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CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION
AND
ENFORCEMENT DIVISION
HEARING

Application No. 2022-08-3272
Atlantic Beach Properties, L.L.C.

PRESENT: LANCE B. LANDGRAF, JR., Chairman
ROBERT L. REID, Land Use Enforcement
CAROLYN FEIGIN, Engineer
JEFF HANSON, Engineer, E.R.I.
SCOTT COLLINS, ESQ., Land Use Solicitor

PLACE: Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, N.J. 08401

DATE: September 15, 2022, 10:00 a.m.

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<p style="text-align: right;">3</p> <p>1 MR. LANDGRAF: All right. We'll</p> <p>2 th</p> <p>3 call to order the September 15 , C.R.D. Land</p> <p>4 Use Regulation and Enforcement Division</p> <p>5 Hearing.</p> <p>6 If you could all please rise for</p> <p>7 the pledge of allegiance?</p> <p>8 (Pledge of allegiance recited.)</p> <p>9 MR. LANDGRAF: Thank you. This</p> <p>10 hearing has been noticed in accordance with</p> <p>11 the Senator Byron M. Baer Open Public</p> <p>12 Meetings Act.</p> <p>13 We have four items on today's</p> <p>14 agenda. As I said right before the meeting</p> <p>15 started, we're going to adjust the agenda a</p> <p>16 little bit today to accommodate some</p> <p>17 schedules.</p> <p>18 The first item is going to be a</p> <p>19 tabling of the Everest Dispensary, L.L.C.</p> <p>20 application; second, we will hear the</p> <p>21 Atlantic Beach Properties' application;</p> <p>22 third, will be the Legal Distribution, L.L.C.</p> <p>23 application; and fourth will be Starboard</p> <p>24 Enterprises, New Jersey, L.L.C.</p> <p>25 (Other matters heard.)</p>	<p style="text-align: right;">5</p> <p>1 property, things that were going to be done</p> <p>2 with it, and then what our application is</p> <p>3 today in dealing with it. As he goes through</p> <p>4 the exhibits, we'll mark the exhibits for</p> <p>5 you.</p> <p>6 We'll talk about the variance</p> <p>7 reliefs that we're asking for and why we</p> <p>8 think it can be approved from both a positive</p> <p>9 and a negative criteria on that property how</p> <p>10 it's particularly well-suited.</p> <p>11 MR. LANDGRAF: Okay.</p> <p>12 MR. CALLAGHAN: Mr. Dothe?</p> <p>13 MR. LANDGRAF: Before — before Mr.</p> <p>14 Dothe speaks, Rob, we're good on notice here?</p> <p>15 MR. REID: Yes, I've reviewed the</p> <p>16 proof of service provided by the applicant</p> <p>17 and we have jurisdiction to hear the</p> <p>18 application.</p> <p>19 MR. LANDGRAF: And, Jeff, we're</p> <p>20 good on completeness?</p> <p>21 MR. HANSON: We're good on</p> <p>22 completeness.</p> <p>23 MR. LANDGRAF: All right. Thank</p> <p>24 you.</p> <p>25 Mr. Dothe, please state your name</p>

<p style="text-align: right;">6</p> <p>1 and Scott, if you could swear him in, please? 2 CRAIG DOTHE, SWORN 3 MR. COLLINS: Thank you. 4 MR. CALLAGHAN: Mr. Landgraf, do 5 you need me to go through his qualifications? 6 MR. LANDGRAF: No, Mr. Dothe has 7 been here before, a long-known architect in 8 our area and licensed by the State of New 9 Jersey. We accept him as an expert in those 10 fields, as well as planning. 11 MR. CALLAGHAN: Craig, why don't 12 you walk him through a little bit about the 13 existing conditions, what we — what we have 14 right now on site? 15 MR. HANSON: Just before you begin 16 your testimony, Mr. Callaghan, are you going 17 to be having any witnesses refer to anything 18 that wasn't submitted as part of the 19 application? 20 MR. CALLAGHAN: No, he's going to 21 be referring to things that are in the 22 application. I think we had two potential 23 additional exhibits that, when we get to 24 them, we'll address them specifically. One 25 was, like, a parking diagram, and one was</p>	<p style="text-align: right;">8</p> <p>1 an exterior wood stair on the outside, which 2 is a secondary means of egress. Along this 3 side over here, the closest wall is about two 4 inches from the property line. So, it 5 really, kind of, fills out the existing lot 6 line. 7 There's also, basically, zero front 8 yard setback and it's got four balconies that 9 sit over the property line. 10 The existing use is it's a hotel. 11 When Brian said it's a low-end hotel, it 12 truly is. It's been closed by the City 13 several years ago. It's gone through many 14 different owners. I've worked on this 15 building many times. We've tried to 16 repurpose the building several times in the 17 past, like, 10, 15 years. The latest was to 18 convert it into offices and it just wasn't 19 feasible to even do that. 20 So, it's a building that's empty, 21 that's been a major problem in the City in 22 terms of crime and drugs and that sort of 23 thing, and prostitution, of course. So, but 24 that's being cleaned up when they eliminate 25 the people from it. But now, it's a</p>
<p style="text-align: right;">7</p> <p>1 what — what could actually be built if we 2 conform to all of the various setbacks and 3 requirements. So, those were just two 4 exhibits for laying out things. 5 MR. HANSON: Okay. So, if you're 6 referring to anything now, we're going to 7 mark the application itself for the day. And 8 then if there's anything new, as that comes 9 up — 10 MR. CALLAGHAN: That's fine. 11 MR. HANSON: -- just identify it. 12 Perfect. Thank you. 13 MR. CALLAGHAN: Go ahead Craig. 14 MR. DOTHE: Okay. This site, it's 15 along Pacific Avenue and almost like a 16 building dessert. There's parking lots all 17 around it, across the street from it, and 18 adjacent to it on either side. It's been 19 there for a very long time. It's an old 20 building. 21 The site is 44-foot by 137 and a 22 half feet. There's about four feet from the 23 property line on the side to the existing 24 building. And then across the back it's six 25 feet to the building itself, and then there's</p>	<p style="text-align: right;">9</p> <p>1 dilapidated building that's contributing to 2 urban blight. 3 So, the concept is that we want to, 4 basically, bring it into the 21 century. 5 I'll show you the elevations first, because I 6 think it's impactful in terms of what it will 7 look like. 8 This is the existing building, 9 which it doesn't look like that right now. 10 This is the existing — all these sheets are 11 — you have copies of. It's all just a brick 12 building, an old entry, and then a couple of 13 balconies on either side, just typical 14 residential windows, small-scale-type stuff. 15 So, what happens, is we're 16 converting that to larger scale glass, some 17 nice-looking signage across there. We're 18 going to keep the entry way because that's 19 probably the best part of the whole thing 20 right now. 21 And then what we're going to do is 22 start to frame out here and make it a little 23 more cubist around here and then that will 24 frame in the balconies that stick out, so 25 they won't look, you know, out of place.</p>

<p style="text-align: right;">10</p> <p>1 Then we're going to put a cable 2 rail across the top and convert this into a 3 sundeck. This is the roof presently. We're 4 building a fourth floor on top. And then 5 this wall back here is pushed back the 6 required 20 feet for front yard setbacks. 7 So, we're not asking for a front yard setback 8 for the top floor. And then the roof comes 9 in and sticks out, you know, in a nice 10 cantilever. So, you know, bring in mid- 11 century modern type of look to it. And then 12 some angles there for the structure. And 13 then we're going to light it up, you know, it 14 could be LED color-changing light right there 15 on Pacific Avenue. So, it would be pretty 16 exciting to look at. 17 All of these rooms, at least on 18 this side and across here, have view of the 19 beach, which is crazy. You're on the other 20 side of Pacific Avenue and you can look right 21 down at the beach. So, it can be a very 22 special place. 23 When you're driving south on 24 Pacific Avenue, we included some architecture 25 up here with that angle of the roof and then</p>	<p style="text-align: right;">12</p> <p>1 know, walls and doors around it and 2 everything. The whole building is going to 3 be suppressed. Right now, it's not 4 suppressed. 5 We're putting an elevator in the 6 hallway back here, and then we're putting a 7 proper interior secondary means of egress 8 back here for fire reasons. 9 So, what we're doing as a result of 10 that is we're taking the existing wood stairs 11 down that occupies that space, which is in 12 this area right here. This is the back wall 13 in the existing building, and we're just 14 going to enclose this space and push that 15 wall back out. So, when you egress you come 16 down here and then you walk right out this 17 alley right here. So, the egress actually 18 works well for primary and secondary means of 19 egress. 20 We have a couple of studios, but 21 they're primarily one bedroom. There's a few 22 two bedrooms. And on the top floor, which is 23 very special, we have this one unit right 24 here, which is a one-bedroom unit, nice 25 looking out there and then it's got four</p>
<p style="text-align: right;">11</p> <p>1 the pitch of the structure right there with 2 the lighting up here. 3 And then these windows, stack 4 windows, in this configuration sort of create 5 a little bit of a lighthouse effect. When 6 you're driving down, you're going to see 7 something real nice and modern sticking up 8 right there on the corner. And you're going 9 to say, you know, when you're driving down 10 there, wow, you know, here's an improvement. 11 And it's not a casino improvement, it's 12 private sector improvement right along 13 Pacific Avenue. I think that's going to 14 really give it some punch in that direction. 15 Very similar look to it on this 16 side, but without the windows, obviously, 17 because, we're up close to the property line. 18 Okay. So, what we're doing is 19 we're maintaining the existing entry way and 20 we're going to put a lot of light in there so 21 that it glows at night, because we don't want 22 a lot of people hanging out on the steps and 23 everything all night long. 24 Come through the doors, we're going 25 to put a proper stair in here with fire, you</p>	<p style="text-align: right;">13</p> <p>1 sliders that go right out to the rooftop 2 terrace. Just looks right out at the beach, 3 all the way back from Pacific Avenue. 4 So, the concept is that we're 5 making them luxury apartments. They're for 6 workers and that sort of thing that are 7 working in the casinos. They can walk right 8 to work, you know, it's right next door to 9 Tropicana. They can just go up and down the 10 Pacific Avenue on the jitney, that type of 11 thing, go to wherever they work. 12 So, you know, the apartments are 13 designed so that bedrooms are at opposite 14 sides of the living space. So, when you come 15 into the living room area — let me go to a 16 two-bedroom, they're hard to find. Anyway, 17 you come in to the living room, you have a 18 bedroom on either side so that, you know, you 19 have a little bit of privacy. So, if you're, 20 like, teaming up with somebody you work with, 21 you know, to split the rent, that type of 22 thing, that's a really good layout to allow 23 that to happen. 24 MR. CALLAGHAN: Let's walk them 25 through the variance relief that we're asking</p>

14

1 for. Talk about our C variances. What's
 2 existing non-conformities and what variances
 3 we actually need.
 4 **MR. DOTHE:** Okay. As far as non-
 5 conformities, right now our lot is non-
 6 conforming. 7500 is the requirement, they're
 7 at 6,050 square foot total. The minimum lot
 8 depth, the requirement is 150 square foot,
 9 we're 137 and a half feet. The minimum lot
 10 width is 50 foot, and we're 44 feet. The
 11 minimum lot frontage is 50-foot requirement,
 12 and we're 44. The maximum impervious
 13 coverage is 80 percent and we're at a hundred
 14 percent. The minimum front yard is 20 feet
 15 and if you measure to the balconies, we're
 16 two foot, 11 inches over. So, we'll be
 17 asking for a licensing agreement from the
 18 City for that.
 19 **MR. HANSON:** So, they're existing
 20 now, correct?
 21 **MR. DOTHE:** They're existing. And
 22 the addition that we're putting on is meeting
 23 the 20-foot requirement. So, when we do the
 24 top floor, that's how we got that rooftop
 25 terrace.

15

1 **MR. HANSON:** So, that wouldn't
 2 (indiscernible) pre-existing non-conformity.
 3 It doesn't require new relief then at that
 4 point?
 5 **MR. DOTHE:** Exactly. Exactly.
 6 So, then the variances, we have
 7 rear yard --
 8 **MR. HANSON:** Want to start with
 9 side yards, Craig?
 10 **MR. DOTHE:** Sure. Okay. Side
 11 yards, in the report Jeff had said that side
 12 yards are pre-existing and that's true for
 13 the first three stories. But when we go and
 14 put the fourth floor on top of it, we're
 15 matching those two. So, we're asking for a
 16 variance for both of the two side yards.
 17 So, the side yards, the 20 foot is
 18 the requirement. We have two inches on the
 19 (indiscernible) side existing and proposed.
 20 And on the northern side, we're at four foot,
 21 two and we're going to be matching that four
 22 foot, two. So, we're asking for a variance
 23 for four foot two, for the fourth floor.
 24 The rear yard --
 25 **UNIDENTIFIED SPEAKER:** Twenty feet

16

1 is required and we're asking for five feet,
 2 two and a half?
 3 **MR. DOTHE:** Yes. And that's
 4 basically, the dimension that's basically to
 5 the existing outdoor stair that's already
 6 there and so what we're doing is we're taking
 7 the existing wall down and then what we're
 8 going to do is bring new exterior wall out to
 9 that dimension, to the five foot, two and a
 10 half in order to put the secondary means of
 11 egress.
 12 The wall sign in the front of the
 13 building, we came up with this interesting
 14 sign in here, which is, like, a piece of the
 15 Monopoly board with the Fox Manor going
 16 across here and then we're going to just
 17 light that. All right? So, the wall sign
 18 requirement is 10 foot. The proposed is 34
 19 square feet. But the existing signage on the
 20 building is 75 square feet. So, we're
 21 bringing it substantially down.
 22 **MR. HANSON:** Craig, not to
 23 interrupt, but we actually had that
 24 calculated at 35.04.
 25 **MR. DOTHE:** Okay.

17

1 **MRL HANSON:** Just, I don't want to
 2 short sell you.
 3 **MR. DOTHE:** Thank you.
 4 **MR. HANSON:** -- and then we don't
 5 have it right.
 6 **MR. DOTHE:** All right. Thank you.
 7 Loading. We're not providing any
 8 loading zone for it. We don't have the land
 9 for it and it's along Pacific Avenue. So,
 10 it's not, like, we can, you know, map out an
 11 area where they can load. So, I would
 12 imagine they're going to have to load from
 13 down the street, other than the trash, you
 14 know, for moving purposes, down the street on
 15 California Avenue. But trash could probably
 16 just pull up in that first lane and pick up
 17 the trash.
 18 Trash, that was one of the
 19 questions that Jeff had. What we propose to
 20 do is basically continue with what we
 21 presently have as a hotel, which is on the
 22 inlet side of the building over here, could
 23 be the plastic containers up here and still
 24 be able to egress by it. So, they would be
 25 behind the gates. So, it's, like, when

<p style="text-align: right;">18</p> <p>1 you're going down Pacific Avenue you wouldn't 2 see them. 3 MR. LANDGRAF: So, they'll be 4 screened? 5 MR. DOTHE: Yes. 6 MR. LANDGRAF: Okay. 7 MR. HANSON: So, the residents will 8 drop their trash there and then the totes 9 will be wheeled out — 10 MR. DOTHE: Yeah. 11 MRL HANSON: -- on trash collection 12 day? 13 MR. DOTHE: Exactly. 14 MR. HANSON: Okay. 15 MR. DOTHE: And the idea would be 16 the trash would have to come out the front 17 door, probably, to be able to access that, 18 unless you have a unit in the back where you 19 might be using the rear door primarily. 20 Landscaping, we didn't prepare a 21 landscape drawing. However, we could. We 22 are providing or proposing landscaping on the 23 public right of way because it's in that 24 space, the shadow of the balconies. Let me 25 get that up so you can see it. We're putting</p>	<p style="text-align: right;">20</p> <p>1 safety so that, you know, that way if 2 anything happens in the neighborhood, the 3 police would also have, you know, the ability 4 to access those cameras too. 5 MR. CALLAGHAN: Switch over to the 6 D variance for density. 7 MR. DOTHE: Okay. The proposed 8 project contributes to the general welfare, 9 providing top quality residences within 10 walking distance to their work and that's a 11 need that presently isn't being served as 12 much as we'd like it to be. 13 I say that from my perspective, our 14 office is in the neighborhood and I've been 15 in and out of so many of these buildings and 16 so many of them are horrible. It's 17 embarrassing, you know, people are forced to 18 live like that. So, it's, like, this is so 19 much of a step up and it's moved closer to 20 the casinos so that it becomes that much 21 greater for the people and serves them 22 specifically. So, in my mind, it's 23 contributing to the general welfare in terms 24 of safety and usability. 25 Since the additions are on top and</p>
<p style="text-align: right;">19</p> <p>1 evergreens across the front here and possibly 2 some seasonal flowers along the bottom. And 3 then that would be in the shadow of the 4 overhangs here. 5 That gives us the ability to put 6 some lights up in that overhang so we can 7 shoot down on top of the bushes and hopefully 8 there's not that much light that we can 9 actually see the effect of that would look 10 like. That would also help brighten up this 11 area in the front, you know, at least up to 12 the first level by making that a little more 13 visually exciting. 14 Underneath here, because Jeff had 15 asked about lighting in terms of trying to 16 create a more safe environment, we're going 17 to put a lot of light underneath this 18 overhang here at the front entry way, as I 19 said earlier, to try to keep people from 20 lounging there too long, at the same time try 21 to create that to be a safer place if 22 possible. 23 We're going to light down the sides 24 of the building and across the back and we're 25 going to be putting cameras up for public</p>	<p style="text-align: right;">21</p> <p>1 on the rear, the existing construction helps 2 to maintain any existing view corridors. Not 3 that there's anything behind that really is 4 responding to the view, Calvi Electric has 5 their building behind. Maybe some day that 6 comes down and becomes more like a 7 residential building or something like that. 8 What we have is we have parking on 9 the right side of the building, parking on 10 the left side and our addition is just in the 11 same view corridor we're already blocking. 12 So, the addition on the back is immediately 13 on the back so it doesn't diminish the view 14 and the addition on the top doesn't diminish 15 the view. So, it maintains the existing view 16 corridors, which I believe is very important. 17 Since the since the basement is 18 being filled in. So, what we're doing right 19 now, our basement is about three feet in the 20 A.V.A. (indiscernible) and we're going to 21 fill it in, make it into a high crawl space. 22 When we do that then our first floor becomes 23 the lowest floor, which is up at 12.7 in the 24 A.V.A. (indiscernible). So, it helps 25 (indiscernible) rating. That helps the, you</p>

<p style="text-align: right;">22</p> <p>1 know, the flood insurance, and it helps 2 safety in terms of the building is concerned. 3 I don't need to get into all the reasons for 4 that because we've done that in the past. 5 MR. LANDGRAF: You're meaning the 6 base flood elevation for that zone? 7 MR. DOTHE: Yes. 8 So, we're taking an empty, 9 dilapidated building, which is really in the 10 process of depressing that area and we're 11 converting it into something, we're bringing 12 some activity, lighting, and everything else, 13 bringing safety. And so, it's an improvement 14 to the neighborhood. We're increasing the 15 amount of light at the front to, again, make 16 it more safe. Changing the use of the 17 building from the low-end hotel to luxury 18 apartments improves the area, promotes more 19 appropriate population density. I say that 20 not in terms of — well, okay, in one sense 21 the population density goes down 22 considerably. It goes down 61 percent of 23 what it previously was. So, it went down 39 24 percent by doing the proposed modifications 25 and the change of use.</p>	<p style="text-align: right;">24</p> <p>1 or the character of the neighborhood through 2 this revitalization? 3 MR. DOTHE: No. 4 MR. CALLAGHAN: Do you see any type 5 of substantial detriment to the zone plan or 6 the zone impairment? 7 MR. DOTHE: No. 8 MR. CALLAGHAN: It's a permitted 9 use, correct? 10 MR. DOTHE: Yes. 11 MR. CALLAGHAN: Using a hardship 12 criteria -- well, let's talk a little bit 13 about parking. Did you do a parking analysis 14 to see who could walk within a four or five- 15 minute area to make sure that we had adequate 16 parking, because you keep mentioning parking 17 lots. 18 MR. DOTHE: Right. 19 MR. CALLAGHAN: The next one down, 20 turn it around. The next one. Flip it over. 21 MR. DOTHE: Oh, thanks. 22 MR. CALLAGHAN: There you go. 23 MR. DOTHE: So, here's the project 24 site right here and this is looking towards 25 the beach. Here you've got the Ritz Carlton</p>
<p style="text-align: right;">23</p> <p>1 But, in addition to that when you 2 look at it in terms of the neighborhood 3 itself with the amount of open space around 4 it, the parking lot in the front, the parking 5 lots on either side, I mean, we could put a 6 thousand people in here and we wouldn't be 7 stressing the neighborhood, you know, in 8 terms of density because when you look at it 9 in total with the neighborhood, this portion 10 of Atlantic City is really underdeveloped. 11 So, I think the promotion of the development 12 here will also be a key point to maybe start 13 to encourage others to start to build on 14 those parking lots. 15 MR. CALLAGHAN: Let's talk a little 16 bit about just the C variance relief, 17 positive and negative. From the positive, do 18 you think, once again, you're talking about 19 promotion of safety, general welfare, fire 20 and flood, population densities, aesthetic 21 enhancements? 22 MR. DOTHE: Yes. Yes. 23 MR. CALLAGHAN: From a negative, 24 there are generally two prongs. Do you see 25 any substantial detriment to the public good</p>	<p style="text-align: right;">25</p> <p>1 right here and there's a parking lot right 2 here right directly in front of it. There's 3 a parking lot right directly to the side and 4 then this is Calvi's parking lot on the other 5 side. This is a private parking lot. So, we 6 didn't do any analysis of available parking 7 spaces, because they're for Calvi. Right 8 here, this one is a public parking lot with 9 about 104 cars in it. And this one across 10 the street has got 200 cars in it and that's 11 a public parking lot as well. So — 12 MR. CALLAGHAN: And we're also 13 along a jitney rail. 14 MR. DOTHE: Yes. This is Pacific 15 Avenue here. So, that's a jitney. 16 MR. CALLAGHAN: So, you think any 17 parking variance that we need, even though 18 it's de minimis, could still be granted 19 without causing a substantial detriment to 20 the character of the neighborhood or the 21 plan? 22 MR. DOTHE: I do. 23 MR. HANSON: So, what is the radius 24 from the existing development that those 25 parking areas exist?</p>

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1 **MR. DOTHE:** They're within 200-foot
 2 radius.
 3 **MR. HANSON:** Okay.
 4 **MR. CALLAGHAN:** And we have to give
 5 credit to Mr. Reid for making that
 6 suggestion, because when we had our
 7 preliminary meeting with him, he indicated to
 8 us he always likes to see if you can walk to
 9 something within a four to five-minute range
 10 it would help the presentation. When we took
 11 a look at it, we did have all these parking
 12 lots within a 200-foot radius. So, we are
 13 well within it.
 14 **MR. DOTHE:** As far as an analysis
 15 of hardship, like a C-1 analysis, if we took
 16 the requirements of the ordinance and
 17 designed a building on this site, the
 18 building would be four foot, three inches
 19 wide by 97 foot long. So, you're talking
 20 about a total of 414 square foot of an actual
 21 buildable, if we use the ordinance as a
 22 guide. So, obviously, there's no topographic
 23 differences on this site, it's a rectangle.
 24 So, usually they're easy to build on.
 25 **MR. HANSON:** What was that, four by

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1 what, Craig? I'm sorry.
 2 **MR. CALLAGHAN:** 97.
 3 **MR. DOTHE:** Four foot three, by 97
 4 and a half. So, that hardship is strictly
 5 brought in by the ordinance.
 6 **MR. CALLAGHAN:** I don't have any
 7 other questions of Mr. Dothe. I would open
 8 it up to the board.
 9 **MR. LANDGRAF:** Yeah, a couple of
 10 questions. If you go back to that parking
 11 exhibit. So, I think it's Atlantic Shores
 12 has just purchased that lot across the
 13 street, between California and I forget what
 14 street —
 15 **MR. REID:** Belmont.
 16 **UNIDENTIFIED SPEAKER:** Belmont.
 17 **MR. DOTHE:** Yeah, Belmont.
 18 **MR. LANDGRAF:** So, right now that's
 19 not available. The hope is that that comes
 20 back as a parking lot. That's where they're
 21 powerlines are going to come in from the off-
 22 shore wind project.
 23 **MR. DOTHE:** Okay.
 24 **MR. LANDGRAF:** But there's no
 25 structure proposed there. It's going to be

28

1 underground — basically it's an underground
 2 vault for that line to come up. So, the hope
 3 is — because, right now, it's not a parking
 4 lot anymore. They shut it down.
 5 **MR. DOTHE:** Okay.
 6 **MR. LANDGRAF:** But the hope is that
 7 it does come back and then the lot on the
 8 corner right next to you, what we've asked
 9 for in past variance applications for parking
 10 is that we don't necessarily need a lease for
 11 the parking from that neighbor, just the
 12 opportunity that your tenants might be able
 13 to lease a space there, some kind of
 14 document. We've asked for that in other
 15 applications like this. So, if we could
 16 provide that as a condition then our Board
 17 might eventually grant that would be helpful.
 18 **MR. DOTHE:** Is that for the number
 19 of deficient?
 20 **MR. LANDGRAF:** Yes. And it doesn't
 21 have to have a number on it. Just have to
 22 make it available to the tenants —
 23 **MR. DOTHE:** Okay.
 24 **MR. LANDGRAF:** -- that would rent
 25 that space.

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1 **MR. REID:** What we usually look for
 2 is a document from the owner of the parking
 3 lot stating that parking is available as
 4 needed for a fee for this address.
 5 **MR. DOTHE:** Okay.
 6 **MR. LANDGRAF:** It doesn't have to
 7 be tied to a number. We're just looking for
 8 it to be provided.
 9 **MR. CALLAGHAN:** We can do that.
 10 **MR. DOTHE:** Yeah, we can do that.
 11 **MR. HANSON:** Couple other
 12 questions. What's your anticipated rent for
 13 these units, the one and two bedrooms?
 14 **MR. CALLAGHAN:** We haven't
 15 discussed that with the client yet.
 16 **MR. HANSON:** Okay. Market rate is
 17 what we're looking at?
 18 **MR. CALLAGHAN:** Yes.
 19 **MR. DOTHE:** Yes.
 20 **MR. LANDGRAF:** Okay. You mentioned
 21 cameras. What I would suggest is that you
 22 reach out to A.C.P.D. —
 23 **MR. DOTHE:** Yes.
 24 **MR. LANDGRAF:** -- and talk to them
 25 about connecting them to their Achilles —

30

1 the police system, the Achilles system.
 2 **MR. CALLAGHAN:** Yup.
 3 **MR. LANDGRAF:** It's a really good
 4 opportunity to provide them with data and
 5 security for your site. So, we would suggest
 6 that. We talked about the screened trash
 7 area. That would be a condition of any
 8 approval the Board would grant.
 9 **UNIDENTIFIED SPEAKER:** Landscaping
 10 on the public right of way?
 11 **MR. LANDGRAF:** Yeah.
 12 A.D.A. access. Do you have
 13 anywhere for someone in a wheelchair to get
 14 into this building? I know the stairs up the
 15 front, that's not an option. Is there any
 16 other way to get A.D.A. access into the
 17 building?
 18 **MR. DOTHE:** We're providing the
 19 elevator.
 20 **MR. LANDGRAF:** But, can they get to
 21 the elevator?
 22 **MR. DOTHE:** When you get into the
 23 building.
 24 **MR. LANDGRAF:** Right.
 25 **MR. DOTHE:** So, it's a difficult

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1 process because this floor is split level to
 2 the floor below -- to the grid. So, what
 3 happens is this is our elevator here, has to
 4 be in the center and we have the first floor
 5 is --
 6 **MR. LANDGRAF:** About four and a
 7 half, five feet above --
 8 **MR. DOTHE:** -- five feet on the
 9 ground. So, it's not like it can come down
 10 into a lower to be able to get --
 11 **MR. LANDGRAF:** Right. I mean, it's
 12 more of a building code requirement.
 13 **MR. DOTHE:** Yeah. (Indiscernible)
 14 to provide it in the existing shell that we
 15 have.
 16 **MR. LANDGRAF:** Okay.
 17 **MR. DOTHE:** And I'll deal with the
 18 Building Department at that time.
 19 **MR. LANDGRAF:** Okay. Just want to
 20 note that we raised the issue here, because
 21 that's something that's somewhat -- it's
 22 required by the Building Code. You're going
 23 to have to deal with that in Atlantic City.
 24 **MR. DOTHE:** When you're working
 25 with an existing building --

32

1 **MR. LANDGRAF:** Understood. It's
 2 understood.
 3 We talked about the elevator in
 4 there and then both Rob and I've been in this
 5 building way too many times to mention. The
 6 hallways are very narrow.
 7 **MR. DOTHE:** Yes.
 8 **MR. LANDGRAF:** I'm assuming you're
 9 taking those walls out --
 10 **MR. DOTHE:** Yes.
 11 **MR. LANDGRAF:** -- widening the
 12 hallways? Good.
 13 **MR. DOTHE:** Correct.
 14 **MR. LANDGRAF:** When you walk down
 15 there your shoulders hit.
 16 **MR. DOTHE:** Yeah.
 17 **MR. LANDGRAF:** Yeah.
 18 **MR. DOTHE:** And the bathrooms are
 19 down the hall.
 20 **MR. LANDGRAF:** Yes.
 21 You talked about the density. It's
 22 going from an existing density of almost 340
 23 dwelling units per acre, down to 208 units
 24 per acre, 209 say, where it's permitted to be
 25 50 dwelling units per acre. And that is

33

1 something that we've had come up on a few
 2 other residential components or applications
 3 before us and we've, in our new regs., will
 4 be addressing that. I don't know if it's
 5 going to get quite to where your number is,
 6 but we'll be addressing that from a
 7 residential development/multi-family in the
 8 city. So, that's something that we're aware
 9 that our ordinances are a little bit more
 10 restrictive.
 11 Jeff, you want to introduce the
 12 st
 13 report of August 31 as B-1?
 14 **MR. HANSON:** Yes, sir. We have, as
 15 Lance said, we had a report dated August
 16 st
 17 31, 2022. First two pages of the report,
 18 basically list the applicant's information,
 19 the professionals, all the documents that
 20 have been submitted, and the completeness
 21 review.
 22 Let's go to the project description
 23 and background. I just want to point out
 24 that it is in the Resort Commercial Zoning
 25 District and it fronts Pacific Avenue. The

34

1 existing building has 14 hotel rooms on the
2 first floor, 16 on the second floor, and then
3 17 on the third floor. That was 47 units.
4 And now the first floor is going to
5 contain two studio apartments and six one-
6 bedroom apartments; the second floor is going
7 to be converted into two studio apartments,
8 five one-bedroom apartments, and one two-
9 bedroom apartment; the third floor will be
10 converted into two studio apartments, five
11 one-bedroom units, and one two-bedroom
12 apartment; and then the fourth floor is being
13 added on as part of the proposal consists of
14 three one-bedroom apartments and the two two-
15 bedroom apartments that open up to the deck
16 that I guess would be called a balcony.
17 And there's going to be 29 dwelling
18 units. So, that's where the 39 percent
19 reduction and the number of dwelling units
20 comes in.
21 I think Craig did a good job. Do
22 you want me to go through the bulk variances
23 again, or do we have --
24 **MR. LANDGRAF:** No, I think they're
25 on the record through your report and what

35

1 Mr. Dothe has testified --
2 **MR. HANSON:** So, there's the six
3 pre-existing non-conformities that aren't
4 being exacerbated by this application, and
5 then the six variances that are being
6 reaffirmed as a result of the fourth floor
7 being added, they need to be reaffirmed here
8 and then the D variance for the 208.62
9 dwelling units, where 50 is permitted.
10 **MR. LANDGRAF:** To be clear, he's
11 not putting in 208 --
12 **MR. HANSON:** No, not 208 units.
13 The 29 units, but as a result of the lot only
14 being 6,000 square feet, that's what it comes
15 to as far as the density calculation is
16 concerned.
17 If I go on to Page 5 of my letter,
18 Craig sufficiently covered that the entrance
19 is going to be lighted. We talked about the
20 landscaping plan, if it's going to be --
21 could you just provide the species --
22 **MR. DOTHE:** Yeah.
23 **MR. HANSON:** -- so that we can take
24 a look at that and make sure that they're --
25 our landscape architect take a look at

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1 whatever species you're proposing to make
2 sure that they're appropriate for that use.
3 **MR. DOTHE:** Yeah, I'll do a little
4 planning with that.
5 **MR. HANSON:** I think I had a couple
6 other notes here. As far as the building
7 code official is concerned, we just had
8 outside agency permits and approvals, which
9 would be the licensing agreement with the
10 City for the encumbrance with the overhang
11 that you noted. And then you'll have to get
12 fire marshal approval, obviously, from the
13 City.
14 And the other one I think Lance
15 covered it pretty sufficiently that you'll
16 need to work out the A.D.A. accessible
17 arrangements when you go to get your building
18 permits. And I believe that was all I had in
19 my report, unless anybody has any questions
20 or comments?
21 **MR. LANDGRAF:** Jeff, you heard
22 enough testimony on the variances that you
23 think you're comfortable?
24 **MR. HANSON:** I did, and our
25 professional planner, Red Foxx, took a look

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1 at this with me and went through the report
2 as well.
3 **MR. LANDGRAF:** And he's comfortable
4 with the application?
5 **MR. HANSON:** He's comfortable with
6 the application, yes, sir.
7 **MR. LANDGRAF:** Thank you.
8 **MR. REID:** Lance, just one minor
9 thing. I'm sure you'll be doing this, a
10 license for the landscaping in the public
11 right of way also.
12 **MR. LANDGRAF:** Correct. I think
13 that would go up with the balconies --
14 **MR. REID:** Yeah. Yeah.
15 **MR. CALLAGHAN:** We'll do, like, a
16 three-foot licensed area.
17 **MR. REID:** Okay.
18 **MR. CALLAGHAN:** So, it will make
19 sure that the 2.7, give us that four or five
20 inches of little elbow room, make sure we get
21 the plantings underneath it and we're covered
22 within that area?
23 **MR. HANSON:** Can I add one more
24 thing? I know what it was that I was looking
25 for.

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1 I just wanted to note with the wall
 2 sign variance that although that they're
 3 asking for that 35.04 square feet where the
 4 10 square feet is permitted per frontage,
 5 it's only on one frontage and that the
 6 existing area of the wall signs is as the
 7 hotel exists is 74.67 square feet. So, it's
 8 actually a drastic reduction in what's
 9 existing versus what's being proposed.
 10 **MR. LANDGRAF:** I think it's well
 11 below 25 percent of that façade. So, I think
 12 it, not complies, but it's compatible with
 13 the building.
 14 **MR. HANSON:** I would agree with
 15 that.
 16 **MR. LANDGRAF:** Just so you get the
 17 licensing from (indiscernible) that's all.
 18 One last question I had. Is there
 19 any thought that this might end up being some
 20 type of short-term rental use of the
 21 building, Air B&B, VRBO, that kind of stuff?
 22 **MR. CALLAGHAN:** Once again, we
 23 haven't gotten that far with the client yet,
 24 because it's, you know, we're probably
 25 looking at a year-and-a-half to two-year

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1 project by the time they gut everything --
 2 **MR. LANDGRAF:** Okay.
 3 **MR. CALLAGHAN:** -- start the
 4 renovations, get the building permits and
 5 everything else done. So, I don't think
 6 they've gotten that far into seeing if Air
 7 B&Bs, their market rates, long-term people
 8 for the City, et cetera.
 9 **MR. LANDGRAF:** Okay. Just be aware
 10 this City does have licensing --
 11 **MR. CALLAGHAN:** Yes.
 12 **MR. LANDGRAF:** -- requires (sic)
 13 and permits for that.
 14 **MR. CALLAGHAN:** Yup.
 15 **MR. LANDGRAF:** You'll have to go
 16 through them. Us for a land use.
 17 **MR. CALLAGHAN:** Right.
 18 **MR. LANDGRAF:** Which is typically
 19 just a C.L.U.C. if you get to that point.
 20 Just so you're aware of that.
 21 Rob, do you have anything else?
 22 **MR. REID:** No, I do not.
 23 **MR. LANDGRAF:** At this point we'll
 24 open it up to the public. If anybody here is
 25 to speak about this application. Again, this

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1 is the Atlantic Beach Properties, L.L.C.
 2 application. Please step forward and state
 3 your name and your comments, please. Don't
 4 everybody rush at once. All right Seeing
 5 none. We'll close the public portion on
 6 this.
 7 Scott, you have anything else?
 8 **MR. COLLINS:** Nope, nothing.
 9 **MR. LANDGRAF:** You're good? Rob,
 10 we're good?
 11 **MR. REID:** Yes, sir.
 12 **MR. LANDGRAF:** Okay. With that,
 13 we'll close the testimony in this matter and
 14 we'll get this on the very next board agenda.
 15 I'm not sure I can make it to the October,
 16 but I will try.
 17 **MR. CALLAGHAN:** Thank you very
 18 much.
 19 **MR. LANDGRAF:** Thank you, guys.
 20 **MR. CALLAGHAN:** Thank you for
 21 jumping in. Good luck with the rest of your
 22 hearings.
 23 **MR. LANDGRAF:** Thank you.
 24 (Other matters heard.)
 25 **MR. LANDGRAF:** I thank everyone.

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1 This meeting is adjourned. Our next hearing
 2 th
 3 is, I've got to get to my notes, October 6
 4 and then our next Board meeting, which I hope
 5 to have action will be October 18 .
 6 Thank you all. This meeting is
 7 adjourned.
 8 (The hearing concludes.)
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1 CERTIFICATION
2 I, Christine Murphy Wright, the assigned
3 transcriber, do hereby certify the foregoing
4 transcript of digitally recorded Casino
5 Reinvestment Development Authority hearing, dated
6 September 15, 2022, is prepared to the best of my
7 ability, as recorded.

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11 BY: AD/T 387
12 Christine Murphy Wright AOC Number
13 Rosenberg & Associates, LLC September 19, 2022_
14 Agency Name Date

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