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December 7, 2017

VIA HAND DELIVERY

Casino Reinvestment Development Authority
Attn: Lance B. Landgraf, Director of Planning
Division of Land Use and Regulatory Enforcement
15 S. Pennsylvania Avenue
Atlantic City, New Jersey 08401

**Re: Preliminary and Final Site Plan Approval, Conditional Use Approval, and
Variance Approval
Boardwalk 1000, LLC
912 and 916 Pacific Avenue (Block 61, Lots 9 & 10 on the Official Tax Map of the
City of Atlantic City**

Dear Mr. Landgraf:

Our office is counsel to Boardwalk 1000, LLC regarding the above-captioned matter. We submit this application for preliminary and final site plan approval, conditional use approval and "D" variance approval for the proposed construction of an automobile service station, convenience store and car wash. The Property is located within the RS-C Resort Commercial Development District. In connection with the Application, enclosed please find the following:

1. Original and four (4) copies of Application;
2. Checks in the amount of \$700.00 for Application Fees and \$5,345.70 for Escrow Fees;
3. An executed Escrow Form;

A Pennsylvania Limited Liability Partnership

California Colorado Connecticut Delaware District of Columbia Florida Illinois
Minnesota Nevada New Jersey New York Pennsylvania Texas Washington

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4. Five (5) sets of architectural plans, consisting of six (6) sheets, prepared by SOSH Architects;
5. Five (5) sets of civil engineering plans and surveys, consisting of seven (7) sheets, prepared by Arthur Ponzio & Associates;
6. Landscaping plans, consisting of eleven (11) sheets, prepared by EDSA Landscape Architects; and
7. Sample Notice of Hearing

Please review this Application and set it down for the earliest possible public hearing.

Thank you for your kind attention.

Very truly yours,

Jack Plackter

JP:kg

c: Matthew Harkness, President
Frank J. Chesky III, Esq., VP & General Counsel
Thomas Sykes
Arthur Ponzio



**15 South Pennsylvania Avenue
Atlantic City, NJ 08401**

**APPLICATION TO THE
CASINO REINVESTMENT DEVELOPMENT AUTHORITY
DIVISION OF LAND USE AND REGULATORY ENFORCEMENT**

July, 2017

INSTRUCTIONS

Enclosed are the necessary instructions and forms for making application to the Casino Reinvestment Development Authority, Division of Land Use and Regulatory Enforcement. Please submit the required documentation to:

**Casino Reinvestment Development Authority
Division of Land Use and Regulatory Enforcement 15 S Pennsylvania Avenue
Atlantic City, NJ 08401**

Should you require additional information or clarification regarding this process, please contact the Division of Land Use and Regulatory Enforcement at **(609) 347-0500**.

1. The Applicant shall submit to the Casino Reinvestment Development Authority, Division of Land Use and Regulatory Enforcement, 15 S Pennsylvania Avenue,, Atlantic City, NJ 08401, five (5) written copies and two (2) additional copies in an electronic format (PDF, Microsoft Word, or other format with the consent of the Land Use Administrative Official). A copy of the application package must also be provided by the applicant to the City of Atlantic City Planning Dept. and a copy to the Engineering Dept. The application package shall contain completed copies of the appropriate form(s) as provided herein and any additional information, i.e. property survey, site plan, building plans, photographs or other documentation/exhibits that details the proposed development and any prior approvals for the property. The Applicant shall include with the application separate checks payable to "Casino Reinvestment Development Authority" for the required application fee and professional review escrow, (see attached fee schedule).

2. For all applications for site plan or subdivision, and any other applications as deemed necessary by the Land Use Administrative Official, the Land Use Administrative Official shall schedule and notify Applicant of a conceptual review meeting to be conducted within 45 days of receipt of the application.

3. Applicant will be notified in writing within 45 days, of any deficiencies in the application package. These deficiencies must be addressed along with providing any required additional information and plans.

4. Upon the determination by the Land Use Administrative Official that the application is complete, which includes submission of all fees and escrow amounts. Go to the CRDA website for a list of the fees:

<http://www.njcrda.com/wp-content/uploads/FEE-SCHEDULE-Resolution-15-24.pdf>

The Applicant will be notified of the hearing date scheduled for the application.

5. Applicant shall make a request for a "Certified List of Property Owners" to the City of Atlantic City Division of Planning. A sum not to exceed \$0.25 per name, or \$10.00, whichever is greater, may be charged for such list, in accordance with N.J.S. 40:55D-12c. The request must include a fee check payable to "City of Atlantic City". A certified list shall be provided including the

names and addresses of all owners of property located within the 200-foot radius as shown on the latest property ownership records within seven days in accordance with N.J.S. 40:55D-12c.

6. Where **Site Plan Approval** is required, the application must be prepared in accordance with Articles XX, XXII and XXIII of the Land Use Development Code of the City (Chapter 163 of the City Code).

7. Applications for **Conditional Use Approval** also require Site Plan Approval.

8. Where Site Plan Approval is not required, the following information, drawn to a scale of not more than 100 feet to the inch (1" = 100'), on one or more sheets shall be submitted:

- a. Property boundary lines and dimensions of the property and any significant topographic or physical features of the property.
- b. The location, size, use and arrangement of the proposed buildings which will remain, if any, including height (in stories and feet), elevators, floor plans, floor area ratio, total floor area, total square feet of ground area coverage, and number and size of dwelling units.
- c. Minimum yard dimensions and, where relevant, relationship of yard dimensions to the height of any building or structure.
- d. Location, dimensions and number of all driveways, entrances, curb cuts, parking stalls, loading spaces and access aisles, and total lot coverage of all parking, loading and aisle areas.
- e. Location and height of fences or screen plantings and type of building materials or plantings to be used for fencing and/or screening.
- f. Location, designation and total area of all usable open space.
- g. Location, use and size of structures and other land uses within 200 feet of the boundaries of the subject property.
- h. A clear designation of the features of the proposed development or use(s), which require a variance, and the extent of the variance requested.
- i. Any other information that may be required for the CRDA Board to determine that the application is in compliance with the codes and ordinances of the City of Atlantic City.

9. Once a hearing date has been scheduled, the Applicant must, at least 10 days prior to the date of the hearing, give personal notice to all owners of property located within 200 feet of the subject property as shown on the most recent tax list(s) of the City(s) and all other interested persons and public agencies as required by law. Said notice is required whether affected properties are located within or without the City of Atlantic City. Notice must be given by hand delivery to said property owner or his legal agent or representative and have that person sign for delivery; or by mailing a copy by certified mail. In addition, the applicant must serve notice by certified mail to all local utility companies. (See attached list). A sample NOTICE has been included with this package. Applicant must arrange to provide proof of mailing or service for every notice served.

10. Notice of the application must also be published in "THE PRESS OF ATLANTIC CITY" at least ten (10) days prior to the date of hearing.

11. An Affidavit of Service, the receipts from the certified mailing, and a Proof of Publication of the notice as it appeared in THE PRESS OF ATLANTIC CITY must be submitted to Land Use Administrative Official prior to the hearing date.
12. The Applicant, his agent or attorney shall appear before the Division of Land Use and Regulatory Enforcement to present the application. If the applicant is a corporation, LP, LLC or LLP, the application must be presented by an attorney.
13. After the application has been approved by the Casino Reinvestment Development Authority, the Applicant must submit two (2) sets of plans in an electronic format (PDF, Microsoft Word, or other format with the consent of the Land Use Administrative Official) along with twelve (12) written sets of the approved plans, revised to address any plan conditions, together the "Final Plan Certification Form", to the Division of Land Use and Regulatory Enforcement. The plans will be certified and distributed as necessary such that any licenses and/or permits may be obtained by the Applicant.
14. After the close of the hearing, the Land Use Hearing Officer will compile all evidence submitted and copies of all transcripts. He/she will prepare a written recommendation to the members of the CRDA concerning the grant or denial of the relief requested. The recommendation may include the placement of any reasonable and necessary conditions of approval. The recommendation shall be provided to the members of the CRDA as expeditiously as possible to allow sufficient time for the members of the CRDA to consider and decide the application within the timeframe prescribed by the Municipal Land Use Law.
15. The Land Use Administrative Official shall publish a notice of the CRDA's decision in accordance with M.L.U.L.

ADDITIONAL PROCEDURES FOR FILING APPLICATIONS FOR SUBDIVISION AFTER APPROVAL BY
THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY

MINOR SUBDIVISION

The Applicant shall within 190 days after the approval of a minor subdivision by Casino Reinvestment Development Authority:

- 1) Submit the Plats for signature to the Land Use Administrative Official of the Division of Land Use and Regulatory Enforcement on either a plat in conformity with the provisions of the "Map Filing Law" (P.L. 1960, c141), or on a deed describing the approved minor subdivision, in order that signatures may be obtained.
- 2) File copies of the signed plat or deed with:
 - a. The County Recording Officer (County Clerk),
 - b. The City Engineer, and
 - c. The City Tax Assessor.

FAILURE OF THE APPLICANT TO FILE THE APPROVED PLAT OR DEED WITHIN THE PRESCRIBED PERIOD SHALL INVALIDATE THE MINOR SUBDIVISION APPROVAL.

MAJOR SUBDIVISION

Subsequent to final subdivision approval by the Division of Land Use and Regulatory Enforcement, The Applicant shall:

- (1) Submit the plats for signature to the Land Use Administrative Official on a plat in conformity with the provisions of the "Map Filing Law."
- (2) File copies of the signed plat within 95 days of signatures with:
 - a. The County Recording Officer (County Clerk),
 - b. The City Engineer, and
 - c. The City Tax Assessor

If the plat is not filed within the 95-day period, approval shall expire except, upon the showing of good cause by the Applicant, the Division of Land Use and Regulatory Enforcement may extend the period for recording for an additional period not to exceed 190 days from the date of the signing of the plat.

CRDA

Center for Redevelopment Development Authority
www.njcrda.com



15 South Pennsylvania Avenue
Atlantic City, NJ 08401

APPLICATION FORM

The application, with supporting documentation, must be filed with the Land Use Administrative Officer for review at least fifteen [15] business days prior to the meeting at which the application is to be considered.

To be completed by CRDA staff only.

Date Filed _____ Application No. _____
Application Fees: _____ Escrow Deposit _____

Scheduled for:
Review for Completeness _____ Hearing: _____

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1. SUBJECT PROPERTY

Location: 912 and 916 Pacific Avenue

Tax Map Page _____ Block 61 Lot(s) 9 & 10
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage ^{325 ft.} _____ Depth 410 ft. Total Area 2.88 acres

Zoning District RS-C Resort Commercial

2. APPLICANT

Name Boardwalk 1000, LLC

Email _____

Address 1000 Boardwalk at Virginia Avenue, Atlantic City, New Jersey 08401

Telephone Number _____

Applicant is a: Corporation Partnership Individual

*** LLC

3. 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 Disclosure Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____

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

Owner's Name Owner is Applicant
Email _____
Address _____
Telephone Number _____

5. PROPERTY INFORMATION:

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

Yes [attach copies] _____ No XXX Proposed _____

Present use of the premises: Surface parking lot

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 Jack Plackter, Esq. c/o Fox Rothschild LLP
Email jplackter@foxrothschild.com
Address 1301 Atlantic Avenue, Suite 400, Atlantic City, New Jersey 08401
Telephone Number 609-572-2200
FAX Number 609-348-6834

7. Applicant's Engineer Same as Planner
Email _____
Address _____
Telephone Number _____
FAX Number _____

8. Applicant's Planning Consultant Arthur W. Ponzio Company & Associates, Inc.
Email aponzio@awponzio.com
Address 400 N Dover Avenue, Atlantic City, New Jersey 08401
Telephone Number 609-344-8194
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 _____
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
XXX _____ Major Preliminary Site Plan Approval [Phases (if applicable) ____]
XXX _____ 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)]
XXX _____ Variance Relief (use) [N.J.S. 40:55D-70d]
XXX _____ 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] See attached Application Rider

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

Requirements: [attach additional pages as needed] N/A

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 attached Application Rider

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?

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? Cash, bond or other instrument requested by CRDA

23. Other approvals, which may be required and date plans submitted:

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

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. To be supplied.

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

Quantity	Description of Item
<u>1</u>	<u>Site Plan</u>
<u>1</u>	<u>Application Rider</u>
<u>1</u>	<u>Corporate Disclosure Statement</u>

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:
Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional	Reports Requested
<u>XXX</u> Attorney	<u>All reports issued.</u>
<u>XXX</u> Engineer/Planner	<u>All reports issued.</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

CERTIFICATIONS

27. I Matthew Harkness 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

7th day of December, 2017

[Signature]
NOTARY PUBLIC Attorney #006691999

[Signature]
SIGNATURE OF APPLICANT
President, Boardwalk 1000, 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

7th day of December, 2017

[Signature]
NOTARY PUBLIC Attorney #006691999

[Signature]
SIGNATURE OF OWNER
Matthew Harkness, President, Boardwalk 1000, LLC

29. I understand that the sum of \$ _____ has been deposited in an escrow account (Builder's Trust Account). In accordance with Resolution 11-60 of the Casino Reinvestment Development Authority approving 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.

12/02/17
Date

[Signature]
SIGNATURE OF APPLICANT



ESCROW SETUP INFORMATION

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

Applicant's Name: Boardwalk 1000, LLC

Applicant's Address: 1000 Boardwalk at Virginia Avenue, Atlantic City, New Jersey 08402

*Applicant's Signature: President, Boardwalk 1000, LLC

Applicant's Phone No.: _____

Applicant's Email Address: _____

Applicant's Date of Birth: _____

Tax Identification or Social Security Number: _____

Assigned Escrow #: _____

Should you require assistance or have any questions, please do not hesitate to contact Carl Wentzell in the Finance Dept at 609-347-0500 ext. 3215 or CWentzell @NJCRDA.com.

EXHIBIT "A"
CORPORATE DISCLOSURE STATEMENT

CORPORATE DISCLOSURE STATEMENT

Boardwalk 1000, LLC, a New Jersey limited liability company

LIST OF NAMES AND ADDRESSES OF STOCKHOLDERS
OR INDIVIDUALS OWNING 10% INTEREST IN
CORPORATION PURSUANT TO
N.J.S.A. 40:55D-48.1 AND 48.2

Boardwalk 1000, LLC, a New Jersey limited liability company, with an address at 1000 Boardwalk at Virginia Avenue, Atlantic City, New Jersey 08402, is wholly owned by **Hard Rock Tristate AC, LLC**, a New Jersey limited liability company with an address at 1000 Boardwalk, Atlantic City, NJ 08401.

The following entities own a 10% or greater beneficial interest in **Hard Rock Tristate AC, LLC**:

Tristate Partners LLC , a New Jersey limited liability company 1260 Stelton Road Piscataway, NJ 08854	HR Atlantic City, LLC , a New Jersey limited liability company 1000 Boardwalk Atlantic City, NJ 08401	HR Atlantic City Investor, LLC , a New Jersey limited liability company 2 nd Floor, One Seminole Way Hollywood, FL 33314
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The beneficial owners having a 10% or greater interest in **HR Atlantic City, LLC** and **HR Atlantic City Investor, LLC** are as follows:

HR Atlantic City, LLC is wholly owned by **Seminole Hard Rock Entertainment, Inc.**, having an address at 1000 Boardwalk, Atlantic City, NJ 08401.

Seminole Hard Rock Entertainment, Inc. and **HR Atlantic City Investor, LLC** are each wholly owned by **SHRE/SHRI, LLC**, having an address at Post Office Box 6347, St. Thomas, U.S. Virgin Islands 00804.

SHRE/SHRI, LLC is wholly owned by **Seminole HR Holdings, LLC**, having an address at Post Office Box 6347, St. Thomas, U.S. Virgin Islands 00804.

The only entity with a 10% or greater beneficial interest in **Seminole HR Holdings, LLC**, is the **Seminole Tribe of Florida**, having an address at 6300 Stirling Road, Hollywood, FL 33024. No member of the Tribe holds an interest equal to or greater than 10%.

The following entities own a 10% or greater interest in **Tristate Partners LLC**:

JMAC1, LLC , a New Jersey limited liability company 1260 Stelton Road Piscataway, NJ 08854	JJSAC, LLC , a New Jersey limited liability company 100 Lenox Drive, Suite 100 Lawrenceville, NJ 08648
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The sole member of **JMAC1, LLC** is Jack Morris, an individual with an address at 1260 Stelton Road, Piscataway, NJ 08854.

Members having a 10% or greater beneficial interest in **JJSAC, LLC** are:

Joseph R. Jingoli, an individual with an address at 100 Lenox Drive, Suite 100, Lawrenceville, NJ 08648.

Michael D. Jingoli, an individual with an address at 100 Lenox Drive, Suite 100, Lawrenceville, NJ 08648.

Frank E. DiCola, an individual with an address at 100 Lenox Drive, Suite 100, Lawrenceville, NJ 08648.

APPLICATION RIDER

**Boardwalk 1000, LLC
Block 61, Lots 9 & 10
912 & 916 Pacific Avenue**

Applicant, Boardwalk 1000, LLC, files the within application for the above referenced property in the City of Atlantic City seeking site plan approval, conditional use approval and a “D” variance to permit two principal uses on the Property. The Property is located in the RS-C Resort Commercial zone.

Applicant proposes to develop the Property with an automobile service station and gas station and convenience store. Gas stations are a permitted conditional use in the RS-C zone, and grocery stores are a permitted use. The gas station will meet all of the conditional use standards. The car wash is a permitted accessory use.

The variance is justified because it advances multiple purposes of zoning including the efficient use of land, the addition of a new commercial use in a well-suited location, and creative development that will provide a desirable visual environment, all of which promote the general welfare. Combination gas station/convenience stores have become commonplace in recent years and represent a cohesive and efficient use of land by providing complimentary services at one location. Given its proximity to several casinos and hotels, and the limited number of gasoline stations in Atlantic City, the Property is particularly well-suited for the use and will provide a necessary service to Atlantic City’s tourism base. Moreover, the Property is currently used as surface parking. The proposed development will visually enhance the Property which is visible from Pacific Avenue.

Importantly, the currently pending Tourism District Land Use Regulations, that on adoption, which will shortly occur, will supersede the Atlantic City zoning ordinance, specifically contemplates “automobile service station and gas station and convenience center” as a conditionally permitted use in the RS-C zone. On adoption, the proposed use will be considered a singular principal use, conditionally permitted to operate at the Property. When that occurs, a “D” variance will no longer be required. The proposed Tourism District Regulations that eliminate the need for the “D” variance is further justification for the variance relief. The development meets all of the conditional use requirements proposed under the proposed ordinance.

No detriment is associated with the proposed variance because both uses are individually permitted or conditionally permitted in the zone and the development will comply with all bulk and conditional use standards. As such, the dual use of the land will not impair the zone plan.

NOTICE OF HEARING

Casino Reinvestment Development Authority
Division of Land Use and Regulatory Enforcement
15 S. Pennsylvania Avenue
Atlantic City, NJ 08401

Notice is hereby given that a written application has been filed by Boardwalk 1000, LLC (the "Applicant") with the Casino Reinvestment Development Authority for a Preliminary and Final Site Plan Approval, Conditional Use Approval and Variance Approval to construct and operate an automobile service station, convenience store and car wash (the "Uses").

The Applicant is requesting a "D" variance to permit two principal uses on the Property.

The property is shown as Block 61, Lots 9 & 10 on the official tax map of the City of Atlantic City and more commonly known as 912 & 916 Pacific Avenue.

The property is located within the Resort Commercial Zone (RS-C).

The Applicant will apply for any other development approvals, variances, waivers or relief necessary for such development.

The application and all plans relative thereto have been filed with the Land Use Administrative Official, Casino Reinvestment Development Authority, Division of Land Use and Regulatory Enforcement, 15 S. Pennsylvania Avenue, Atlantic City, NJ 08401, and are available for inspection Monday through Friday, 9:00 a.m. to 5:00 p.m.

A public hearing on the above-mentioned application has been scheduled for the 21st day of December, 2017 at 10:00 a.m. Said hearing shall take place at: The Casino Reinvestment Development Authority, 15 South Pennsylvania Avenue, Atlantic City, New Jersey.

The public is invited to attend this meeting and share any relevant comments they may have with respect to this application

This notice is given in compliance with the requirements of Section 163-198 of the Land Use Development Code of the City of Atlantic City and the N.J.S.A. 40:55D-12.

Dated: December 10, 2017

BY: Jack Plackter, Esq.
FOX ROTHSCHILD LLP
Attorneys for Applicant,
Boardwalk 1000, LLC
1301 Atlantic Avenue, Suite 400
Atlantic City, NJ 08401
(609) 572-2200
jplackter@foxrothschild.com

FOX ROTHSCHILD LLP

ATTORNEY BUSINESS ACCOUNT 2100019564260

DATE: 12-07-17 PAYEE: CASINO REINVESTMENT DEVELOPMENT AUTHORITY VENDOR #: 107436 CHECK #: 556749

VOUCHER #	INVOICE #	INV. DATE	INV. AMOUNT	MATTER / G/L #	AMT. PAID
776988	120717	12-07-17	700.00	167740.00003 1310000000000000000	700.00
TOTAL					\$700.00

COMMENTS:

FOX ROTHSCHILD LLP

DATE: 12-07-17 PAYEE: CASINO REINVESTMENT DEVELOPMENT AUTHORITY VENDOR #: 107436 CHECK #: 556749

VOUCHER #	INVOICE #	INV. DATE	INV. AMOUNT	MATTER / G/L#	AMT. PAID
776988	120717	12-07-17	700.00	167740.00003 1310000000000000000	700.00
TOTAL					\$700.00

COMMENTS:

FOX ROTHSCHILD LLP
ATTORNEYS AT LAW
2000 MARKET STREET 20TH FLOOR
PHILADELPHIA PA, 19103-3291
215-299-2000

WELLS FARGO
3-50/310

CHECK DATE 12/07/17 CHECK # 556749

PAY SEVEN HUNDRED AND 00/100

CHECK AMOUNT
\$700.00

VOID AFTER 180 DAYS

PAY CASINO REINVESTMENT DEVELOPMENT AUTHORITY
TO THE
ORDER OF

Edward Gillespie
Authorized Signature

FOX ROTHSCHILD LLP

ATTORNEY BUSINESS ACCOUNT 2100019564260

DATE: 12-07-17 PAYEE: CASINO REINVESTMENT DEVELOPMENT AUTHORITY VENDOR #: 107436 CHECK #: 556750

VOUCHER #	INVOICE #	INV. DATE	INV. AMOUNT	MATTER / G/L #	AMT. PAID
776989	120717A	12-07-17	5,345.70	167740.00003 131000000000000000	5,345.70
TOTAL					\$5,345.70

COMMENTS:

FOX ROTHSCHILD LLP

DATE: 12-07-17 PAYEE: CASINO REINVESTMENT DEVELOPMENT AUTHORITY VENDOR #: 107436 CHECK #: 556750

VOUCHER #	INVOICE #	INV. DATE	INV. AMOUNT	MATTER / G/L#	AMT. PAID
776989	120717A	12-07-17	5,345.70	167740.00003 131000000000000000	5,345.70
TOTAL					\$5,345.70

COMMENTS:

FOX ROTHSCHILD LLP
ATTORNEYS AT LAW
2000 MARKET STREET 20TH FLOOR
PHILADELPHIA PA, 19103-3291
215-299-2000

WELLS FARGO
3-50/310

CHECK DATE 12/07/17 CHECK # 556750

PAY FIVE THOUSAND THREE HUNDRED FORTY-FIVE AND 70/100

CHECK AMOUNT \$5,345.70
VOID AFTER 180 DAYS

PAY TO THE ORDER OF CASINO REINVESTMENT DEVELOPMENT AUTHORITY

Edward Gillespie
Authorized Signature