

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS – RICHMOND – RALEIGH
(ATLANTIC – BOARDWALK)
REDEVELOPMENT AREA**

City of Atlantic City
New Jersey

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Division of Planning

September 7, 2005

**REDEVELOPMENT PLAN FOR THE ANNAPOLIS – RICHMOND – RALEIGH
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TABLE OF CONTENTS

INTRODUCTION.....	1
PROJECT AREA.....	1
EXISTING CONDITIONS.....	1
PURPOSE.....	1
ADOPTION.....	2
SITE CONTEXT.....	2
BACKGROUND AND HISTORICAL OVERVIEW.....	2
DEFINITIONS.....	3
DESCRIPTION OF PROJECT.....	3
LOCATION AND BOUNDARIES OF PROJECT AREA.....	3
STATEMENT OF GENERAL PURPOSE.....	3
PUBLIC POLICY GOALS.....	4
REDEVELOPMENT PLAN OBJECTIVES.....	4
COMPLIANCE WITH THE REDEVELOPMENT STATUTE.....	5
LAND USE PLAN.....	6
LAND USE PROVISIONS.....	6
APPLICABLE PARCELS.....	7
EASEMENTS.....	7
BUILDING LIMIT CONTROLS.....	7
PROVISIONS APPLICABLE TO EXISTING PROPERTIES.....	9
STANDARDS AND CONTROLS OF GENERAL APPLICABILITY.....	9
CODES AND REGULATIONS.....	9
EQUAL OPPORTUNITY.....	9
OTHER PROVISIONS - STATE & LOCAL REQUIREMENTS.....	10
ACQUISITION AND RELOCATION.....	10
STATUTORY CONSISTENCY.....	10
ZONING.....	10
REHABILITATION AND CONSERVATION.....	11
REDEVELOPMENT OBLIGATIONS.....	11
DURATION OF PROVISIONS AND EFFECTIVE PERIOD.....	11
REDEVELOPMENT PLAN CONFORMANCE.....	11
GENERAL CONSTRUCTION AND PLAN REVISIONS.....	11
PROCEDURES FOR AMENDING PLAN.....	11
EXHIBITS.....	13

1. INTRODUCTION

1.1. PROJECT AREA

The Annapolis-Richmond-Raleigh Avenue (Atlantic-Boardwalk) Redevelopment Area (the "Project Area") defined herein consists of an area bounded by Atlantic Avenue and the Boardwalk, Annapolis, Richmond and Raleigh Avenues. This area is designated on the Tax Map as Blocks 12 and 13.

1.2. EXISTING CONDITIONS

This area lies within the current zoning district RM3, Multi-Family Medium Rise Apartments.

The Project Area consists of approximately 6.37 acres, including the Richmond Avenue right-of-way.

The area consists of one mid-rise building and one vacant lot surrounded by single-family detached and multi-family detached homes.

1.3. PURPOSE

The general purpose of this Redevelopment Plan is to provide a mechanism for a common public/private initiative intended to spawn the redevelopment of the Project Area so as to affect the highest and best use of the properties and improve the welfare of the neighborhood.

More specifically, this Redevelopment Plan is intended to:

- (1) Preserve the quality of life that now exists in this primarily residential family type neighborhood.
- (2) Protect the existing value of properties in the neighborhood.
- (3) Not intensify the already existing parking problems.
- (4) Prevent the exacerbation of the already existing density problems as reported in the CRDA density study of 1996.
- (5) Provide a mechanism for the orderly planning and private redevelopment of the Project Area consistent with certain municipal objectives and public policy goals as stated herein.

It is imperative that the Redevelopment Plan takes into consideration the studies (1994) and the Mayor - CRDA study (1996) that clearly states that this Lower Chelsea area (Ward 6) is already suffering from over-population. Therefore any development must consider the following:

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

1. A need to protect the quality of life and property values of the residents of the surrounding R-2, Residential Single-Family Detached Homes.
2. Prevent any further exacerbation of the already existing density problems.
3. Not intensify the already existing parking problems.

1.4. ADOPTION

Upon its adoption by the Governing Body, this Redevelopment Plan shall satisfy all statutory requirements and constitute the legal prerequisite for the redevelopment and/or rehabilitation of the Project Area.

Pursuant to N.J.S.A. 40A:12A-7(5)c. this Redevelopment Plan shall supersede all applicable provisions of the land use regulations of Atlantic City and as such the ordinance adopting this plan shall contain an explicit amendment to the zoning district map included in the Atlantic City Land Use Development Ordinance.

1.5. SITE CONTEXT

- 1.5.1. The Annapolis-Richmond-Raleigh Avenue (Atlantic-Boardwalk) Redevelopment Plan Project Area is located in the Lower Chelsea section of Atlantic City.
- 1.5.2. Located in the Project Area are one mid-rise condominium constructed in the early 1950's and one vacant lot. The Project area is surrounded by residential single-family detached and low-rise multi-family homes.
- 1.5.3. Within the past 25 years, there have been little or no improvements to the Project Area. The former Children's Seashore House was closed and demolished ten years ago and the lot remains vacant.

1.6. BACKGROUND AND HISTORICAL OVERVIEW

The general area over the years has seen the demise of many residential and institutional uses with an associated loss of neighborhood activity.

There are a number of one family homes and two-story businesses in the area.

Although the Project Area was included within the designated "Area in Need of Rehabilitation" in 1994, this tract, consisting of prime boardwalk and beachfront property remains largely vacant, fallow and underutilized.

The clear conclusion from this history is that neither individual, public nor private

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

initiatives have resulted in any development within the boundaries of the Project Area that would preserve the useful and economic value of the existing residences in the area as one primarily residential.

Accordingly pursuant to the private/public partnership as envisioned under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., this Redevelopment Plan is intended to transform the property within this Project Area into a valuable and productive asset for Atlantic City and, at the same time, protect the existing residential properties.

2. DEFINITIONS

For the purposes of this Redevelopment Plan the following defined terms shall be used herein:

- 2.1 The term "City" shall mean the City of Atlantic City, a body corporate and politic, including the Governing Body, elected officials, officers and staff thereof.
- 2.2. The term "Redevelopment Entity" shall mean the City of Atlantic City, acting as the implementing agent for this Redevelopment Plan in accordance with and under the provisions of N.J.S.A. 40A:12A-1 et. seq.
- 2.3. The term "Project Area" shall mean the Redevelopment Plan geographic area as generally described herein and the parcels identified pursuant to the City Tax Map as explicitly set forth in Section 4.2.
- 2.4. The term "Land Use Ordinance" shall mean the development regulations of Atlantic City specifically Chapter 163 Land Use Development from the Code of the City of Atlantic City, as may be amended from time to time.

3. DESCRIPTION OF PROJECT

3.1. LOCATION AND BOUNDARIES OF PROJECT AREA

- 3.1.1. The Annapolis-Richmond-Raleigh Avenue (Atlantic-Boardwalk) Redevelopment Project Area is located along Atlantic Avenue and the Boardwalk, between Annapolis Avenue and Raleigh Avenue. The blocks are designated on the Tax Map as 12 and 13.

3.2. STATEMENT OF GENERAL PURPOSE

The general purpose of this Redevelopment Plan is to provide a mechanism for a common public/private initiative intended to spawn the redevelopment of the Project

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

Area so as to affect the highest and best use of the properties and improve the welfare of the neighborhood.

More specifically, this Redevelopment Plan is intended to:

- (1) Preserve the quality of life that now exists in this primarily residential family type neighborhood.
- (2) Protect the existing value of properties in the neighborhood.
- (3) Not intensify the already existing parking problems.
- (4) Prevent the exacerbation of the already existing density problems as reported in the CRDA density study of 1996.

Provide a mechanism for the orderly planning and private redevelopment of the Project Area consistent with certain municipal objectives and public policy goals as stated herein.

3.3. PUBLIC POLICY GOALS

The City, through this Redevelopment Plan, establishes the following Public Policy Goals:

- 3.3.1. Provide incentives for the private redevelopment and rehabilitation of properties pursuant to its finding of an "Area in Need of Rehabilitation".
- 3.3.2. Maximize tax revenue and generate tax ratables by returning vacant land to its highest and best use.
- 3.3.3. Preserve the residential character of the surrounding neighborhood.
- 3.3.4. Minimize need for increased public services and public safety measures for the area.

3.4. REDEVELOPMENT PLAN OBJECTIVES

This document constitutes a Redevelopment Plan under the provisions of the applicable State statutes. In addition to the Public Policy Goals stated above, this Redevelopment Plan will achieve such definite local objectives as:

The preservation of the quality of life in the surrounding neighborhood.

The control of population density.

The removal of impediments to land disposition.

Keeping with this objective more moderate building setbacks and coverage standards in favor of innovative and appealing design solutions are particularly important.

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

3.5. COMPLIANCE WITH THE REDEVELOPMENT STATUTE

3.5.1 Pursuant to N.J.S.A. 40A:12A-7, which provides that "no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body."

3.5.1.1 The City Master Plan has limited its RM-3 medium-rise residential districts not only in quantity but in geographic area as well. This Annapolis-Richmond-Raleigh-Atlantic-Boardwalk Redevelopment Plan is consistent with the intent of the Master Plan and Land Use Development Ordinance by encouraging the of medium-rise apartment buildings of different densities in the district.

3.5.1.2 Part of the reasoning for the redevelopment of this neighborhood is that it is served by adequate infrastructure and by local public transportation services. Transforming vacant and underutilized sites and buildings in this district to modern residential dwellings will provide an incentive for more neighborhood amenities and community functioning in this part of the city.

3.5.2 Pursuant to N.J.S.A. 40A:12A-7(5) "any significant relationship of the Redevelopment Plan to (a) the Master Plan of contiguous municipalities, (b) the Master Plan of the county in which the municipality is located, and (c) the State Development and Redevelopment, Plan adopted pursuant to the State Planning Act". The Atlantic County Master Plan dated October, 2000 recognized that the land use plan should:

" Encourage revitalization of urban neighborhoods where housing is in decline."

3.5.4. The Mainland Regional Growth Area includes portions of Egg Harbor, Hamilton and Galloway Townships. The Atlantic County Master Plan recognizes that: "Increases in employment opportunities correspondingly increase the demand for housing and service establishments. In the alternative, new development pressure also decreases the amount of land previously held as agricultural, woodlands and open space."

3.5.5 The Master Plan establishes a number of land use goals for Atlantic County, including:

1. Promote quality growth and development in areas where capital facilities are available.
2. To encourage revitalization of urban neighborhoods where housing is in decline.

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

3. To discourage growth in areas that would require unplanned extension of capital facilities.
4. To discourage growth in areas that would require unplanned extension of capital facilities.
5. Promote lands for a diversity of economic development opportunities within the communities of Atlantic County.

- 3.5.6. This Redevelopment Plan is consistent with and implements the goals of the Atlantic County Master Plan by:

Promoting quality development where infrastructure exists to support it.

Encouraging revitalization of a declining urban neighborhood, which is characterized by vacancy and underutilization of buildings and land.

Promoting a diversity of land uses within the county especially within Atlantic City, where a balance is needed between the vitality of the tourist economy and the **stability of the local residential community.**

- 3.5.7. The State Plan adopted consistent with the State Planning Act states:

"The State Planning Act contains three key provisions that mandate the approaches the Plan must use in achieving State Planning Goals. The Plan must:

Encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services or facilities and to discourage development where it may impair or destroy natural resources or environmental qualities."

4. LAND USE PLAN

The Land Use Plan established herein is comprised of the Land Use Provisions, the Easement Plan and the Building Limit Controls as follows:

4.1. LAND USE PROVISIONS

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

4.1.1. Permitted residential land uses within the existing RM-3 District, including multifamily medium-rise residential, shall be permitted under this Redevelopment Plan and is subject to compliance with the provisions of the Atlantic City Planning Board.

4.2. APPLICABLE PARCELS

4.2.1. The parcels identified from the Atlantic City Tax Map within the Project Area are Blocks 12 and 13.

4.3. EASEMENTS

Existing rights-of-way and known easements within the Project Area shall be identified within all applications for development, rehabilitation or redevelopment. Property easements including municipal dedications, vacations and/or air-rights shall be reviewed by the Planning Board and approved by the City Council.

4.4. BUILDING LIMIT CONTROLS

4.4.1. The following regulations, controls and restrictions are designed to provide guidelines for the physical development of the Project Area. It is the intent of this Redevelopment Plan to encourage the exercise of maximum ingenuity, creativity and freedom of design for redevelopment efforts consistent with the objectives of this Redevelopment Plan.

4.4.2. The Redevelopment Entity has not attempted, in these and other controls of this Redevelopment Plan, to anticipate every possible design or land use solution. Rather, the controls and regulations governing land use and structural form within the Project Area are designed to promote the redevelopment of the Project Area in accordance with the objectives of this Redevelopment Plan.

4.4.3. Furthermore, these controls are intended to encourage outstanding architectural design concepts that will result in the highest and best redevelopment projects and superior building quality and preserve and insure the quality of life in the neighborhood.

4.4.4. The Redevelopment Entity shall exercise its authority and powers pertaining to this Redevelopment Plan pursuant to N.J.S.A. 40A:12A-1 et. Seq. However, the Atlantic City Planning Board shall maintain jurisdiction over subdivision and site plan approval pursuant to N.J.S.A. 40A:12A-13.

4.4.5. Deviations from either the Building Limit Controls of this Redevelopment Plan and any incorporated provisions of the Land Use Ordinance to the extent either or both are less stringent but which are consistent with the general intent of this Redevelopment Plan may be made at the discretion of the Planning Board in accordance with local and State regulations and the provisions of this Redevelopment Plan.

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

- 4.4.6. Pursuant to N.J.S.A. 40A: 12A-7(5)c. All Building Limit Control standards of this Redevelopment Plan set forth within Section 4.4.7, 4.4.8, 4.4.9 and 4.4.10 herein shall amend and supersede all pertinent provisions of the Land Use Ordinance. In the event there are any discrepancies or conflict, the standards set forth herein shall govern in all respects.
- 4.4.7. Maximum Building Coverage: The maximum building coverage requirements under the Land Use Ordinance are not applicable and shall be governed by the impervious coverage standards of the New Jersey Department of Environmental Protection (NJDEP) pursuant to N.J.A.C. 7:7E-Subchapters 5 and 6 definition and standards for "impervious site cover". The maximum building coverage applicable to the Project Area shall be 70% and the maximum impervious coverage shall be 90%.
- 4.4.8 A maximum height limit of 125 feet as measured from the adjacent curb line shall be permitted in the area identified as Zone A extending from the property line in common with the Atlantic Avenue right-of-way 121 feet southerly toward the ocean. A maximum building height of 60 feet shall be permitted in the area identified as Zone B measured from the adjacent curb line from the terminus of the 125 feet height zone southerly 145 feet south of the Atlantic Avenue R.O.W.

A maximum building height of 40 feet as measured from the adjacent curb line shall be permitted from the terminus of the 60 feet height zone to 25 feet north of the interior line of the Boardwalk.

In the 25 feet boardwalk setback area only open air decks no wider than 6 feet from the face of the building shall be permitted.

The building height limitation plan is attached hereto and made a part of the Redevelopment Plan. Development of the Project Area shall be in strict compliance with the provisions of this plan.

- (4.4.8.1) General Height Exceptions: The maximum building height set back in Section shall not apply to any of the following structures or appurtenances: (1) architectural ornamentation including spires, belfries, cupolas, domes, monuments, flag poles, masts, aerials and/or equipment and elevator penthouses and like structures required to be placed above the roof deck/slab and not intended for human occupancy, (2) rooftop equipment, air conditioning compressors, air handlers, chimneys, smoke stacks, and materials and structures used to screen such equipment including parapets, mansards, louvers. Grillage and ornamental roofing; provided, however, no structure or appurtenances defined in this

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

section shall extend to a height exceeding 15 feet in Zone A and 8 feet in Zone B above the maximum principal building height provided said structures and appurtenances are set back and equal distance to the height of the structures/appurtenances from the roofline and are screened from all view points to mask the appearance of said structures and appurtenances.

- 4.4.9 The minimum front yard setback on Annapolis and Richmond Avenues is 10 feet. The minimum front yard setback along the Boardwalk is 25 feet. Properties fronting on the Boardwalk shall provide a minimum front yard setback of 10 feet along Annapolis and Richmond Avenues.
- 4.4.10 Parking must be in accordance with Residential Sale Improvement Standards (RSIS)
- 4.4.10 Unless specifically addressed in this Redevelopment Plan, the Project area shall comply with the Performance Standards, Urban design standards and signage regulations of the Atlantic City Land Use Development Ordinance.

4.5. PROVISIONS APPLICABLE TO EXISTING PROPERTIES

- 4.5.1. The Land Use and Building Limit Controls contained in this Redevelopment Plan are applicable to all real property (and their respective current or successor owners) within the Project Area subsequent to adoption of this Redevelopment Plan and at such time as properties undergo redevelopment and/or rehabilitation pursuant hereto.

5. STANDARDS AND CONTROLS OF GENERAL APPLICABILITY

5.1. CODES AND REGULATIONS

Compliance with all applicable laws, codes, rules and regulations adopted by the City will be required in the development of real property. Whenever the local Codes or regulations

contain comparable but less restrictive provisions or requirements than set forth by these Land Use Provisions and Building Limit Controls, the standards set forth herein shall govern. The provisions of the Land Use Ordinance except as specifically provided for in this Redevelopment Plan, are not applicable to land or structures within this Project Area pursuant to this Redevelopment Plan.

5.2. EQUAL OPPORTUNITY

No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the Redevelopment Entity (or any successors in interest) whereby the use of the land in the Project Area is restricted upon the basis of race, creed, color, ancestry, sex, national origin, family status, disability or sexual preference in the sale, lease or occupancy thereof. The foregoing restrictions, as well as the provisions of N.J.S.A.

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

40A:12A-9 shall be implemented by appropriate covenants or other provisions in any agreements for rehabilitation and redevelopment and/or any disposition instruments as covenants running with the land.

6. OTHER PROVISIONS NECESSARY TO MEET STATE & LOCAL REQUIREMENTS

6.1. ACQUISITION AND RELOCATION

Acquisition and relocation pursuant to N.J.S.A. 40A:12A-7(3) and 40A:12A-7(4) shall be as follows:

- 6.1.1. No public displacement of families, individuals or business concerns shall occur in the effectuation of this Redevelopment Plan. No relocation assistance or plan is therefore required.
- 6.1.2. Section 6.1.1 notwithstanding, this Redevelopment Plan does recognize that the plan within the Project Area may be desirable from a development standpoint. Acquisition or development rights to these parcels as applicable shall be the sole responsibility of the developer or redeveloper at its own initiative and expense including any such responsibility for the relocation of persons or businesses.

6.2. STATUTORY CONSISTENCY

6.2.1. Designated "Area in Need of Rehabilitation"

The Governing Body of Atlantic City did, by Resolution No. 889 of 1994 determine the City of Atlantic City, in its entirety to be an "Area in Need of Rehabilitation" pursuant to N.J.S.A. 40A:12A-1 et. Seq. Subsequently, the Governing Body reaffirmed said designation for the entire City by Ordinance No. 96 of 1994. The finding of an "Area in Need of Rehabilitation" is a prerequisite for the promulgation of a Redevelopment Plan and/or redevelopment project pursuant to N.J.S.A. 40A:12A-7.

- 6.2.2. Pursuant to N.J.S.A. 40A:12A-13, all applications for development or redevelopment of the Project Area or a designated portion or portions thereof shall be submitted to the Atlantic City Planning Board for Subdivision/Site Plan review and approval in accordance with the requirements set forth by Atlantic City Ordinance 27 of 1979 as amended, adopted pursuant to the "Municipal Land Use Law," P.L. 1975, c291 (N.J.S.A. 40:55D-1 et. seq.).
- 6.2.3. This document constitutes a Redevelopment Plan under the provisions of the applicable State of New Jersey statutes (specifically N.J.S.A. 40A:12A-7).

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

6.3. ZONING

6.3.1 Upon adoption of this Redevelopment Plan by the Governing Body, the Land Use controls as cited in Section 4 of this Redevelopment Plan shall apply and supersede any and all district zoning regulations including the provisions of Section 163-65 of the Land Use Ordinance.

6.4. REHABILITATION AND CONSERVATION

Rehabilitation and/or conservation of structures are not a mandatory requirement. Any redevelopment efforts shall comply with all applicable state and federal requirements.

6.5. REDEVELOPMENT OBLIGATIONS

Any and all redevelopment and any agreements (including required covenants) for redevelopment with the Redevelopment Entity to the extent applicable shall be in conformance with this Redevelopment Plan and in accordance with N.J.S.A. 40A:12A-1.

6.6. DURATION OF PROVISIONS AND EFFECTIVE PERIOD

This Redevelopment Plan, as may be amended, shall be in effect for the later of (1) a minimum period of 20 years from the date of adoption by the Governing Body of the City of Atlantic City or (2) until such time as the conditions determined to exist at the time the area was determined to be in need of rehabilitation and /or redevelopment shall be deemed to no longer exist.

6.7. REDEVELOPMENT PLAN CONFORMANCE

6.7.1. All development or redevelopment of the Project Area or a designated portion or portions thereof shall be built in conformance with the Atlantic City Planning Board Subdivision/Site Plan approval requirements pursuant to the "Municipal Land Use Law," P.L. 1975, c291 (N.J.S.A. 40:55D-1 et. seq.).

7. GENERAL CONSTRUCTION AND APPLICATION OF PLAN REVISIONS

7.1. All provisions of this Redevelopment Plan, including all building controls, regulations and/or restrictions imposed, shall be applicable to all real property and improvements within the Project Area as defined herein.

**REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA**

8. PROCEDURES FOR AMENDING THE APPROVED REDEVELOPMENT PLAN

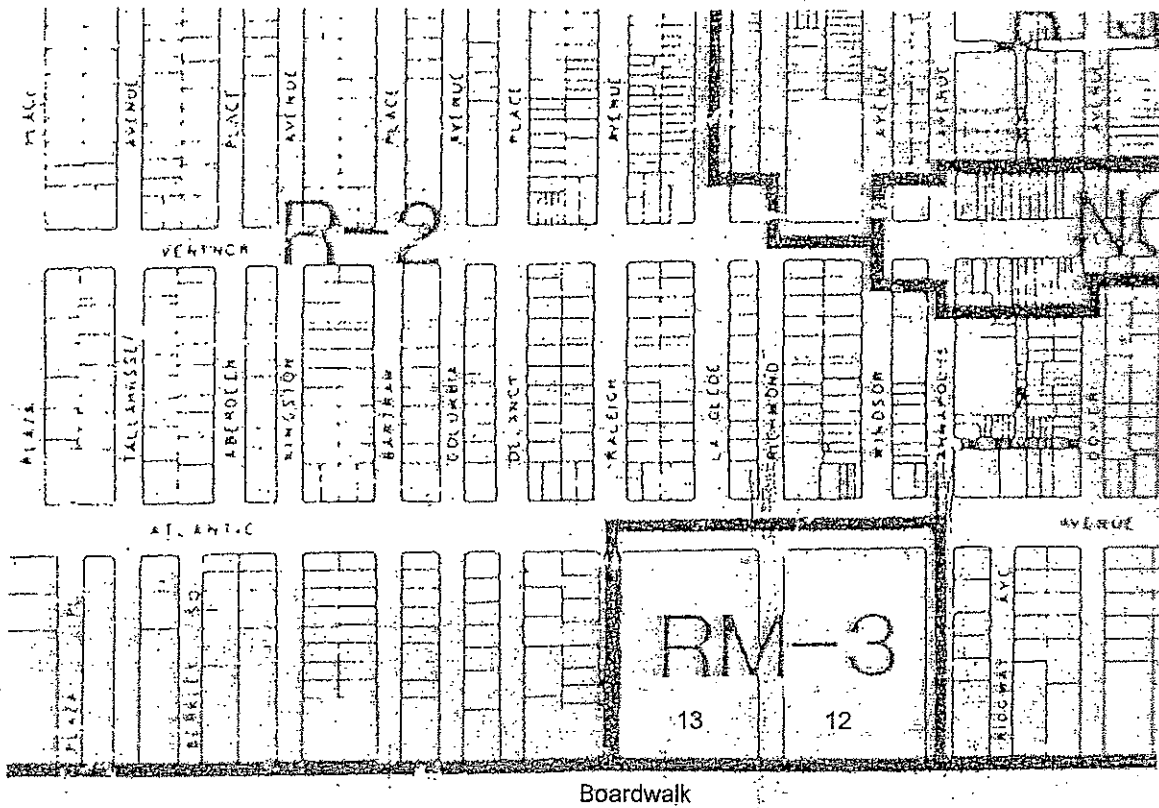
8.1. This Redevelopment Plan may be amended by the Governing Body of the City of Atlantic City pursuant to N.J.S.A. 40A:12A-7.

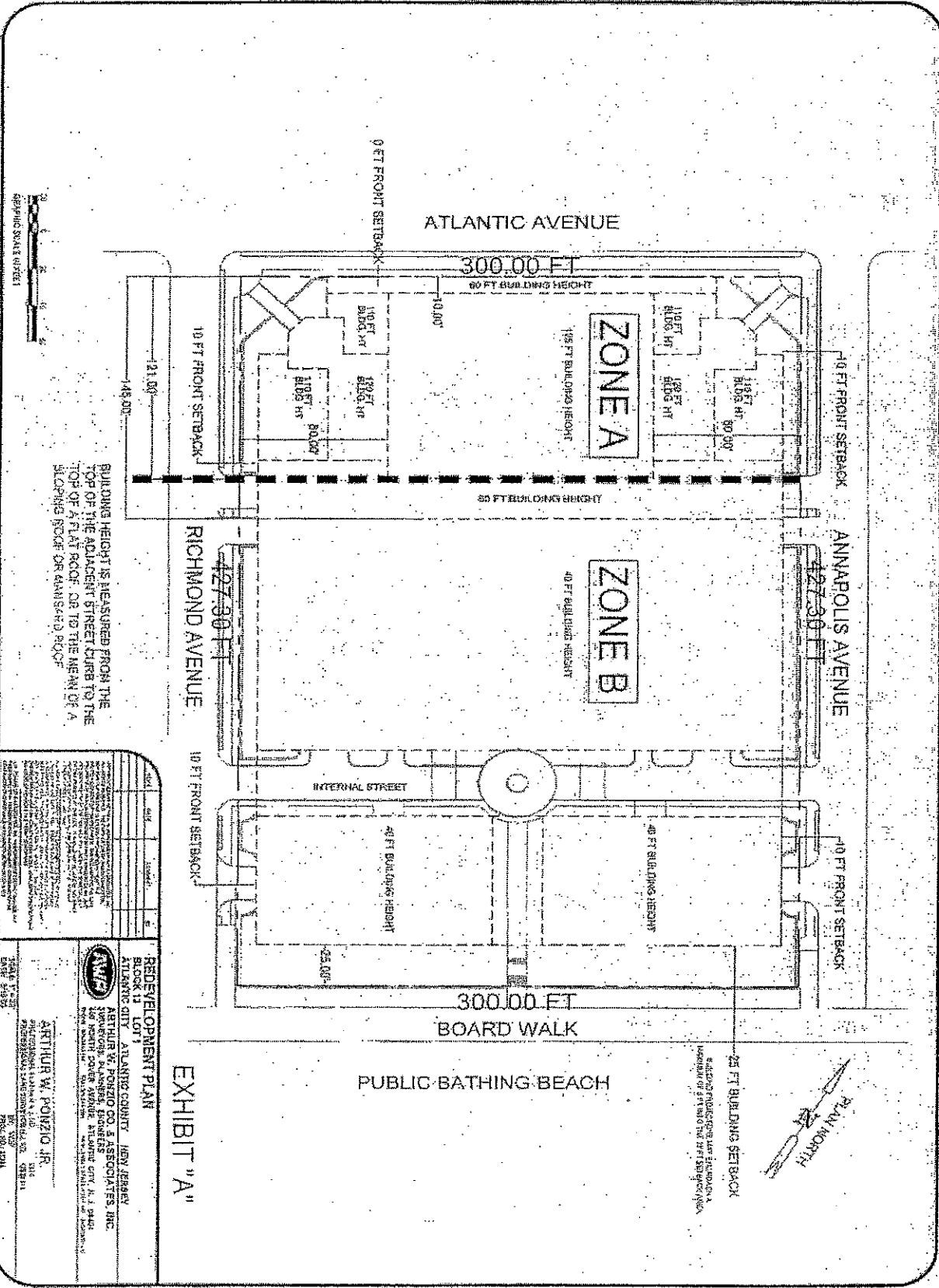
8.2. The Planning Board may in its sole discretion at time of site plan application, approve deviations, modifications or changes from the Building Controls specified herein that are less restrictive without invalidating or modifying this Redevelopment Plan provided they are not inconsistent with this Redevelopment Plan.

REDEVELOPMENT PLAN FOR
THE ANNAPOLIS - RICHMOND - RALEIGH (ATLANTIC - BOARDWALK)
REDEVELOPMENT AREA

9. EXHIBITS

E-1: Project Area Map





BUILDING HEIGHT IS MEASURED FROM THE TOP OF THE ADJACENT STREET CURB TO THE SLOPING SOLE OR GANSELED ROOF

NO.	SECTION	REMARKS
1		
2		
3		
4		
5		

REDEVELOPMENT PLAN
 BLOCK 12 LOT 1
 ATLANTIC COUNTY MEY JERNEY
 ARTHUR W. PORZIO CO. ASSOCIATES, INC.
 200 W. BROAD ST. SUITE 100
 NEW YORK, NY 10038

ARTHUR W. PORZIO JR.
 ARCHITECT
 150 W. 43RD ST. 3RD FL
 NEW YORK, NY 10018
 DATE: 12-18-80

EXHIBIT "A"