

# 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: \_\_\_\_\_

=====

**1. SUBJECT PROPERTY**

Location: Kentucky Avenue

Tax Map	Page <u>10</u>	Block <u>50</u>	Lot(s) <u>1,2,3 &amp; 4</u>
	Page <u>10</u>	Block <u>51</u>	Lot(s) <u>1-10</u>
	Page _____	Block _____	Lot(s) _____

Dimensions Frontage 125 Depth 210 Total Area .60 Ac

Zoning District KAR (Block 50); RC (Block 51)

**2. APPLICANT**

Name 107 S. Kentucky Ave., LLC

Email faron@traxpartners.com

Address 1650 Limekiln Pike, Suite B19-1043, Dresher, PA 19025

Telephone Number 610-737-4855

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 Same as Applicant.

Email \_\_\_\_\_

Address \_\_\_\_\_

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	<u>Loop AC Partners LLC</u>	Address	<u>1650 Limekiln Pike, Ste. B19-1043,</u>	Interest	<u>100%</u>
Name	<u>*See attached for ownership</u>	Address	<u>Drescher, PA 19025</u>	Interest	<u></u>
Name	<u>interest in Loop AC Partners LLC</u>	Address	<u></u>	Interest	<u></u>
Name	<u></u>	Address	<u></u>	Interest	<u></u>
Name	<u></u>	Address	<u></u>	Interest	<u></u>

#### 5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies]  No X Proposed

Present use of the premises: Parking lots and partially vacant.

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** Keith Davis, Nehmad Davis & Goldstein P.C.  
 Email kdavis@ndglegal.com  
 Address 4030 Ocean Heights Avenue, Egg Harbor Township, NJ 08234  
 Telephone Number 609-927-1177  
 FAX Number 609-926-9721

**7. Applicant's Engineer** Jason Sciuillo, Sciuillo Engineering Services, LLC  
 Email jsciullo@sciulloengineering.com  
 Address 137 South New York Avenue, Suite 2, Atlantic City, NJ 08401  
 Telephone Number 609-300-5171  
 FAX Number

**8. Applicant's Planning Consultant** Jason Sciuillo, Sciuillo Engineering Services, LLC  
 Email jsciullo@sciulloengineering.com  
 Address 137 South New York Avenue, Suite 2, Atlantic City, NJ 08401  
 Telephone Number 609-300-5171  
 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 Ryan Solimeo  
Field of Expertise Architect  
Email ryan@hdoarch.com  
Address 122 N. 7th St., Philadelphia, PA 19122  
Telephone Number 267-324-3601  
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) 2 ]  
☒ Major Final Site Plan Approval [Phases (if applicable) 2 ]  
\_\_\_\_\_ 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] NJAC 19:66-5.10(a)1i & NJAC 19:66-5.20(a)1i for use variance. NJAC 19:66-5.10(a)1iv for multiple bulk standards if not subsumed in use variance. The site is particularly suitable for townhouse units.

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] 19 townhouses on Block 50, 10 townhouses on Block 51.  
Units will have garages accessible from rear of buildings.

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? No

20. Are any off-tract improvements required or proposed? No

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? Bond or letter of credit.

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	X		TBS
Atlantic County Health Department		X	
Atlantic County Planning Board		X	
Atlantic County Soil Conservation Dist.	X		TBS
NJ Department of Environmental Protection	X		TBS
Sewer Extension Permit	X		TBS
Sanitary Sewer Connection Permit	X		TBS
Stream Encroachment Permit		X	
Waterfront Development Permit		X	
Wetlands Permit		X	
Tidal Wetlands Permit		X	
Potable Water Construction Permit		X	
Other		X	
NJ Department of Transportation		X	
Public Service Electric & Gas Company		X	

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

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:

Applicant's Professional Reports Requested All

Attorney All

Engineer All

# **CERTIFICATIONS**

27. I Brian Zoubek 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

31 day of August, 20 23

Sharayah Katz  
NOTARY PUBLIC

[Signature]  
SIGNATURE OF APPLICANT

Brian Zoubek, Vice President, 107 S. Kentucky Ave., LLC

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

31 day of August, 20 23

Sharayah Katz  
NOTARY PUBLIC

[Signature]  
SIGNATURE OF OWNER

Brian Zoubek, Vice President, 107 S. Kentucky Ave., LLC

29. I understand that the sum of \$ 7,784.97 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.

8/31/23  
Date

[Signature]  
SIGNATURE OF APPLICANT  
Brian Zoubek, Vice President, 107 S. Kentucky Ave., LLC




### ESCROW SETUP INFORMATION

The Information below is necessary to initially set up your Escrow Account.

Applicant's Name: 107 S. Kentucky Ave LLC

Applicant's Address: 1650 Limekiln Pike, Suite B19-1043, Dresher PA 19025

\*Applicant's Signature: 

Applicant's Phone No.: 610-737-4855

Applicant's Email Address: faron@traxpartners.com

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: 88-2312583

Assigned Escrow #: \_\_\_\_\_

Should you require assistance or have any questions, please do not hesitate to contact:

#### Atlantic City Planning:

Lisa D'Alessandro, Board Secretary  
City of Atlantic City Planning  
1301 Bacharach Boulevard  
City Hall-Suite 508  
Atlantic City, NJ 08401  
Email: LDAlessandro@cityofatlanticcity.org  
609-347-5404

#### CRDA:

Loreta Acevedo, Project Officer  
Casino Reinvestment Development Authority  
15 S Pennsylvania Avenue  
Atlantic City, NJ 08401  
Email: lacevedo@njcrda.com  
609-347-0500