



1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401
☎ 609.348.4515 📠 609.348.6834
www.foxrothschild.com

BRIDGET A. SYKES
Direct No: 609.572.2257
Email: BSykes@FoxRothschild.com

June 30, 2025

VIA HAND DELIVERY

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

**Re: 20 S Tennessee Avenue, Block 147, Lot 3
Jemal's Tate L.L.C.**

Dear Sir/Madam:

This firm is counsel to Jemal's Tate L.L.C., relative to their application before the CRDA for Preliminary and Final Major Site Plan Approval (the "Application") for property located at 20 S. Tennessee Avenue and designated as Lot 3 of Block 147 on the official tax map of the City of Atlantic City. Enclosed please find one (1) original and one (1) copy of the following documents in support of the Application, collated:

1. Completed Land Use Application executed by Applicant and Owner and Escrow Setup Information Form;
2. Exhibit List;
3. Corporate Disclosure Statement;
4. Completed Preliminary and Final Major Site Plan Checklists;
5. Application Statement;
6. Photos depicting the Property;

A Pennsylvania Limited Liability Partnership

California Nevada Colorado New Jersey Delaware New York District of Columbia North Carolina Florida Oklahoma Georgia Pennsylvania Illinois Massachusetts South Carolina Minnesota Texas Missouri Washington



Casino Reinvestment Development Authority

June 30, 2025

Page 2

7. Deed to Property;
8. Certification of Paid Taxes;
9. 200 Foot List (also shown on Minor Site Plan and Variance Plan);
10. Major Site Plan and Variance Plan (5 Sheets) prepared by Jon J. Barnhart, P.E., P.P., inclusive of Survey; and
11. Architectural Floor Plan and Elevation (5 Sheets) prepared by Mode Architects.

Also enclosed are one each of the following:

1. Check in the amount of \$550.00 representing the Application Fee (attached to original copy of Application);
2. Check in the amount of \$2,224.13 representing the Escrow Fee which was calculated based on a lot area of 14,250 SF and gross building area of 8,163 SF.

An electronic copy of the Application is being emailed to Mr. Robert Reid today.

Should you require anything further to process the Application, please contact my office. It is respectfully requested that this matter be heard on the earliest available hearing date.

Thank you for your assistance in this matter and do not hesitate to reach out to me with any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Bridget Sykes", with a long horizontal flourish extending to the right.

Bridget A. Sykes

BS/nr

cc: Applicant (w/copy of Application only)

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: _____ 20 S Tennessee Avenue _____

Tax Map Page 28 Block 147 Lot(s) 3

Page _____ Block _____ Lot(s) _____

Page _____ Block _____ Lot(s) _____

Dimensions Frontage 115 feet Depth Varies Total Area 14,250 SFZoning District RC - Resort Commercial**2. APPLICANT**Name Jemal's Tate L.L.C.Email pgardiner@douglasdev.comAddress c/o Douglas Development, 655 New York Avenue NW, Suite 830, Washington, DC 20001Telephone Number 202-729-7441Applicant 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 N/A

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>See attached.</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>
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] X No Proposed X

Present use of the premises: Vacant. Formerly office use.

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 Bridget A. Sykes, Esq., Fox Rothschild LLP

Email bsykes@foxrothschild.com

Address 1301 Atlantic Avenue, Suite 400, Atlantic City, New Jersey 08401

Telephone Number 609-572-2257

FAX Number

7. Applicant's Engineer Jon J. Barnhart, P.E., P.P., Arthur Ponzio Co.

Email jbarnhart@aponzio.com

Address 400 N. Dover Avenue, Atlantic City, New Jersey 08401

Telephone Number 609-344-8194

FAX Number

8. Applicant's Planning Consultant Same as Engineer

Email

Address

Telephone Number

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 Jason Hanrahan, Mode - Architects

Field of Expertise Architecture

Email jhanrahan@mode-arch.com

Address 621 Lake Ave #3A, Asbury Park, New Jersey 07712

Telephone Number 732-800-1958

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

X _____ Major Preliminary Site Plan Approval [Phases (if applicable) ____]

X _____ 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)]

_____ 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] N/A

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

Requirements: [attach additional pages as needed] See checklist.

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] Renovation of existing building for mixed-use retail and apartments.

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? N/A

20. Are any off-tract improvements required or proposed? Yes

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 letter of credit.

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

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	_____	X	_____
Atlantic County Health Department	_____	X	_____
Atlantic County Planning Board	_____	X	_____
Atlantic County Soil Conservation Dist.	_____	X	_____
NJ Department of Environmental Protection	_____	X	_____
Sewer Extension Permit	_____	X	_____
Sanitary Sewer Connection Permit	_____	X	_____
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	_____
_____	_____	_____	_____

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

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

Quantity	Description of Item
_____	See attached list of Exhibits.
_____	_____
_____	_____

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 _____

Attorney _____ Copies of all reports.

Engineer _____ Copies of all reports.

CERTIFICATIONS

27. I Bridget A. Sykes 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

30th day of June, 2025

Susan B. Mullen

NOTARY PUBLIC

SUSAN B MULLEN
Notary Public - State of New Jersey
My Commission Expires Jun 27, 2026

Bridget A. Sykes

SIGNATURE OF APPLICANT
Attorney for Applicant

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

____ day of _____, 20 ____

N/A - Applicant same as Owner

NOTARY PUBLIC

SIGNATURE OF OWNER

29. I understand that the sum of \$ 2,224.13 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.

6-30-2025

Date

Bridget A. Sykes

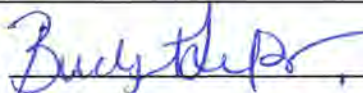
SIGNATURE OF APPLICANT
Attorney for Applicant

ESCROW SETUP INFORMATION

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

Applicant's Name: Jemal's Tate L.L.C.

Applicant's Address: c/o Douglas Development, 655 New York Avenue NW, Suite 830, Washington, DC 20001

*Applicant's Signature:  , Attorney for Applicant

Applicant's Phone No.: 202-729-7441

Applicant's Email Address: pgardiner@douglasdev.com

Applicant's Date of Birth: Date of Entity Formation: 10/14/2022

Tax Identification or Social Security Number: 92-0683575

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

APPLICATION EXHIBIT LIST
20 SOUTH TENNESSEE AVENUE
JEMAL'S TATE L.L.C.

The following maps, plans and supporting documents accompany the Application for Preliminary and Final Major Site Plan Approval:

1. Major Site Plan (5 Sheet)s prepared by Jon J. Barnhart, P.E., P.P., inclusive of Survey;
2. Architectural Floor Plan and Elevation (5 Sheets) prepared by Mode Architects;
3. Corporate Disclosure Statement;
4. Completed Preliminary and Final Major Site Plan Checklists;
5. Application Statement with Development Agreement and Amendments to Development Agreement annexed as exhibits thereto;
6. Photos depicting the Property;
7. Deed to Property;
8. Certification of Paid Taxes;
9. 200 Foot List (also shown on Major Site Plan).

JEMAL'S TATE L.L.C.
A New Jersey limited liability company

June 30, 2025

DISCLOSURE STATEMENT

**LISTS OF NAMES AND ADDRESSES OF STOCKHOLDERS
OR INDIVIDUALS OWNING 10% OF THE CORPORATION
STOCK OR 10% INTEREST IN THE PARTNERSHIP
(N.J.S.A. 40:55D-48.1 AND 48.2)**

The following individuals own a 10% or greater interest in Jemal's Tate L.L.C.

Norman Jemal
655 New York Ave., N.W.
Suite 830
Washington, DC 20001

Matthew Jemal
655 New York Ave., N.W.
Suite 830
Washington, DC 20001



15 South Pennsylvania Avenue

Atlantic City, NJ 08401

NJ CRDA – City of Atlantic City - Major Preliminary Site Plan Checklist (Form # 6)

REQUIRED APPLICATION ITEMS

Project Name: 20 South Tennessee Application # _____

Prepared by: Bridget A. Sykes/ Jon J. Barnhart Title Attorney/Engineer Date 6/30/2025

Note : Five (5) copies of plans and supporting documents are required as the initial submission. Ten (10) copies of plans are required for final sign-off and distribution.

Item #	Description	REQUIRED	SUBMITTED	WAIVER REQUESTED BY APPLICANT	Waiver Recommended by Reviewer
1	Completed Land Use Application Form	X	X		
2	Payment of Required Application and Escrow Fees (19:66-3.4)	X	X		
3	Name and address, email address of property owner and applicant.	X	X		
4	Proof of real estate taxes and other assessments paid.		X		
5	Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.	X	X		
6	Project narrative describing existing conditions, surrounding uses and the proposed development including list of variance and design waiver relief sought, if any.	X	X		
7	Title block denoting type of application, tax map sheet, project address, block and lot, and street location.	X	X		
8	Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk's Office, affidavit or other documentation evidencing ownership.)	X	X		
9	Consent of property owner to applicant to development project.	X	N/A		
10	FOR ADMINISTRATIVE REVIEW AND APPROVAL: Certification from Applicant's licensed professional that the development proposed meets all requirements and no	X	N/A		

	variance or design waivers are requested. (19:66-4.6)				
11	Zoning Schedule listing: Use, lot area, lot width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each.	X	X		
12	Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.	X	X		
13	Public Notice in compliance with NJSA 40:55D-12.	X	To be provided		
14	North arrow, scale and graphic scale.	X	X		
15	Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.	X	X		
16	Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.	X	X		
17	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X	X		
18	List of development stages or phases, if any.	X	N/A		
19	List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.	X	X		
20	Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, site lighting/fixtures, fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA	X	X		

	Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings.				
21	Stormwater management plans and drainage calculations. (19:66-7.5)	X		X*	
22	Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, lighting / fixtures, lighting intensity, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.	X	X		
23	Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures	X		X*	
24	Landscaping Plan, details and plant schedule (19:66-7.6)	X	X		
25	Lighting plan and details (19:66-7.10)	X			
26	Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)	X	N/A		
27	Plans of proposed utility layouts including sanitary sewer, water, gas, telephone, cable and electricity and showing proposed connections to existing or any proposed utility systems.	X		X*	
28	Road and paving cross-sections and profiles.	X		X*	
29	Solid and liquid waste management plan.	X		X**	
30	Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles	X		X*	
31	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X	X		
32	Electronic copy of the full application including: application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB.	X	X		



15 South Pennsylvania Avenue

Atlantic City, NJ 08401

NJ CRDA – City of Atlantic City - Major Final Site Plan Checklist (Form # 7)

REQUIRED APPLICATION ITEMS

Project Name: 20 South Tennessee Application # _____
 Prepared by: Bridget A. Sykes/ Jon J. Barnhart Title Attorney/Engineer Date 6/30/2025

Note : Five (5) copies of plans and supporting documents are required as the initial submission. Ten (10) copies of plans are required for final sign-off and distribution.

Item #	Description	REQUIRED	SUBMITTED	WAIVER REQUESTED BY APPLICANT	Waiver Recommended by Reviewer
1	Completed Land Use Application Form	X	X		
2	Payment of Required Application and Escrow Fees (19:66-3.4)	X	X		
3	Name and address, email address of property owner and applicant.	X	X		
4	Proof of real estate taxes and other assessments paid.		X		
5	Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.	X	X		
6	Project narrative describing existing conditions, surrounding uses and the proposed development including list of variance and design waiver relief sought, if any.	X	X		
7	Title block denoting type of application, tax map sheet, project address, block and lot, and street location.	X	X		
8	Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk's Office, affidavit or other documentation evidencing ownership.)	X	X		
9	Consent of property owner to applicant to development project.	X	N/A		

10	FOR ADMINISTRATIVE REVIEW AND APPROVAL: Certification from Applicant's licensed professional that the development proposed meets all requirements and no variance or design waivers are requested. (19:66-4.6)	X			
11	Zoning Schedule listing: Use, lot area, lot width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each.	X	X		
12	Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.	X	X		
13	Public Notice in compliance with NJSA 40:55D-12.	X	To be provided		
14	North arrow, scale and graphic scale.	X	X		
15	Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.	X	X		
16	Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.	X	X		
17	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X	X		
18	List of development stages or phases, if any.	X	N/A		
19	List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.	X	X		

20	Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, site lighting/fixtures, fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings.	X	X		
21	Stormwater management plans and drainage calculations. (19:66-7.5)	X	N/A		
22	Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, lighting / fixtures, lighting intensity, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.	X	X		
23	Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures	X		X*	
24	Landscaping Plan, details and plant schedule (19:66-7.6)	X		X*	
25	Lighting plan and details (19:66-7.10)	X	X		
26	Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)	X	N/A		
27	Plans of proposed utility layouts including sanitary sewer, water, gas, telephone, cable and electricity and showing proposed connections to existing or any proposed utility systems.	X		X*	
28	Road and paving cross-sections and profiles.	X		X*	

29	Solid and liquid waste management plan.	X		X**	
30	Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles	X		X*	
31	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X	X		
32	Estimate of costs of on-site and off-site improvements [19:66-3.4 (b)]	X	To be provided		
33	Electronic copy of the full application including: application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB.	X	X		
34	Performance guarantee [19:66-3.4 (b)]	X	To be provided		
35	Maintenance guarantee (19:66-16.3)	X	To be provided		
36	Inspection Fees (19:66-16.1)	X	To be provided		

* Waiver requested on the basis that site is fully developed and existing.

** Testimony to be provided with respect to liquid and waste management plan.

APPLICATION STATEMENT
20 S Tennessee Avenue, Block 147, Lot 3
Jemal's Tate L.L.C.

Applicant, Jemal's Tate L.L.C., is the owner of the property located at 20 S. Tennessee Avenue, designated as Block 147, Lot 3 on the official tax map of the City of Atlantic City (the "Property"). The Property is located in the RC Resort Commercial Zoning District. Applicant seeks Preliminary and Final Major Site Plan approval for the renovation of an existing building for mixed-use retail and residential development (the "Application").

The Property is developed with an existing 3-story building that has been vacant for several years. It is known as the "Tate House" and was historically used for offices and most recently the John Brooks Recovery Center. Applicant purchased the Property from the CRDA to redevelop the Property in conjunction with other properties owned by affiliates of Applicant in the vicinity to revitalize the neighborhood. The Property is subject to a Developer's Agreement with the CRDA a copy of which is enclosed herewith.

Applicant seeks to rehabilitate the existing building. The first floor will be comprised of 437 SF of retail space at the front of the building along Tennessee Avenue and three apartment units in the rear of the building. The second and third floors will be comprised of six additional apartment units, three units on each floor. The building will be modified for flood compliance.

Applicant will rehabilitate the building façade and create a new elevated porch area to provide access to a new outdoor courtyard to the north of the building which will provide outdoor amenities for the residents of the Property and the adjacent property located at 14 S. Tennessee Avenue which is owned by an affiliate of Applicant. An existing surface parking lot to the south of the building will provide parking for the residents.

The Property has pre-existing non-conforming conditions for lot depth, impervious coverage, and front and side-yard setbacks above 35 feet. None of these existing non-conformities will be exacerbated by the renovation and rehabilitation.

The Property has been recently designated as historic by the City of Atlantic City. The Property is also being developed in conjunction with a grant award from the New Jersey Economic Development Authority under the Activation, Revitalization and Transformation (A.R.T.) program.

Exhibit “A”

Development Agreement and Amendments

DEVELOPMENT AGREEMENT

By and Between

CASINO REINVESTMENT DEVELOPMENT AUTHORITY
a public body established in, but not of, the
Department of Treasury of the State of New Jersey

and

DOUGLAS DEVELOPMENT CORPORATION

Dated: August 18, 2022

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this “**Agreement**”) entered into as of this 18th day of August, 2022 (the “**Effective Date**”) by and between the **CASINO REINVESTMENT DEVELOPMENT AUTHORITY**, a public body established in, but not of, the Department of Treasury of the State of New Jersey (which, together with any successor public body or officer hereinafter designated by or pursuant to law, is hereinafter referred to as the “**Authority**”), having its offices at 15 South Pennsylvania Avenue, Atlantic City, New Jersey 08401, and **DOUGLAS DEVELOPMENT CORPORATION**, a corporation of the District of Columbia, having its address at 655 New York Avenue, NW Suite 830, Washington, DC 20001 (together with its successors and assigns, the “**Developer**”, together with the Authority, the “**Parties**”; each individually a “**Party**”).

WITNESSETH:

WHEREAS, pursuant to Resolution 11-25 adopted April 19, 2011, the Authority (the “**Authority**”) established an Atlantic City Tourism District (the “**Tourism District**”), and in accordance with the Authority’s enabling statute, P.L. 1984, c. 218, (C. 5:12-153 *et seq.*) (“**Enabling Act**”), the Authority is empowered to enter into any agreements or contracts, execute any instruments, and do and perform any acts or things necessary, convenient, or desirable for the purposes of the Authority to carry out any power expressly given in the Enabling Act, and in accordance with P.L. 2011, c. 18 (C.5:12-218 *et al.*), as amended, the Authority’s powers were augmented to advance and promote the casino gaming, convention, and tourism industries through its creation and redevelopment of the Tourism District, its oversight and management thereof, and by entering into agreements with public and private entities for the purposes of promoting the economic and general welfare of the City of Atlantic City (the “**City**”) and the Tourism District; and

WHEREAS, the Authority owns that certain property within the Midtown section of the City identified on the official tax maps of the City as Block 143, Lots 3, commonly known as 1307 Pacific Avenue (formerly the John Brooks Recovery Center and formerly known on the City’s tax records as 1315 Pacific Avenue) and 20 S. Tennessee Avenue (also known as the Tate House), all as further described in **Schedule A** (with respect to 20 S. Tennessee Avenue only, the “**Property**”); and

WHEREAS, on January 27, 2021, the Authority released a request for proposals (the “**RFP**”) for the development of 20 S. Tennessee Avenue and on October 5, 2021, received two (2) responses to the RFP; and

WHEREAS, after reviewing the RFP responses, a review team comprised of three (3) Authority staff members met and interviewed all potential developers and ranked each proposal for:

- quantity, certainty and timing of revenues to the Authority;
- quality of the development proposal;
- proposed timeframe for commencement and completion of the Project (as defined

- herein);
- respondent's previous record of performance and experience; and
 - quality, creativity and originality of respondent's proposed equal opportunity and workforce development programs for City regional businesses and residents; and

WHEREAS, the Developer received the highest combined score of 87.88 points out of a possible 100 points, with the other response receiving a score of 80.75; and

WHEREAS, by Resolution 22-06 duly adopted on January 18, 2022, as amended by Resolution 22-102 adopted on July 28, 2022, the Authority selected the proposal submitted by Developer in response to the RFP to develop three (3) adjacent mixed-use residential buildings containing a total of 47 residential units, with a mix of studios and 1- and 2-bedroom apartments, along with parking and ground floor courtyards (as further described in Schedule B, the "**Project**"); and

WHEREAS, the Developer is a corporation with resources and a team of experts in planning, development, law, engineering, environmental issues, architecture, design, finance, and real estate development necessary to effectuate the development of the Property.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties, the Parties, intending to be legally bound, hereby agree as follows:

ARTICLE I

DEFINITIONS AND INTERPRETATION

Section 1.01 Particular Terms. Capitalized terms used in this Agreement shall have the respective meanings ascribed to such terms in this Section 1.01. Other capitalized terms used herein but not otherwise defined shall have their respective plain meanings as commonly used in like trade and custom.

"Affiliate" — With respect to a specified Person, any other Person that directly controls, is controlled by, or is under common control with the specified Person. For the purpose of this definition, "control" means the possession, directly or indirectly, of the power to direct or cause the direction of the policies or management of the specified Person, whether through the ownership of voting securities, partnership interests or membership interests.

"Agreement" — Has the meaning as defined in the preamble.

"Authority" — Has the meaning as defined in the preamble.

"Authority Event of Default" — Has the meaning given to such term in Section 5.06.

"Business Registration Act" — Has the meaning as defined in Section 6.03.

“Certificate of Occupancy” — A temporary or permanent certificate of occupancy for the Project.

“City” — Has the meaning as defined in the recitals.

“Debarment Lists” — Has the meaning as defined in Section 4.01(g)(ii).

“Default” — Any event or circumstance which, with the giving of notice or the passage of time, or both, would become an Event of Default.

“Developer” — Has the meaning as defined in the preamble.

“Development Approvals” — Has the meaning as defined in Section 4.02(a).

“Developer Event of Default” — Has the meaning given to such term in Section 5.01.

“Dollars” and **“\$”** — Lawful money of the United States of America.

“Enabling Act” — Has the meaning as defined in the recitals.

“Environmental Laws” — All federal, state and local laws, ordinances, rules and regulations with respect to Hazardous Materials, including, without limitation, the Atomic Energy Act of 1954, 42 U.S.C. § 2011 *et seq.*; the Clean Water Act also known as the Federal Water Pollution Control Act, 22 U.S.C. § 1251 *et seq.*; the Clean Air Act, 42 U.S.C. § 7401 *et seq.*; the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136 *et seq.*; the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 *et seq.* as amended, including, without limitation, the Superfund Amendments and Reauthorization Act of 1986; the Defense Environmental Restoration Program, 10 U.S.C. § 2701 *et seq.*; the Emergency Planning and Community Right to Know Act, 42 U.S.C. § 11001 *et seq.*; the Occupational Safety and Health Act, 29 U.S.C. § 651 *et seq.*; the Hazardous Materials Transportation Act, 49 U.S.C. § 5101 *et seq.*; the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.*; the Toxic Substances Control Act, 15 U.S.C. § 2601 *et seq.*; the Safe Drinking Water Act of 1974, 42 U.S.C. §§ 300f-300h-11 *et seq.*; the Oil Pollution Act, 33 U.S.C. § 2701 *et seq.*; the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.*; the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. § 482d; the New Jersey Spill Compensation and Control, *N.J.S.A.* 58:10-23.11 *et seq.*; the New Jersey Industrial Site Recovery Act, *N.J.S.A.* 58:10B-1 *et seq.*; together, in each case, with any amendment thereto, and the regulations adopted, guidance, memoranda and publications promulgated thereunder and all substitutions thereof and any other analogous current or future federal, state, municipal, city or local law.

“Event of Default” — Either a Developer Event of Default or an Authority Event of Default.

“Force Majeure Event” — Act(s) of God, acts of the public enemy, acts or omissions of other parties (including litigation by third parties), flood, fire, epidemics, pandemics, quarantine

restrictions, embargoes, earthquake, explosion, the elements, unusually severe weather, war, terrorism, blockade, security problems, insurrections, riots, mob violence or civil disturbance, acts of the Federal government, acts of other parties, inability to procure or a general shortage of labor, equipment or facilities, energy, freight, materials or supplies in the open market, failure of transportation, strikes, walkouts, boycotts, picketing, slow-downs, work stoppages or other labor actions, or delays of subcontractors due to any of the foregoing such causes, and actions or inactions by any Federal, State or local governmental or quasi-governmental authority, including, but not limited to, utility providers, with respect to governmental approvals or the development of the Project, affecting the rights or obligations of the Developer or the Authority hereunder (including, but not limited to, delays in issuance of governmental approvals), court orders, laws, rules, regulations or orders of Governmental Authorities, or any other similar cause not within the control of the Parties that have a substantial direct impact on the Project or the Parties' ability to carry out their respective obligations under this Agreement.

“Governmental Authorities” — The United States, the State, and any political subdivision, agency, department, commission, board, bureau or instrumentality of either of them, including any local authorities, which exercises jurisdiction over Developer, the Property, or the Project.

“Hazardous Materials” — Any flammable explosives, radioactive materials, hazardous wastes, hazardous or toxic substances, or related or similar materials, asbestos or any material containing asbestos, or any other substance or material as defined by any Federal, state or local Environmental Law, including, without limitation, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§ 9601, *et seq.*, as amended, including, without limitation, the Superfund Amendments and Reauthorization Act of 1986 (“CERCLA”), the Hazardous Materials Transportation Act, as amended, 49 U.S.C. § 1801, *et seq.*, the Resource Conservation and Recovery Act, as amended, 42 U.S.C. §§ 6901, and those “hazardous substances” defined and set forth in *N.J.S.A.* 58:10-23.11 b(k), as amended, and in the regulations adopted and publications promulgated pursuant thereto.

“Insurance Policies” — Has the meaning as defined in Section 4.01(n)(i).

“Law” — Any federal, state or local law, statute, rule, regulation, ordinance, order, decree, directive, requirement, code, notice of violation or rule of common law, now or hereafter in effect, and in each case as amended, and any judicial or administrative interpretation thereof by a Governmental Authority or otherwise, including any judicial or administrative order, determination, consent decree or judgment, including, without limitation, the Americans with Disabilities Act of 1990, as amended from time to time.

“Major Work” — Has the meaning as defined in Section 4.01(m)(iv).

“Party/Parties” — Has the meaning as defined in the preamble.

“Permitted Mortgage” — Has the meaning as defined in Section 4.01(l).

“Permitted Mortgagee” — Has the meaning as defined in Section 4.01(l).

“Permitted Transfer” — Has the meaning as defined in Section 4.01(I).

“Person” — Any individual, corporation, partnership, limited liability company, joint venture, estate, trust, unincorporated association, any other entity, any federal, state, county or municipal government or any bureau, department or agency thereof and any fiduciary acting in such capacity on behalf of any of the foregoing.

“Project” — Has the meaning as defined in the recitals.

“Project Budget” — An estimated budget setting forth, by category, the estimated cost of the Project. The initial Project Budget is attached hereto as Schedule C.

“Project Documents” — This Agreement and any other documents which evidence the Project in its entirety, including the Purchase and Sale Agreement between the Parties dated August 18, 2022.

“Project Schedule” — Has the meaning as defined in Section 2.04.

“Property” — Has the meaning as defined in the recitals.

“Purchase and Sale Agreement” — Has the meaning as set forth in the definition of the term “Project Documents.”

“Remedy” — Has the meaning as defined in Section 6.09.

“Right of Reverter” — Has the meaning as defined in Section 5.02(c).

“State” — The State of New Jersey.

“Tourism District” — Has the meaning as defined in the recitals.

“Transfer” — Has the meaning as defined in Section 4.01(I).

“Transferee” — Has the meaning as defined in Section 4.01(I).

Section 1.02 Rules of Construction. Except as expressly provided otherwise, when used in this Agreement (i) “or” is not exclusive, (ii) “hereunder,” “herein,” “hereof” and the like refer to this Agreement as a whole, (iii) “Article,” “Section,” and “Schedule” refer to Articles, Sections, and Schedules of this Agreement, (iv) terms defined in the singular shall have a correlative meaning when used in the plural and vice versa, (v) a reference to a Law includes any amendment, modification or supplement to, or replacement of, such Law and (vi) a reference to a document shall mean such document as the same may be amended, modified or supplemented from time to time in accordance with its terms. The cover page and the Schedules annexed hereto are incorporated as a part of this Agreement with the same effect as if set forth in the body hereof. Any table of contents and all captions and headings herein are for convenience only and shall not affect the interpretation or construction hereof.

ARTICLE II

TRANSFER OF PROPERTY; PROJECT IMPLEMENTATION

Section 2.01 Application of the Agreement. The terms and conditions of this Agreement shall apply to the Property and the Project, and any off-site or off-tract improvements relating to the Project. This Agreement shall apply only to this Project by the Developer.

Section 2.02 Property Transfer, Generally. Subject to the terms and conditions of this Agreement (including the Right of Reverter, as described in Article V herein) and the other Project Documents, the Authority hereby agrees to transfer the Property to the Developer. The Property is being transferred in its existing condition, "AS-IS," "Where Is" and with all faults, subject to the terms, conditions and contingencies contained in this Agreement and the Purchase and Sale Agreement. Developer hereby agrees and acknowledges that the Authority has made no claims, promises, representations or warranties of any kind with respect to: (i) the physical or geophysical condition of the Property; (ii) the environmental condition of the Property or the presence or absence of any Hazardous Materials on, beneath or migrating from the Property; (iii) compliance with Laws, Environmental Laws, regulations, approvals, or conditions of approval; (iv) the existence or availability of any permits or governmental or quasi-governmental approvals necessary to conduct any particular use on the Property; (v) the existence or absence of any underground storage tank or septic tank on or beneath the Property; or (vi) the suitability of the Property to support any particular use. By entering into this Agreement, Developer agrees and acknowledges that it is solely relying on its own assessments, investigations, inspections, tests, reviews, and/or studies of the Property conducted during its own due diligence.

Section 2.03 Undertaking of the Project. As a condition to the Authority transferring the Property to Developer, Developer agrees to develop and construct the Project on the Property and use the Property in accordance with the uses approved by the Authority, final construction plans, all governmental approvals, and applicable Law, as more fully set forth herein.

Section 2.04 Project Schedule. Attached as Schedule D is the project schedule for development of the Project (as may be updated and revised from time to time, the "**Project Schedule**"). The Developer shall construct the Project in accordance with the Project Schedule. The deadlines in the Project Schedule may be extended provided the Developer demonstrates to the reasonable satisfaction of the Authority that the Developer has been diligent and in spite of such diligence is unable to meet a deadline.

Section 2.05 Conditions Precedent to Transfer. The Authority shall be obligated to transfer the Property in accordance with the Purchase and Sale Agreement and upon satisfaction of the following conditions:

- (a) There shall not exist a Developer Event of Default;
- (b) The representations and warranties made by Developer to the Authority herein or in any other document, certificate or statement executed or delivered to the Authority in connection with this Agreement shall be true, accurate and correct on and as of the date of the transfer with the same effect as if made on such date;

(c) The Authority or the Authority's counsel shall have received from Developer each of the following:

(i) Insurance Policies. Certificates evidencing the Insurance Policies required herein together with evidence of the payment of the premiums therefor;

(ii) Organizational Documents. The following organizational documents as to Developer:

1. true and complete copies of Developer's certificate of incorporation and bylaws;

2. a current good-standing certificate from the State;

3. a resolution, certified by the corporate secretary of Developer authorizing the consummation of the transactions contemplated thereby; and

4. a certificate of the corporate secretary as to the incumbency of the officers executing any of the documents required hereby;

(iii) Approvals and Compliance. Copies of applicable land use and governmental approvals or permits pertaining to the construction of the Project, including the approved Hearing Officer report, attached hereto as Schedule F, and evidence of compliance with all terms, conditions and requirements therein, including but not limited to establishment of an escrow for engineering inspection and legal review costs;

(iv) Professional Contracts. Copies of executed contracts and all invoices paid or payable, for any professional services engaged to effectuate the construction of the Project;

(v) Payment and Performance Bond. Consistent with the Authority's standard procedures, a payment and performance bond or its substantial equivalent in favor of the Authority in form and customary amount reasonably acceptable to the Authority to ensure that the Project shall be properly completed in accordance with the plans and specifications and that all contractors, subcontractors, suppliers, materialmen, and vendors performing work on the Project have been or will be paid;

(vi) Title Insurance Policy. Fully paid title insurance policy covering the Property in an amount not less than the Project Budget;

(vii) Survey. A survey for the Property prepared by a licensed surveyor;

(viii) Full Project Funding. Documentation reasonably satisfactory to the Authority demonstrating that all necessary Project funding has been committed; and

(ix) Additional Documentation. Such other approvals, opinions or documents as the Authority may reasonably request.