

Ordinance

Ordinance No. 08

OF THE
CITY OF ATLANTIC CITY, N.J.

Date.2-08-06.....
Date to Mayor.3/09/06..

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

Factual contents certified to by

City Solicitor /s/ Kimberly A. Baldwin

Business Administrator /s/ Domenic F. Cappella

Prepared by the City Solicitor's Office

Council Members ROSARIO & SCHULTZ Present the following Ordinance:

AN ORDINANCE AMENDING THE HURON NORTH REDEVELOPMENT PLAN

WHEREAS, by Resolution No. 131 of 1995, City Council directed the Atlantic City Planning Board, pursuant to N.J.S.A. 40A:12A-7, to prepare a redevelopment plan (the "Redevelopment Plan") for the area known as the Huron North Redevelopment Area ("Redevelopment Area") which Plan was subsequently adopted by City Council; and

WHEREAS, the Redevelopment Plan limited the height in the Redevelopment Area to 485 feet; and

WHEREAS, recently, a property owner within the Huron North Redevelopment Area, Marina Associates, applied to the Planning Board for permission to expand the existing Harrah's Casino Hotel with the construction of a 47 story tower ("Tower Project") at a height of approximately 557 feet; and

WHEREAS, in order to permit the construction of the proposed Tower Project, the Redevelopment Plan requires amendment to permit a greater height in the area proposed for construction; and

WHEREAS, the Atlantic City Division of Planning prepared a report dated January 9, 2006 (the "Planning Report") analyzing the proposed plan changes required to the Redevelopment Plan and recommended those amendments to the Planning Board; and

WHEREAS, the Atlantic City Planning Board held a public hearing at the Board's regularly scheduled meeting of January 18, 2006 on the proposed Redevelopment Plan amendment, and upon the completion of the public hearing, the Planning Board adopted Resolution No. 7-2006 recommending to City Council for its approval the amendment to the Redevelopment Plan; and

WHEREAS, City Council has considered and accepts the recommended amendment to the Redevelopment Plan,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTIC CITY as follows:

Section I.

The Huron North Redevelopment Plan is hereby amended to adjust the maximum height permitted on Parcel A with the Redevelopment Area from 485 feet to 560 feet as more particularly described in Planning Board Resolution 7-2006 and the Planning Report of January 9, 2006.

Section II.

This ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

Section III.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall only apply to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

Section IV.

This ordinance shall take effect immediately upon its final passage and publication as required by law.

August 1, 2012 2:24 PM

DO NOT USE SPACE BELOW THIS LINE

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.
JONES	X						ROBINSON				X		
MANCUSO	X						ROSARIO	X				X	
MARSH	X						SCHULTZ	X					
MASON	X					X	SMALL	X					
CALLAWAY, PRESIDENT								X					
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on ...FEBRUARY 8, 2006.....

Adopted on second and final reading after hearing on.....MARCH 8, 2006.....

Approved By.../s/ Robert W. Levy, Sr.....Date...MARCH 10, 2006.....By Council.....Ride _____
 Mayor Reconsidered Over Aye _____ Nay _____

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

.../s/ Rosemary AdamsCity Clerk

JD/dle August 1, 2012 2:24 PM

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RECORD OF COUNCIL VOTE ON FIRST PASSAGE

COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
JONES	X						ROBINSON	X					
MANCUSO				X			ROSARIO	X				X	
MARSH	X						SCHULTZ	X				X	
MASON	X					X	SMALL	X					
CALLAWAY, PRESIDENT								X					
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on ...FEBRUARY 8, 2006.....