South

E. Outside Agency Permits and Approvals

1. The following permits and approvals are required:
 - a. City of Atlantic City (for balcony encumbrances)
 - b. Atlantic City Building Code Official
 - c. Atlantic City Fire Marshal
 - d. 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: 155 S. Tennessee QOZB, LLC, Email: sanchez.evan@gmail.com
Michael Peacock, Esq., Email: mike.peacock@diapiper.com
Jay Sciallo, Sciallo Engineering Services, LLC, Email: jsciullo@sciulloengineering.com
William McLees, Architect, Email: bmclees@wmarch.net
Rob Reid, AICP, PP, CRDA Land Use Regulation Enforcement Officer
Scott Collins, Esquire, CRDA Land Use Board Attorney

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