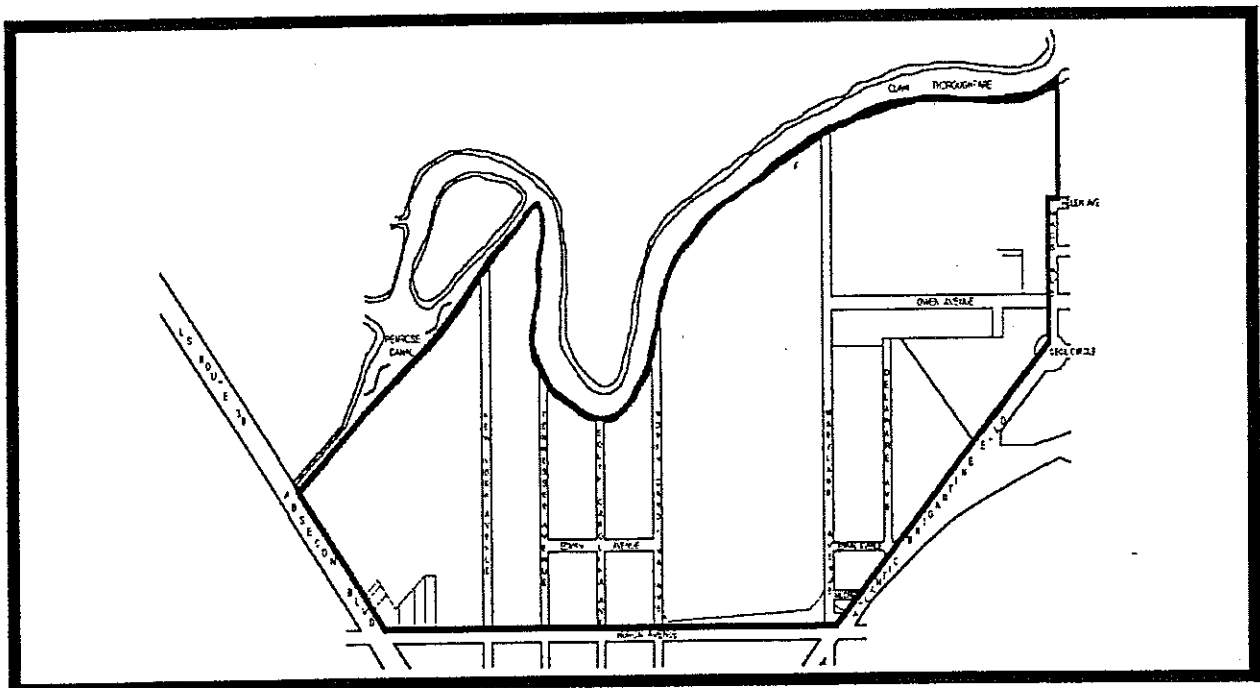


REDEVELOPMENT PLAN FOR THE HURON NORTH REDEVELOPMENT AREA

CITY OF ATLANTIC CITY
NEW JERSEY

JAMES A. WHELAN, MAYOR



prepared for:
the atlantic city planning board

prepared by:
the atlantic city department of planning and development

March 15, 1995

TABLE OF CONTENTS

1.	INTRODUCTION	1
1.1	AUTHORIZATION	1
1.2	PURPOSE	1
1.3	SITE CONTEXT	1
1.4	BACKGROUND AND HISTORICAL OVERVIEW	2
2.	DEFINITIONS	3
3.	DESCRIPTION OF PROJECT	3
3.1	LOCATION	3
3.2	BOUNDARIES OF THE REDEVELOPMENT AREA	3
3.3	STATEMENT OF GENERAL PURPOSE	4
3.4	PUBLIC POLICY GOALS	5
3.5	REDEVELOPMENT PLAN OBJECTIVES	5
3.6	TYPES OF PROPOSED REDEVELOPMENT ACTION	5
4.	LAND USE PLAN	6
4.1	LAND USE PROVISIONS	6
4.1.1	Resort Zone	6
4.1.2	Recreation Zone	6
4.1.3	Temporary/Interim Uses	6
4.2	THE PARCELIZATION PLAN	7
4.2.1	Parcel A	7
4.2.2	Parcel B	7
4.2.3	Parcel C	7
4.3	THE EASEMENT PLAN	7
4.4	BUILDING LIMIT CONTROLS	7
4.4.6	Building Setbacks	8
4.4.7	Maximum Building Height	9
4.5	ADDITIONAL CONTROLS	9
4.6	UNDERGROUND UTILITY LINES	9
4.7	PROVISIONS APPLICABLE TO PROPERTY DESIGNATED "NOT-TO-BE-ACQUIRED" ..	9
5.	STANDARDS AND CONTROLS OF GENERAL APPLICABILITY	10
5.1	CODES AND REGULATIONS	10
5.2	EQUAL OPPORTUNITY	10
6.	OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS	10
6.1	ACQUISITION AND RELOCATION	10
6.2	STATUTORY CONSISTENCY	11
6.2.1	Designated "Area In Need of Rehabilitation"	11
6.3	PROPOSED ZONING CHANGES	11
6.4	REHABILITATION AND CONSERVATION	12
6.5	REDEVELOPERS OBLIGATIONS	12
6.6	DURATION OF PROVISIONS AND EFFECTIVE DATE	12
6.7	AUTHORITY AND PLAN INTERPRETATION	12
7.	TERMINATION OF PARKING LEASES	12
8.	GENERAL CONSTRUCTION AND APPLICATION OF PLAN PROVISIONS	13

9. PROCEDURES FOR AMENDING THE APPROVED REDEVELOPMENT PLAN	13
10. LIST OF EXHIBITS	13
RDP MAP NO. 1: PROJECT AREA LOCATOR MAP	13
RDP MAP NO. 2: PROJECT BOUNDARY MAP	13
RDP MAP NO. 3: BLOCK AND LOT IDENTIFICATION MAP	13
RDP MAP NO. 4: PRE-EXISTING CONDITIONS MAP	13
RDP MAP NO. 5: PRE-EXISTING ZONING MAP	13
RDP MAP NO. 6: LAND ACQUISITION MAP	13
RDP MAP NO. 7: PROJECT LAND USE PROVISIONS	13
RDP MAP NO. 8: PROJECT PARCELIZATION PLAN	13
RDP MAP NO. 9: BUILDING LIMIT CONTROLS	13
11. APPENDIX	15

1. INTRODUCTION

1.1 AUTHORIZATION

On March 1, 1995, the City Council of the City of Atlantic City (hereinafter "Governing Body") did, by Resolution No.131 of 1995 (attached), direct the Atlantic City Planning Board (hereinafter "Planning Board") to prepare a Redevelopment Plan for the area generally bounded by Huron Avenue to the south, Brigantine Boulevard and Massachusetts Avenue to the east, Clam Thoroughfare and the Penrose Canal to the North and Absecon Boulevard (U.S. Route 30) to the west; said area to be designated the Huron North Redevelopment Area and alternatively referred to herein as the "Project Area".

1.2 PURPOSE

The purpose of this directive was 1) to acknowledge the existence of conditions of deterioration in commercial and industrial installations, public services and facilities and other components and supports of community life, 2) to acknowledge that these conditions may be amenable to correction and amelioration by concerted effort of responsible public bodies and are not likely to be corrected or ameliorated solely by private effort, and 3) to 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.

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

1.3 SITE CONTEXT

The Huron North Redevelopment Area is located in the northeast section of the City of Atlantic City, and is generally bounded by Huron Avenue to the south, the Atlantic-Brigantine Boulevard and Massachusetts Avenue to the east, Clam Thoroughfare and the Penrose Canal to the north and Absecon Boulevard to the west (reference RDP Map No. 2). The Project Area consists of approximately 178.25 acres, 149.93 of which are City-owned. Of the City-owned acreage, approximately 4.8 acres lie between Absecon Boulevard and New York Avenue and house the City's Police pistol range and K-9 Training facilities, and approximately 20 acres lie between Tennessee and North Carolina Avenues and are utilized as the City's Public Works maintenance and storage facilities. The remaining 125.13 City-owned acres lie east of North Carolina Avenue and are largely vacant except for certain partially paved areas currently under lease to two (2) casino hotels as employee parking lot(s). The non-city owned parcels, consisting of 28.32 acres, are also vacant with the exception of a privately owned and operated parking lot on the corner of Huron Avenue and Absecon Boulevard and a sewer company pump station located along Brigantine Boulevard.

The major defining characteristic of the Project Area is that virtually all of the land east of North Carolina Avenue was used as the City's sanitary landfill until the early 1960s (reference RDP MAP NO. 4).

1.4 BACKGROUND AND HISTORICAL OVERVIEW

From 1929 to 1979, the entire Project Area was designated "commercial" for Zoning and Land Use purposes. Subsequently, Zoning changes were enacted in order to foster development of the site. Prior to the adoption of this Redevelopment Plan, the Project Area consisted of three (3) Zoning Districts. Specifically:

1. The Resort Commercial (RS-C) Zone: Established in 1979 and unchanged since, this Zone is located east of Maryland Avenue and provides for casino hotels as a permitted use.
2. The Resort Service (RS) Zone: Established in 1988, this Zone replaced a residential multi-family zone which existed from 1979 to 1988. This Zone is located between New York and Maryland Avenues and is intended to accommodate uses which support and are integral to nearby casino operations, including, but not limited to, hotels and parking garages.
3. The Area Commercial (AC) Zone: Established in 1988, this Zone replaced a transportation zoning district which existed from 1979 to 1988. Located between Absecon Boulevard and New York Avenue, the AC Zone was designed to include facilities related to area residents and visitors by providing for the development of larger consolidated commercial facilities for diverse retail uses.

Despite the pro-development zoning governing the Project Area since 1929, it remains a vacant, fallow and under-utilized tract of land. In 1987 the City decided to auction the 48 acres of City-owned land lying east of Maryland Avenue (an area generally referred to as the "H-Tract"). A minimum bid of 50% of the assessed value (of \$32 million) was established, and an open public auction was held in December of that year. Although the auction was reasonably well attended, no bids were offered.

One can conclude from this history that neither a variety of zoning scenarios nor individual public or private initiatives have resulted in any meaningful development within the boundaries of the Project Area. While some of this inaction may be attributable to the presence of the sanitary landfill as previously described, the fact is that this land remains fallow, vacant and under-utilized. It is hoped that by targeting the Project Area under this Redevelopment Plan, the basis for a private/public partnership as envisioned in the State of New Jersey's "Local Redevelopment and Housing Law" will develop in order to turn this land into a valuable and productive asset for Atlantic City.

2. DEFINITIONS

For the purposes of this Redevelopment Plan:

- 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 et. seq.
- 2.3 The term "Redeveloper" shall mean the Corporation, partnership or other entity named by the Redevelopment Entity as Redeveloper as defined by N.J.S.A. 40A:12A-3 and having entered or been chosen to enter into a Redeveloper's Agreement with the Redevelopment Entity for the purposes of advancing this Redevelopment Plan.
- 2.4 The term "Temporary Use" shall mean those uses, either directly or not directly related to a permanent redevelopment project and lasting from not less than one (1) day to not more than one (1) year.
- 2.5 The term "Interim Use" shall mean those uses, either directly or not directly related to a permanent redevelopment project, and lasting from not less than one (1) year to not more than five (5) years.
- 2.6 The term "Land Use Ordinance" shall mean Chapter 163 (Land Use Development) of the Atlantic City Code, as may be amended from time to time.

3. DESCRIPTION OF PROJECT

3.1 LOCATION

The Huron North Redevelopment Area is located in the City of Atlantic City, Atlantic County, State of New Jersey.

3.2 BOUNDARIES OF THE REDEVELOPMENT AREA

The Project Boundary Map (RDP MAP NO 1) delineates the perimeters and boundaries of the Project Area, which perimeters and boundaries are as follows:

BEGINNING at the intersection of the northerly line of Huron Avenue (80' wide) with the easterly line of Absecon Boulevard (190' wide) and continuing thence:

1. East, along said northerly line of Huron Avenue for a distance of 2,961.63' to the intersection of the westerly line of Atlantic-Brigantine Boulevard (80' wide); thence

2. East, along said westerly line of Atlantic-Brigantine Boulevard a distance of 2,271.15', passing through Cecil Circle (having an arc of 166.12' and a radius of 100') to the intersection of said westerly line of Atlantic-Brigantine Boulevard with the westerly line of Massachusetts Avenue (50' wide), said point also being the intersection of the westerly arc of Cecil Circle with the westerly line of Massachusetts Avenue; thence
3. North, along the westerly line of Massachusetts Avenue a distance of 693.17' to the intersection of said westerly line of Massachusetts Avenue with the northerly line of Helen Avenue; thence
4. East, along said northerly line of Helen Avenue a distance of 50' to the imaginary easterly line of Massachusetts Avenue if said Massachusetts Avenue were extended north above Helen Avenue; thence
5. North, along said imaginary line of Massachusetts Avenue a distance of 560' to the intersection of said imaginary line of Massachusetts Avenue with the southerly line of Clam Thoroughfare; thence
6. West, along said southerly line of Clam Thoroughfare to the intersection of said southerly line of Clam Thoroughfare with southerly line of the Penrose Canal; thence
7. West, along said southerly line of the Penrose Canal to the intersection of said southerly line of the Penrose Canal with the easterly line of Absecon Boulevard; thence
8. South, along said easterly line of Absecon Boulevard a distance of approximately 1,218' to the intersection of said easterly line of Absecon Boulevard with the northerly line of Huron Avenue, being the **POINT AND PLACE OF BEGINNING**.

Said area containing approximately 178.25 acres.

3.3 STATEMENT OF GENERAL PURPOSE

The purpose of this Redevelopment Plan is to provide the mechanism for a public/private partnership leading to the development of a "world class" entertainment/recreation facility within the Project Area. In attempting to allow for the widest possible range of development opportunities for the site, the City recognizes that certain financial and planning realities are inherent to the undertaking of such a development. Accordingly, the City has crafted this Redevelopment Plan to be as flexible as possible in order to foster a quality development while maintaining consistency with the following Goals and Objectives.

3.4 PUBLIC POLICY GOALS

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

- 3.4.1 Provide land for and thus promote growth and new private sector development in the form of a recreation/entertainment complex which will stimulate new markets and strengthen and diversify the City's economic base.
- 3.4.2 Provide commercial facilities for year-round tourist and family attractions, increase employment opportunities and generate new hotel rooms.
- 3.4.3 Maximize tax revenue and generate tax ratables by the return to the active tax roles of land currently under public ownership.

3.5 REDEVELOPMENT PLAN OBJECTIVES

- 3.5.1 This document constitutes a Redevelopment Plan under the provisions of the applicable State statutes (specifically C.40A:12A-7). In addition to the Public Policy Goals stated above, this Redevelopment Plan will achieve such definite local objectives as:
 - 3.5.2 The elimination of unhealthy and unsafe conditions, including the elimination of obsolete, blighting and incompatible land uses which are detrimental and deleterious to the public welfare.
 - 3.5.3 The removal of structurally substandard buildings.
 - 3.5.4 The prevention of the spread of blight by the application of comprehensive Redevelopment Plan controls.
 - 3.5.5 The removal of impediments to land disposition.
 - 3.5.6 Stimulate private development by allowing maximum flexibility in land use, project design and building limit controls.

3.6 TYPES OF PROPOSED REDEVELOPMENT ACTION

- 3.6.1 The Redevelopment Action proposed for the Project Area consists of the conveyance or lease of the City-owned land to a Redeveloper for the purposes of developing a "world class" recreation/entertainment resort complex in order to effectuate the Redevelopment Plan Objectives and Public Policy Goals as stated herein.
- 3.6.2 Part and parcel of any Redevelopment Action will be the relocation of the municipal Public Works and Police facilities and related functions to an alternate location. The Redeveloper's Agreement to be negotiated pursuant to the land conveyance or lease shall include provisions for said costs.

3.6.3 After conveyance or lease of the Project Area or any part thereof to a Redeveloper, and upon an agreed to schedule for the termination of the parking lot leases and the vacation of the Public Works and Police facilities by the City, the Redeveloper shall be responsible for all demolition and site work, and for all planning, permitting and other activities necessary for the redevelopment of the Project Area in accordance with this Redevelopment Plan.

4. LAND USE PLAN

The Land Use Plan is comprised of the Land Use Provisions, the Parcelization Plan, the Easement Plan and the Building Limit Controls.

4.1 LAND USE PROVISIONS (RDP MAP NO. 7)

4.1.1 Resort Zone

Bounded by Huron Avenue to the south, Atlantic-Brigantine Boulevard and Massachusetts Avenue to the east, Clam Thoroughfare to the north and North Carolina Avenue to the west.

This Zone is intended to provide a destination anchor for development and to establish the "resort" flavor of the Project Area. The primary focus of this Zone is the development of a major, year round, family oriented recreation/entertainment complex. Permitted uses in the Resort Zone shall include, but shall not be limited to, hotels, casino hotels, marinas, retail, theaters, restaurants and lounges, surface and structured parking and such other specialized entertainment/recreation uses as arenas, theme parks, water parks, golf courses, active and/or passive recreation facilities, cultural facilities and other like and similar attractions.

4.1.2 Recreation Zone

Bounded by Huron Avenue to the south, North Carolina Avenue to the east, Clam Thoroughfare and the Penrose Canal to the north and Absecon Boulevard to the west.

Within the context of the building controls contained herein, this Zone is intended to permit all uses permitted in the Resort Zone except a casino.

4.1.3 Temporary/Interim Uses

While not encouraged, this Redevelopment Plan shall permit such temporary and/or interim uses as may be proposed from time-to-time, provided that such uses do not conflict with nor adversely impact the construction or operation of any permanent redevelopment project within the Project Area.

Approvals, duration and interpretation of "conflict" and "impact" shall be solely at the discretion of the Planning Board.

4.2 THE PARCELIZATION PLAN

Project Boundaries (RDP MAP NO. 2)

Block and Lot Identification (RDP MAP NO. 3)

Parcels owned by others and designated "Not-To-Be-Acquired" (RDP MAP NO. 6)

Parcelization Plan (RDP MAP NO. 8)

4.2.1 Parcel A

Bounded by Huron Avenue to the south, Atlantic-Brigantine Boulevard and Massachusetts Avenue to the east, Clam Thoroughfare to the north and North Carolina Avenue to the west.

4.2.2 Parcel B

Bounded by Huron Avenue to the south, North Carolina Avenue to the east, Clam Thoroughfare and the Penrose Canal to the north and New York Avenue to the west.

4.2.3 Parcel C

Bounded by Huron Avenue to the south, New York Avenue to the east, Clam Thoroughfare and the Penrose Canal to the north and Absecon Boulevard to the west.

4.2.4 The Parcelization Plan delineates three (3) distinct parcels for Building Limit Control purposes. While it is the intent of this Redevelopment Plan to develop all parcels jointly under a comprehensive program for the entire Project Area, the City reserves the right to enter into a Redeveloper's Agreement for any combination of said parcels, or to subdivide said parcels into smaller development tracts should a particular proposal merit such action.

4.3 THE EASEMENT PLAN

Pre-Existing Rights-of-Way and known easements within the Project Area are depicted on RDP MAP NO. 4. The final Easement Plan, including municipal dedications, vacations and/or the granting of air rights, shall be determined in conjunction with the Planning Board Site Plan Review and approval process.

4.4 BUILDING LIMIT CONTROLS (RDP MAP NOS. 8 & 9)

4.4.1 The following regulations, controls and restrictions are designed to provide guidelines for the physical development of the Project Area. The Redeveloper and its designers are encouraged to exercise maximum ingenuity, creativity and freedom of design consistent with the objectives of this Redevelopment Plan.

- 4.4.2 The City 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 provide for a setting within which the Redeveloper and the Redeveloper's architects are encouraged to generate specific plans in order to produce a complex of outstanding design and superior quality.
- 4.4.4 The development concepts and general design plan for undertakings proposed for the Project Area will be reviewed and approved by the Redevelopment Entity pursuant to the Redeveloper's Agreement. However, pursuant to N.J.S.A. 40A:12A-13, the Atlantic City Planning Board shall maintain jurisdiction over Subdivision and Site plan approval.
- 4.4.5 Deviations from the Building Limit Controls of this Redevelopment Plan and the incorporated provisions of the Atlantic City Land Use Ordinance 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.
- 4.4.6 Building Setbacks

For each Parcel, no structure, or any part thereof, shall encroach upon the setback from the Right-of-Way as follows:

<u>PARCEL</u>	<u>RIGHT-OF-WAY</u>	<u>BUILDING SETBACK</u>
Parcel A:	Huron Avenue	100'
	Atlantic-Brigantine Boulevard	100'
Parcel B:	Huron Avenue	100'
Parcel C:	Huron Avenue	100'
	Absecon Boulevard	50'

Said Building Setbacks shall not apply to public or quasi-public improvements erected within the Building Setback area. For the purposes of this Redevelopment Plan, such public or quasi-public improvements shall include statuary, street furniture or other decorative landscaping and/or streetscaping features. Interpretation of what constitutes a public or quasi-public improvement shall be made solely by the Planning Board.

4.4.7 Maximum Building Height

Parcel A: For the area between the Building Setback and a line one hundred feet (100') from said Building Setback, the maximum building height shall be one hundred sixty feet (160') from grade.

For the area beyond one hundred feet (100') from the Building Setback, the maximum building height shall be three hundred eighty five feet (385') from grade.

Parcel B: For the area beyond the Building Setback, the maximum building height shall be one hundred sixty feet (160') from grade.

Parcel C: For the area beyond the Building Setbacks, the maximum building height shall be forty five feet (45') from grade.

4.5 ADDITIONAL CONTROLS

4.5.1 Unless specifically addressed in this Redevelopment Plan, the Project Area shall be governed by the Performance Standards, Urban Design Standards, Signage Regulations (section 163-71 J) and Parking and Loading Regulations contained in the Atlantic City Land Use Ordinance. By reference herewith, said provisions are included in and adopted by this Redevelopment Plan.

4.5.2 Unless otherwise specified, all Land Use, Building Limit and other Controls contained in this Redevelopment Plan are those of the City of Atlantic City and do not substitute for any requirements, controls or regulations established by any State or Federal agency.

4.6 UNDERGROUND UTILITY LINES

4.6.1 Distribution lines for all utility systems shall be placed underground. All easements shall comply with City requirements. Exact locations for utility lines and easements shall be established at time of Final Plan Approval. Existing above ground utilities shall be incorporated into the underground systems as improvements are undertaken. Any relocation and/or replacement of utility lines shall be the sole responsibility of the Redeveloper and shall not be an expense to the City.

4.7 PROVISIONS APPLICABLE TO PROPERTY DESIGNATED "NOT-TO-BE-ACQUIRED"

4.7.1 The Land Use and Building Limit Controls contained in this Redevelopment Plan are applicable to real property designated as not-to-be-acquired should affirmative development take place thereon by the current or subsequent owner either independently or as part of a larger development within the Project Area.

4.7.2 The owners (both current or subsequent) of all property within the Project Area are and shall continue to be required to maintain all land and improvements in a standard condition at all times, and to rehabilitate same whenever the conditions do not meet the minimum property conditions as contained in the Codes and Ordinances of the City of Atlantic City.

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 all 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 City Land Use Ordinance, except as specifically provided for in this Plan, shall not apply to land or structures within the Project Area.

5.2 **EQUAL OPPORTUNITY**

No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the Redevelopment Entity or by the Redeveloper (or any successors in interest) whereby the use of the land in the Project Area is restricted, either by the Redevelopment Entity or the Redeveloper (or any successors in interest) 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. 40A:12A-9, shall be implemented by appropriate covenants or other provisions in the Redeveloper's Agreement and/or any disposition instruments as covenants running with the land.

6. **OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS**

6.1 **ACQUISITION AND RELOCATION**

6.1.1 The Redevelopment Entity does not contemplate the public acquisition of private parcels which may be contained within the Project Area. Accordingly, no public displacement of families, individuals or business concerns shall occur in the effectuation of this Redevelopment Plan. No Relocation Plan is thus required.

6.1.2 Section 6.1.1 notwithstanding, this Redevelopment Plan does recognize that several parcels within the Project Area may be desirable from a development standpoint. Acquisition of, or development rights to, these parcels, if at all, shall be the sole responsibility of the Redeveloper, at its own initiative and expense. Accordingly, any and all acquisition and/or relocation responsibilities

shall be subject to the private negotiations between the Redeveloper and the owner(s) of said parcels.

6.2 STATUTORY CONSISTENCY

6.2.1 Designated "Area In Need of Rehabilitation"

The Governing Body of the City of Atlantic City did, by Resolution No. 889 of 1994 (attached), 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 and for an area of the City which includes the Project Area by Resolution No. 364 of 1994. The finding of an "Area In Need of Rehabilitation" is requisite 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 statutes (specifically N.J.S.A. 40A:12A-7).

6.3 PROPOSED ZONING CHANGES

6.3.1 Prior to the adoption of this Redevelopment Plan, the Project Area was zoned as cited below (RDP MAP NO. 5). All Land Uses, building and other controls and regulations applicable to these zones are specified in the Atlantic City Land Use Ordinance.

RS-C: Area bounded by Atlantic-Brigantine Boulevard to the south, Massachusetts Avenue to the east, Clam Thoroughfare to the north and Maryland Avenue to the west.

RS: Area bounded by Huron Avenue to the south, Maryland Avenue to the east, Clam Thoroughfare to the north and New York Avenue to the west.

AC: Area bounded by Huron Avenue to the south, New York Avenue to the east, Clam Thoroughfare and the Penrose Canal to the north and Absecon Boulevard to the west.

6.3.2 Upon adoption of this Redevelopment Plan by the Governing Body, the Land Use controls as cited in section 4.1 of this Redevelopment Plan shall apply (RDP MAP NO. 7).

6.4 REHABILITATION AND CONSERVATION

No rehabilitation and/or conservation of structures is required. However, the City recognizes certain Riparian and wetlands issues, as well as certain soil condition issues may exist within the Project Area. The Redeveloper shall comply with all State and federal requirements and shall be responsible for all issues regarding same.

6.5 REDEVELOPERS OBLIGATIONS

In addition to the provisions of N.J.S.A. 40A:12A-9, the Redeveloper shall be required to begin and complete the development of the land for the uses specified in this Redevelopment Plan and the construction of improvements agreed upon in the Redeveloper's Agreement within a reasonable time period. Any such schedules shall be provided for in said Redeveloper's Agreement.

6.6 DURATION OF PROVISIONS AND EFFECTIVE DATE

This Redevelopment Plan, as it may be amended from time to time, shall be in effect for a period of 20 years from the date of adoption by the Governing Body of the City of Atlantic City.

6.7 AUTHORITY AND PLAN INTERPRETATION

- 6.7.1 Consistent with section 4.4.4 of this Redevelopment Plan, and pursuant to the provisions to be negotiated as part of the Redeveloper's Agreement, the Redevelopment Entity shall approve the development concepts and general design plan for all undertakings proposed for the Project Area.
- 6.7.2 The Planning Board shall have the authority to determine conformance of a Redeveloper's concept and design to this Redevelopment Plan.
- 6.7.3 The Planning Board shall have sole authority for the interpretation or clarification of any provision of this Redevelopment Plan.

7. TERMINATION OF PARKING LEASES

- 7.1 As of the date of adoption of this Redevelopment Plan, portions of Block RP-17, lot 3 are subject to Lease Agreements with two (2) separate casino entities for use as employee parking lots. Said leases contain (respectively six [6] and twelve [12] month) termination clauses which the City shall invoke at the appropriate time should a Redeveloper's Agreement be executed for said lot.

8. GENERAL CONSTRUCTION AND APPLICATION OF PLAN PROVISIONS

8.1 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 by the Project Boundary.

9. PROCEDURES FOR AMENDING THE APPROVED REDEVELOPMENT PLAN

9.1 This Redevelopment Plan may be amended from time to time upon compliance with all applicable laws and statutes and the approval of the Governing Body of the City of Atlantic City. Mutual agreement between the City and the Redeveloper is required where a Redeveloper's Agreement is in place and where such amendment would change the controls governing the use of land under said Redeveloper's Agreement.

9.2 The Planning Board may, at time of Site Plan Review and without formal amendment to this Redevelopment Plan, approve any modifications or changes in the building controls specified herein, provided said modifications or changes are consistent with the applicable provisions of N.J.S.A. 40:55D-1 et. seq.

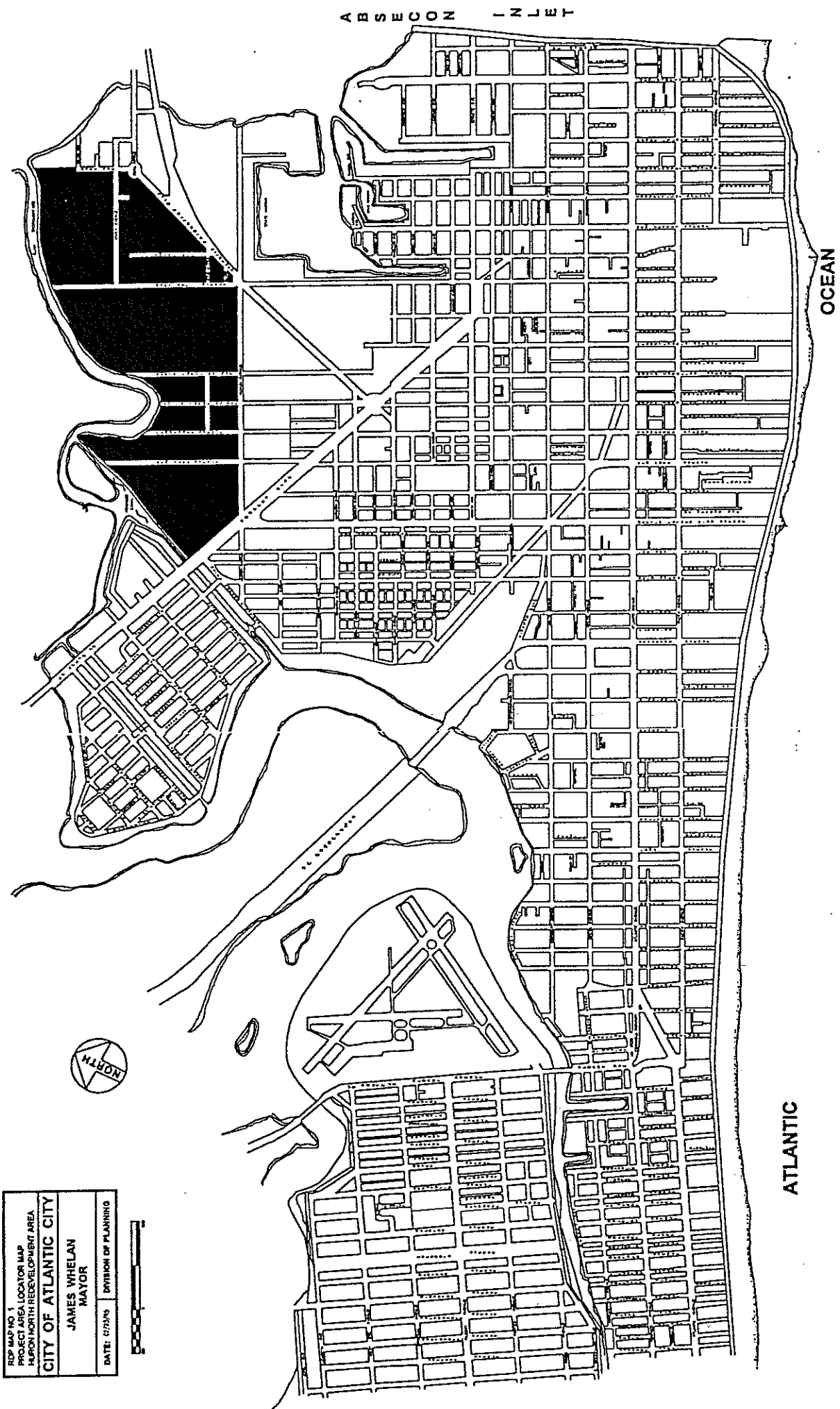
9.3 Modifications or changes in the Land Use or Building Limit Controls which are inconsistent with the intent of this Redevelopment Plan shall necessitate a formal Plan amendment.

10. LIST OF EXHIBITS

- RDP MAP NO. 1: PROJECT AREA LOCATOR MAP
- RDP MAP NO. 2: PROJECT BOUNDARY MAP
- RDP MAP NO. 3: BLOCK AND LOT IDENTIFICATION MAP
- RDP MAP NO. 4: PRE-EXISTING CONDITIONS MAP
- RDP MAP NO. 5: PRE-EXISTING ZONING MAP
- RDP MAP NO. 6: LAND ACQUISITION MAP
- RDP MAP NO. 7: PROJECT LAND USE PROVISIONS
- RDP MAP NO. 8: PROJECT PARCELIZATION PLAN
- RDP MAP NO. 9: BUILDING LIMIT CONTROLS

11. APPENDIX

- City of Atlantic City Resolution No. 889 of 1994.
- City of Atlantic City Resolution No. 131 of 1995.



ABSECON INLET

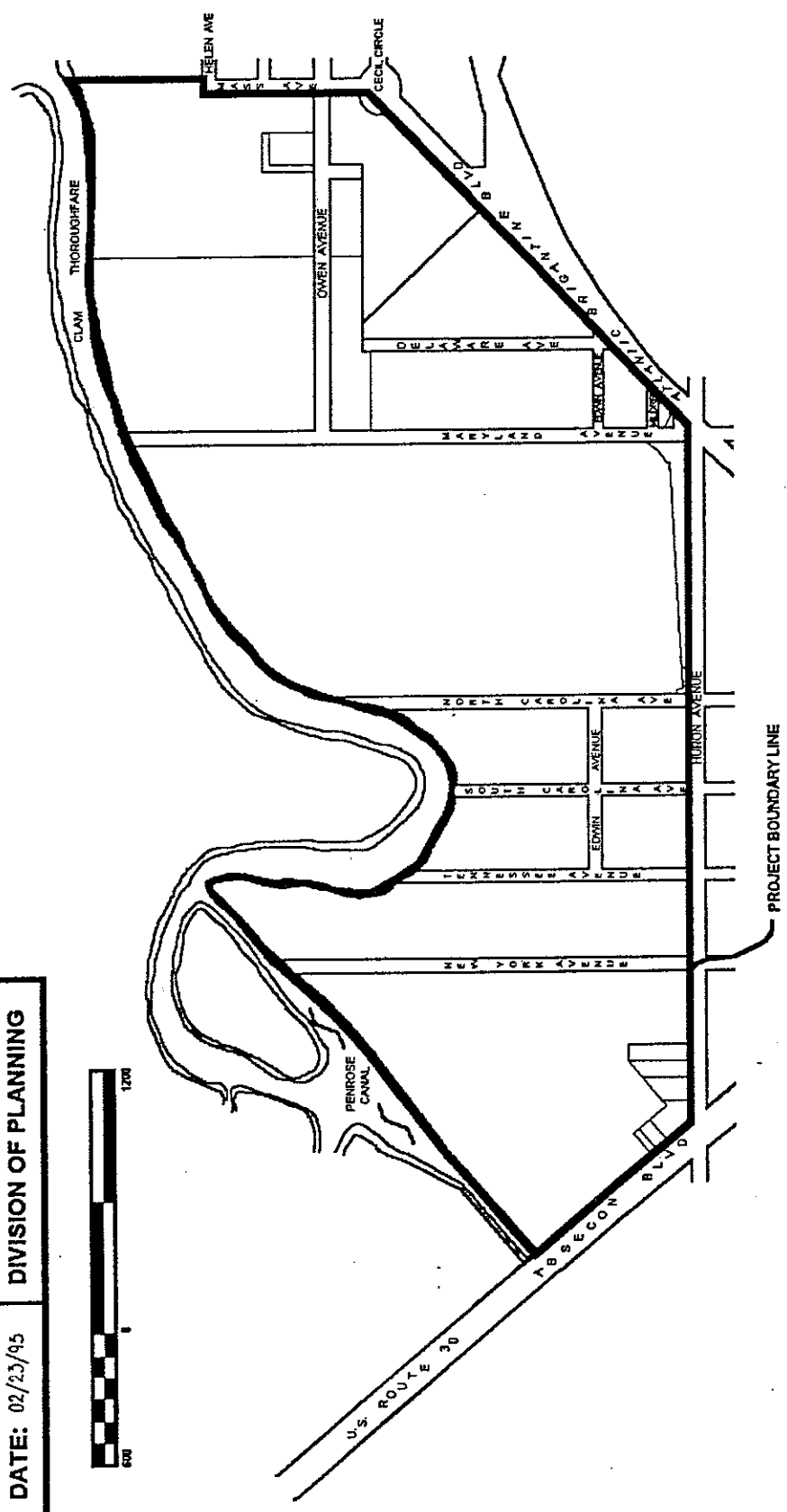
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RDP MAP NO. 1
 PROJECT AREA LOCATOR MAP
 FOR NORTH REDEVELOPMENT AREA
CITY OF ATLANTIC CITY
 JAMES WHELAN
 MAYOR
 DATE: 6/23/85 DIVISION OF PLANNING



RDP MAP NO. 2	
PROJECT BOUNDARY MAP	
HURON NORTH REDEVELOPMENT AREA	
CITY OF ATLANTIC CITY	
JAMES WHELAN MAYOR	
DATE: 02/23/95	DIVISION OF PLANNING

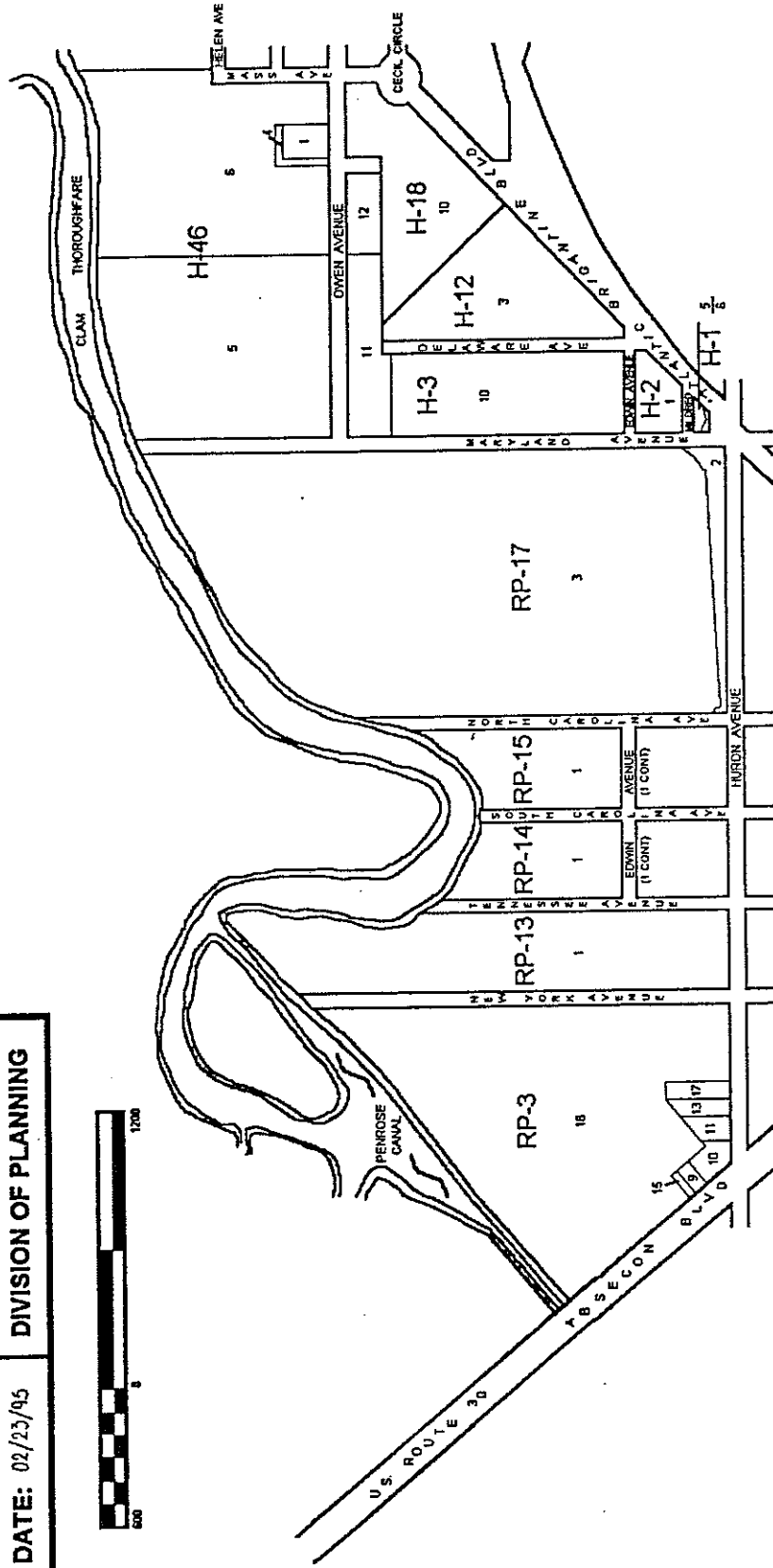


RDP MAP NO. 3
 BLOCK AND LOT IDENTIFICATION MAP
 HURON NORTH REDEVELOPMENT AREA

CITY OF ATLANTIC CITY

JAMES WHELAN
 MAYOR

DATE: 02/23/95 DIVISION OF PLANNING



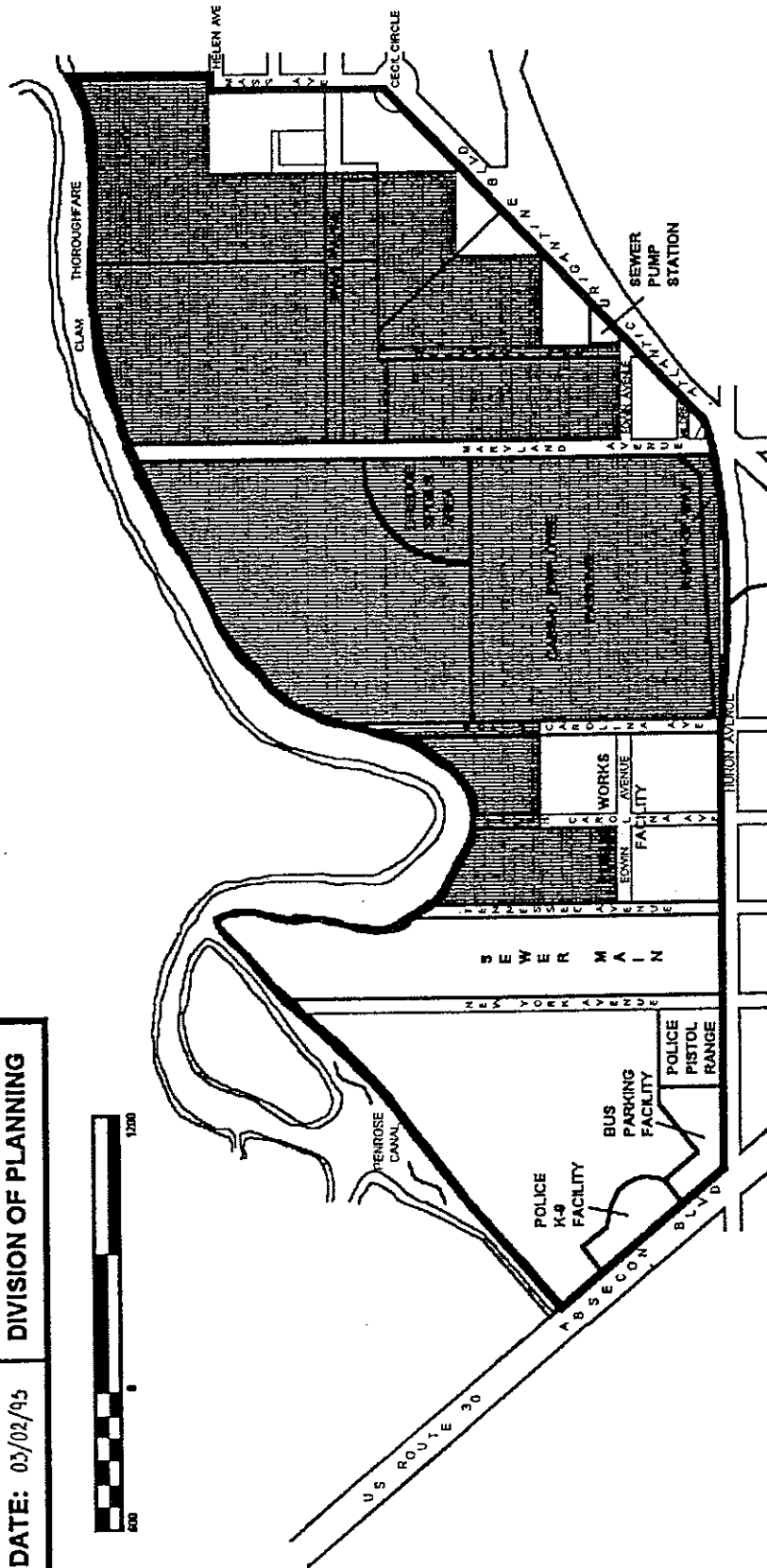
NOTE: BLOCK RP-17, LOT 2 WAS TAKEN BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR USE IN THE WIDENING OF HURON AVENUE. SAID LOT IS THUS PART OF THE RIGHT-OF-WAY.

RDP MAP NO. 4
 PRE-EXISTING CONDITIONS MAP
 HURON NORTH REDEVELOPMENT AREA

CITY OF ATLANTIC CITY

JAMES WHELAN
 MAYOR

DATE: 03/02/95 DIVISION OF PLANNING

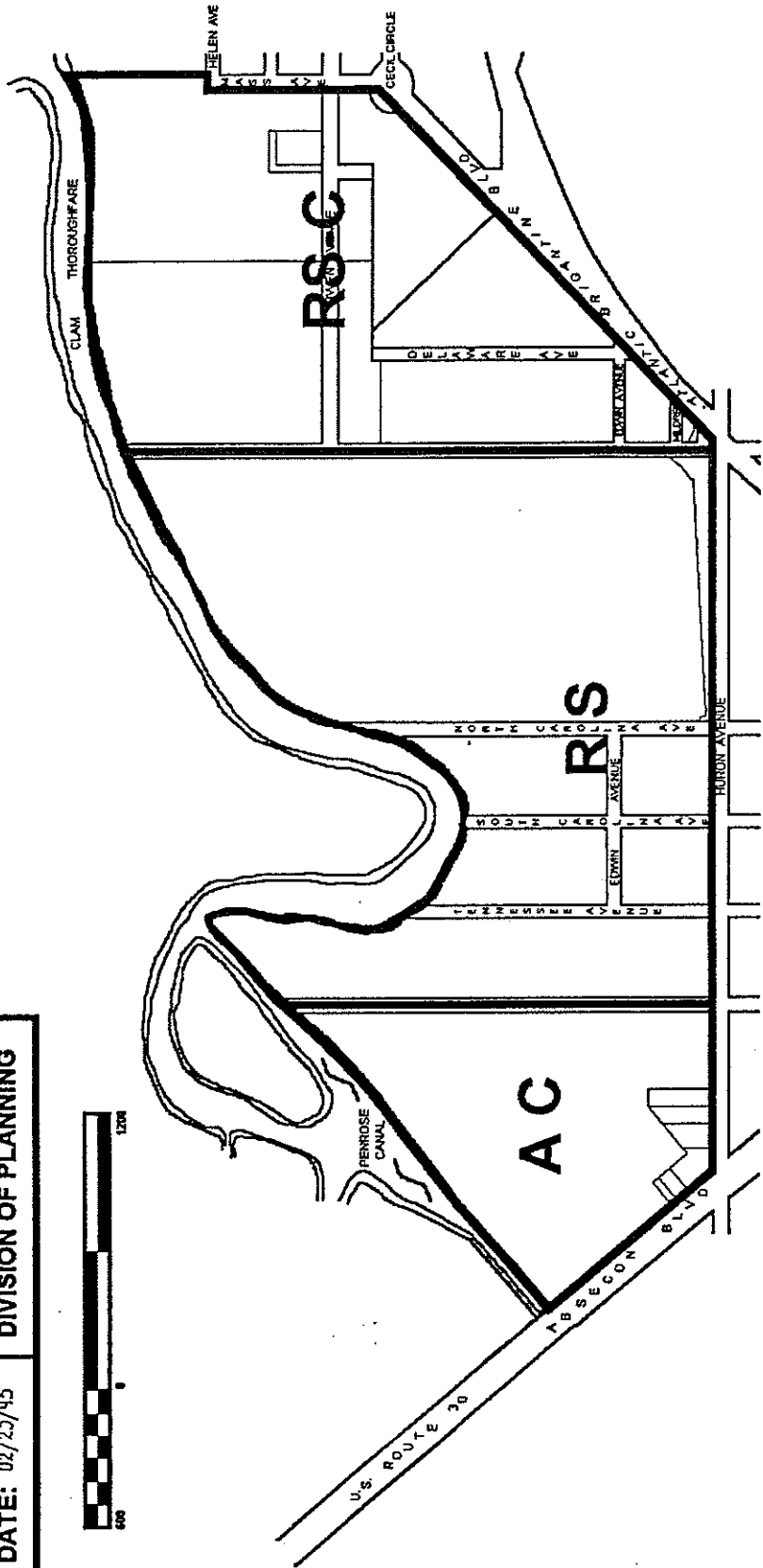


LEGEND

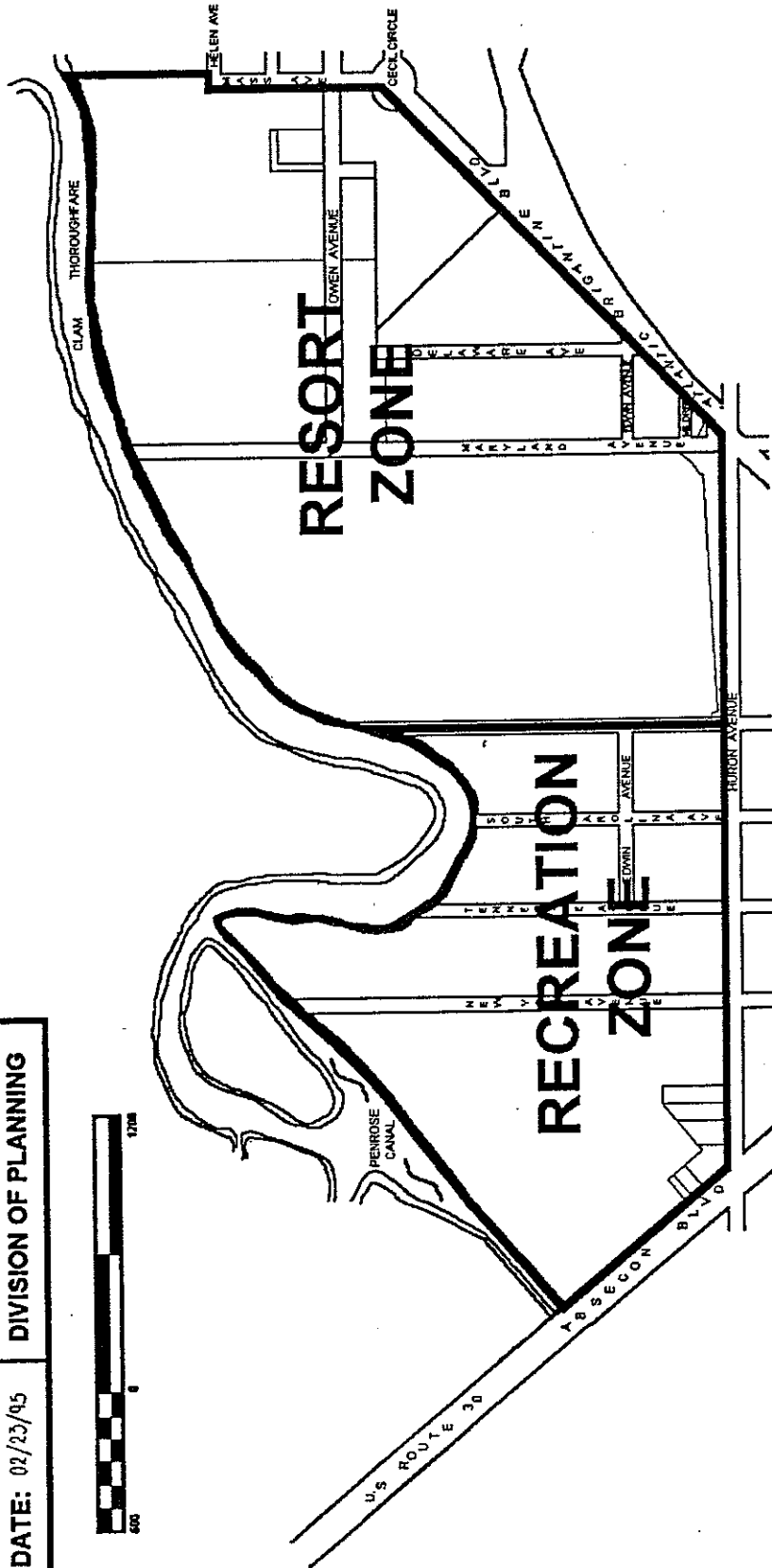
▨ - FORMER LANDFILL AREA
 (LOCATION APPROXIMATE)

NOTE: BOUNDARY LINE CURVED
 TO REFLECT BEND IN
 RIGHT-OF-WAY

RDP MAP NO. 5
 PRE-EXISTING ZONING MAP
 HURON NORTH REDEVELOPMENT AREA
CITY OF ATLANTIC CITY
JAMES WHELAN
MAYOR
 DATE: 02/23/95 DIVISION OF PLANNING



RDP MAP NO. 7 PROJECT LAND USE PROVISIONS HURON NORTH REDEVELOPMENT AREA	
CITY OF ATLANTIC CITY	
JAMES WHELAN MAYOR	
DATE: 02/23/95	DIVISION OF PLANNING

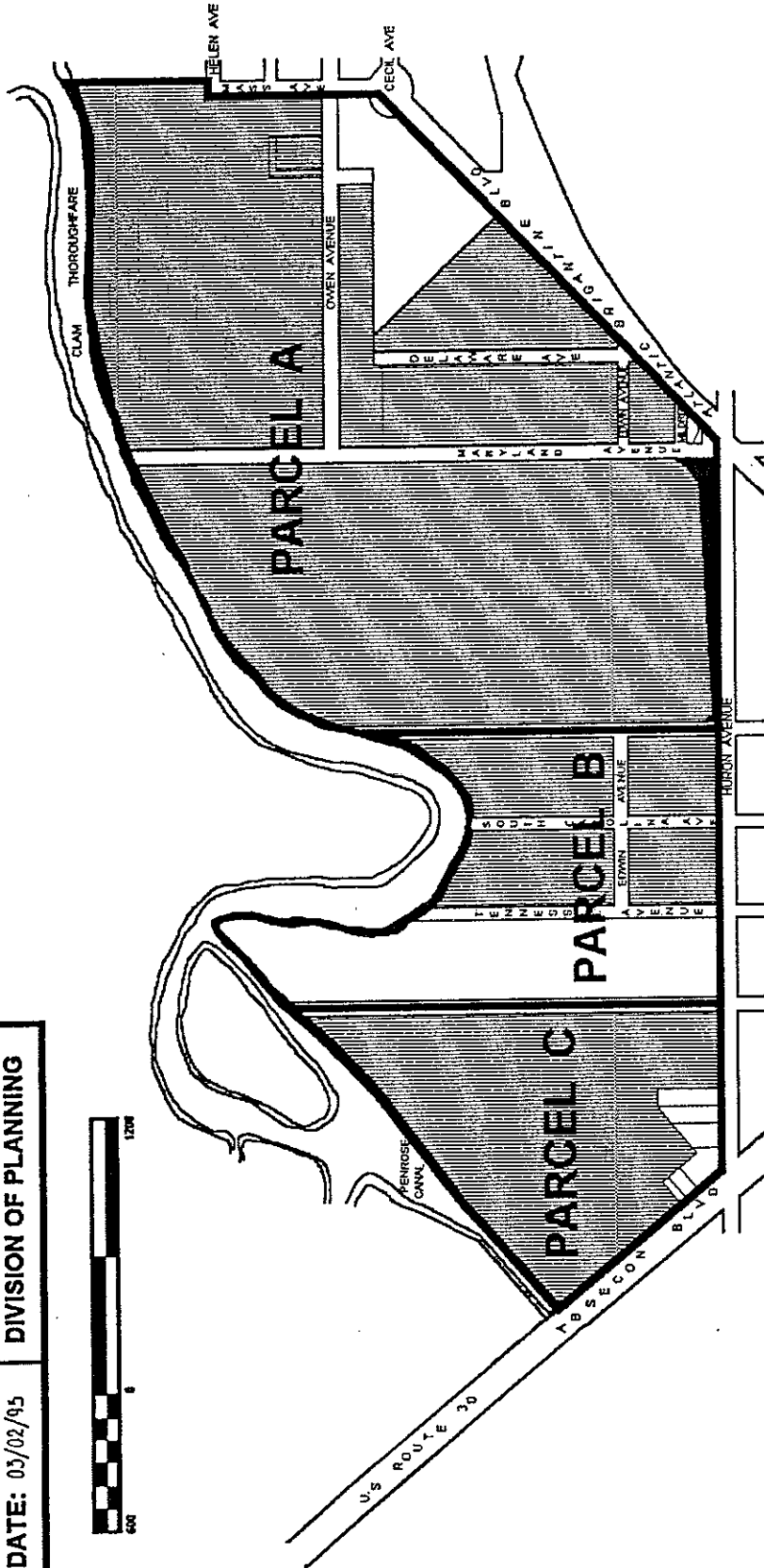


RDP MAP NO. 8
 PROJECT PARCELIZATION PLAN
 HURON NORTH REDEVELOPMENT AREA

CITY OF ATLANTIC CITY

JAMES WHELAN
 MAYOR

DATE: 03/02/95 DIVISION OF PLANNING



LEGEND

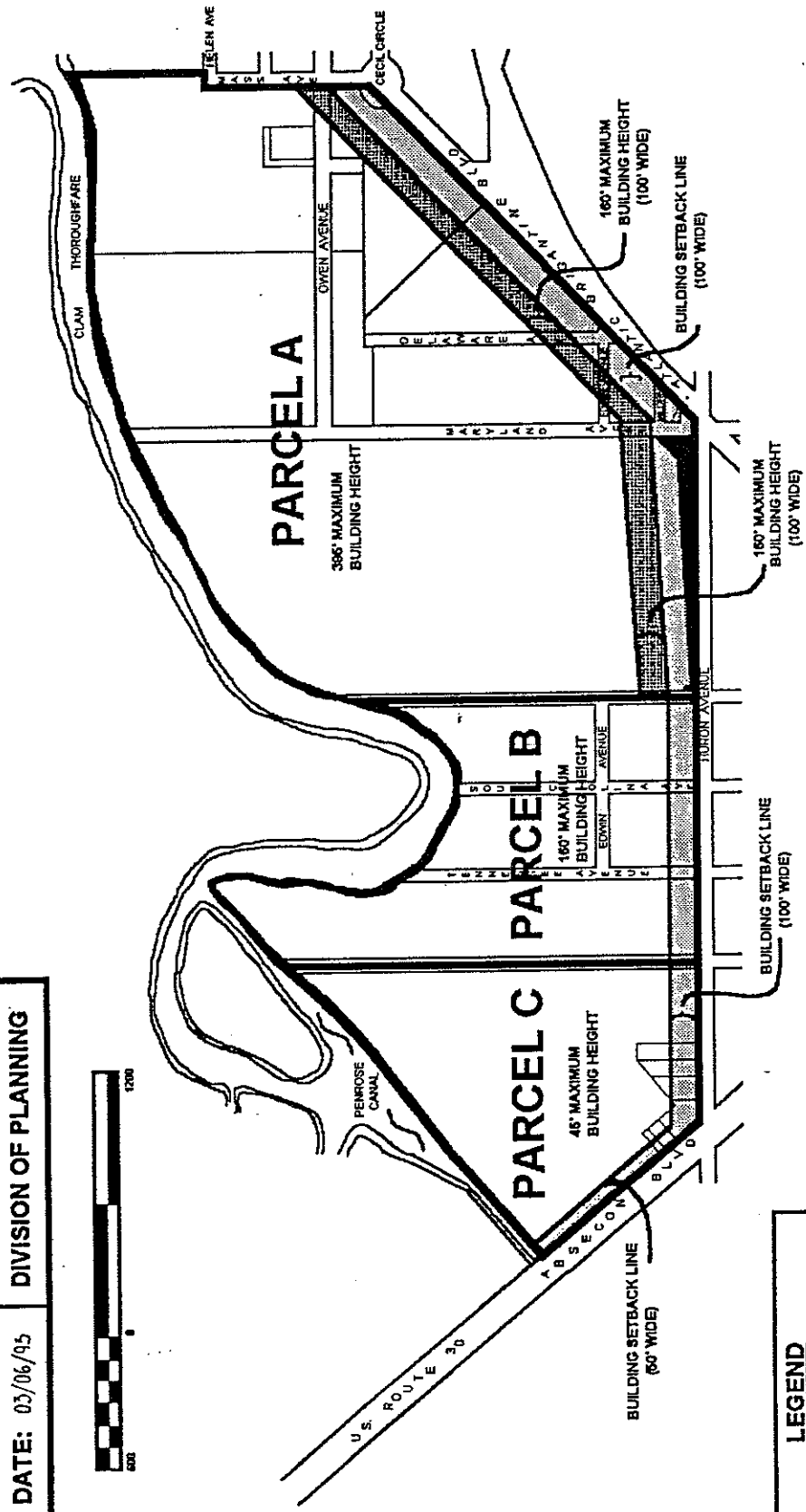
- CITY OWNED PROPERTY
- PROPERTY NOT TO BE ACQUIRED
- PARCEL DEDICATED FOR RIGHT-OF-WAY

RDP MAP NO. 9
 BUILDING LIMIT CONTROLS
 HURON NORTH REDEVELOPMENT AREA

CITY OF ATLANTIC CITY

JAMES WHELAN
 MAYOR

DATE: 03/06/95 DIVISION OF PLANNING

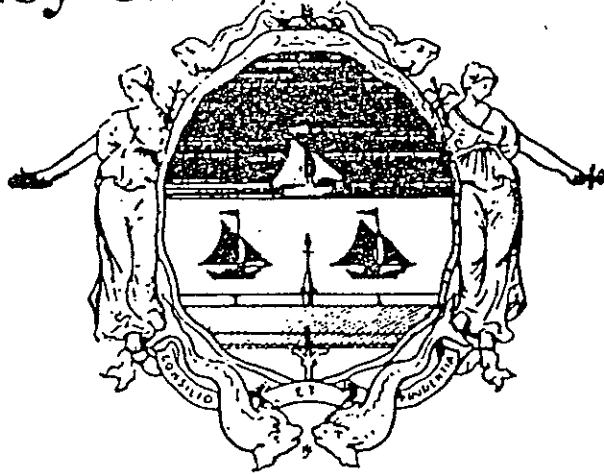


LEGEND

- BUILDING SETBACK LINE
- MAXIMUM BUILDING HEIGHT 160' (100' TO 200' FROM RIGHT-OF-WAY)
- PARCEL DEDICATED FOR RIGHT-OF-WAY

NOTE: LOCATIONS ARE APPROXIMATE

City of Atlantic City



OFFICE OF BENJAMIN R. FITZGERALD, RMC
CITY CLERK

I, BENJAMIN R. FITZGERALD, City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey **Do hereby Certify**, that the foregoing is a true copy of

RESOLUTION #889 WHICH WAS PASSED BY THE COUNCIL OF THE CITY OF ATLANTIC CITY AT A REGULAR MEETING HELD NOVEMBER 23, 1994, AS TAKEN FROM THE ORIGINAL ON FILE IN THE OFFICE OF THE CITY CLERK.

In Testimony Whereof, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this^{9th}..... day of
MARCH 19.....⁹⁵.....


.....
City Clerk

Resolution of the City of Atlantic City

No. 889

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

City Solicitor /s/ Paul J. Gallagher

Business Administrator /s/ Andrew A. Mair

Prepared by City Solicitor's Office

Council Member...McGETTIGAN.....Presents the following Resolution:

WHEREAS, a significant portion of the structures within the City of Atlantic City are in a deteriorated or substandard conditions; and

WHEREAS, there is a continuing pattern of vacancy, abandonment or underutilization of properties in the City of Atlantic City, with a persistent arrearage of property tax payments thereon; and

WHEREAS, a program of rehabilitation, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, will contribute to the elimination of substandard structural or housing conditions and arrest the deterioration of the City; and

WHEREAS, a consideration of the overall conditions and requirements of the community warrants a finding of a need for rehabilitation extending to the entire area of municipality;

NOW, THEREFORE, BE IT RESOLVED, that the City of Atlantic City in its entirety be and hereby is determined to be an area in need of rehabilitation, pursuant to N.J.S.A. 40:12A-1 et. seq., as amended.

ew March 9, 1995 09:44:29 AM R0889-94/RES/94

RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
COURSEY	X						MANCUSO	X				X	
HUDGINS	X						McGETTIGAN	X					
KELLEY	X					X	SCHULTZ	X					X
LANGFORD	X						ZINGARELLI				X		
NORRELL-NANCE, PRESIDENT								X					
x-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

DATE OF ADOPTION:....NOVEMBER 23, 1994.....

/s/ Benjamin R. Fitzgerald City Clerk

This Resolution when adopted must remain in the custody of the City Clerk Certified copies are available.

Resolution of the City of Atlantic City

No. 131

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

City Solicitor /s/ Paul J. Gallagher

Business Administrator /s/ Andrew A. Hair

Prepared by City Solicitor's Office

Council Members McGettigan & Norrel-Nance Present the following Resolution:

WHEREAS, there exists, has existed and persists in the area generally bounded by Huron Avenue to the South, Brigantine Boulevard and Massachusetts Avenue to the East, Clam Thorofare and the Penrose Canal to the North, and Absecon Boulevard to the West, (hereinafter referred to as Huron North Redevelopment Area) conditions of deterioration in commercial and industrial installations, public services and facilities and other components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort; and

WHEREAS, the City of Atlantic City is committed to the development of family attractions to enhance the destination resort aspects of the City, to increase the number of available hotel rooms and to enhance and encourage stability in the neighborhoods; and

WHEREAS, a Redevelopment Plan means a plan adopted by the governing body of the municipality for the redevelopment or rehabilitation of all or any part of a redevelopment area, or an area in need of rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreation and municipal facilities, and other public improvements, and to indicate proposed land uses and building requirements in the redevelopment area in need of rehabilitation, or both, and;

WHEREAS, the Huron North Redevelopment Area is a portion of the City of Atlantic City, the entirety of which has been previously declared an area in need of rehabilitation by Resolution No. 364 of 1994; and

WHEREAS, a municipal Planning Board has the power to prepare a Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Atlantic City as follows:

- (a) The Planning Board is hereby directed to prepare a Redevelopment Plan for the Huron North Redevelopment Area, that area within the City of Atlantic City and generally bounded by Huron Avenue to the South, Brigantine Boulevard and Massachusetts Avenue to the East, Clam Thorofare and the Penrose Canal to the North, and Absecon Boulevard to the West, said Redevelopment Plan to be consistent with the terms of N.J.S.A. 40A:12-7.
- (b) The Planning Board, after completing the Redevelopment Plan and making a finding of consistency with the Master Plan shall transmit the proposed plan to the City Council.
- (c) No Redevelopment Project on the subject premises shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the City Council.

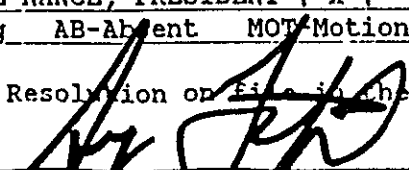
BE IT FURTHER RESOLVED, that it is the intent of the municipality of the City of Atlantic City to designate itself as the redevelopment entity for the Huron North Redevelopment Plan as defined at N.J.S.A. 40A:12-3 and to reserve unto itself all the powers delineated at N.J.S.A. 40:12A-8 to carry out and effectuate the terms of the Redevelopment Plan.

dle March 9, 1995 09:40:41 AM R0131-95/RES/95

RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
COURSEY	x						MANCUSO				x		
HUDGINS	x						McGETTIGAN	x				x	
KELLEY	x						SCHULTZ	x					
LANGFORD	x						ZINGARELLI	x					
NORRELL-NANCE, PRESIDENT								x					x
x-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on File in the City Clerk's Office.

DATE OF ADOPTION: March 1, 1995

/s/  Benjamin B. Fitzgerald City Clerk