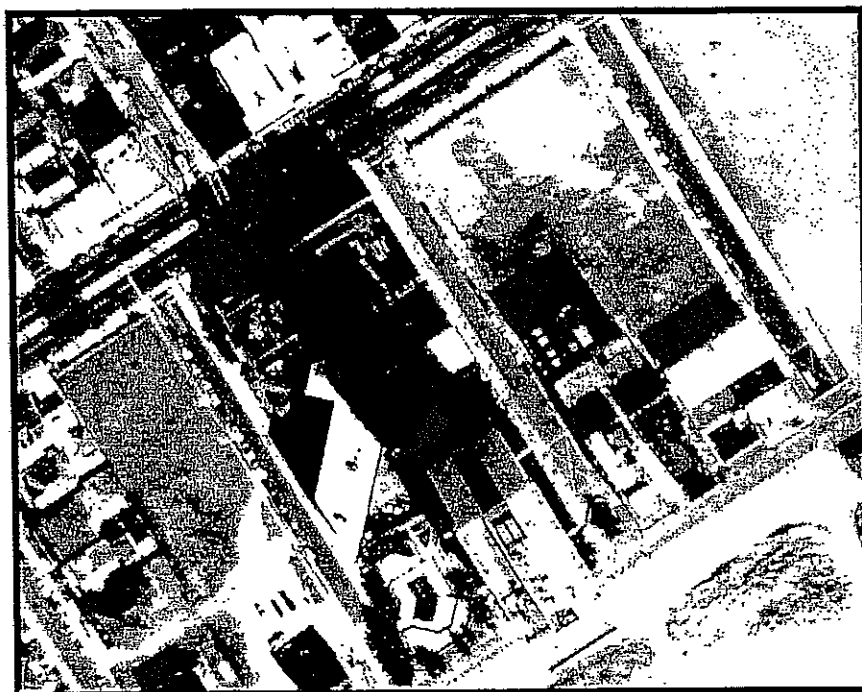


**REDEVELOPMENT PLAN  
FOR THE  
ROOSEVELT-SEEDORF  
REDEVELOPMENT AREA**

**City of Atlantic City  
New Jersey**

**Lorenzo T. Langford  
Mayor**

**Craig Callaway  
Council President**



**October 13, 2004**

**REDEVELOPMENT PLAN FOR THE  
ROOSEVELT – SEEDORF REDEVELOPMENT AREA**

**TABLE OF CONTENTS**

<b>INTRODUCTION.....</b>	<b>2</b>
PROJECT AREA .....	2
EXISTING CONDITIONS .....	2
PURPOSE.....	2
ADOPTION.....	2
SITE CONTEXT .....	3
BACKGROUND AND HISTORICAL OVERVIEW.....	3
<b>DEFINITIONS .....</b>	<b>3</b>
<b>DESCRIPTION OF PROJECT .....</b>	<b>4</b>
LOCATION AND BOUNDARIES OF PROJECT AREA.....	4
STATEMENT OF GENERAL PURPOSE .....	4
PUBLIC POLICY GOALS .....	4
REDEVELOPMENT PLAN OBJECTIVES.....	5
COMPLIANCE WITH THE REDEVELOPMENT STATUTE.....	5
<b>LAND USE PLAN .....</b>	<b>7</b>
LAND USE PROVISIONS .....	7
APPLICABLE PARCELS.....	7
EASEMENTS.....	8
BUILDING LIMIT CONTROLS.....	8
ADDITIONAL CONTROLS.....	10
UNDERGROUND UTILITY LINES .....	10
PROVISIONS APPLICABLE TO EXISTING PROPERTIES.....	10
<b>STANDARDS AND CONTROLS OF GENERAL APPLICABILITY .....</b>	<b>11</b>
CODES AND REGULATIONS.....	11
EQUAL OPPORTUNITY.....	11
<b>OTHER PROVISIONS NECESSARY TO MEET STATE &amp; LOCAL REQUIREMENTS .....</b>	<b>11</b>
ACQUISITION AND RELOCATION .....	11
STATUTORY CONSISTENCY .....	11
ZONING CHANGES .....	12
REHABILITATION AND CONSERVATION .....	12
REDEVELOPMENT OBLIGATIONS.....	12
DURATION OF PROVISIONS AND EFFECTIVE PERIOD .....	12
REDEVELOPMENT PLAN CONFORMANCE.....	12
<b>GENERAL CONSTRUCTION AND APPLICATION OF PLAN REVISIONS .....</b>	<b>13</b>
<b>PROCEDURES FOR AMENDING THE APPROVED REDEVELOPMENT.....</b>	<b>13</b>
<b>EXHIBITS.....</b>	<b>13</b>

# REDEVELOPMENT PLAN FOR THE ROOSEVELT - SEEDORF REDEVELOPMENT AREA

## 1. INTRODUCTION

### 1.1. PROJECT AREA

The Roosevelt-Seedorf Redevelopment Area (the "Project Area") defined herein consists of two city blocks bounded by Atlantic Avenue and the Boardwalk, Roosevelt Place and Seedorf Avenue (formerly Elberon Avenue) but excluding one lot with an existing high-rise building in service. The two blocks are designated on the tax map as Blocks 17, 18 & 19 and are separated by a side street known as Lincoln Place and an alley which is an unnamed R.O.W. Refer to Exhibit E-1.

### 1.2. EXISTING CONDITIONS

This two block area lies within the present RM-4 Multifamily District permitting high-rise residential buildings.

The Project Area consists of approximately 3.2 acres. In large part with the exception of several occupied low-rise residential buildings, the Project Area contains vacant, underutilized property with structures that are obsolete and in disrepair. The vacant buildings are aged, dilapidated and are substandard with respect to current building codes. There is little if any landscape or other streetscape improvements and it includes a large unimproved parcel which has remained stripped and vacant for several years.

These detrimental conditions have existed for many years without improvement and are likely to remain, absent this redevelopment program.

### 1.3. PURPOSE

This Redevelopment Plan is intended to encourage rehabilitation and redevelopment of the Project Area so as to achieve the highest and best use of the properties and improve the welfare of the neighborhood.

More specifically, this Redevelopment Plan is intended to (1) improve and abate the present conditions of deterioration in residential and commercial properties, public services and facilities and other components and support systems of community life, (2) ameliorate and correct decay in a timely and concerted effort of responsible public bodies to promote redevelopment which would not otherwise occur solely by private effort, and (3) to provide a mechanism for the orderly planning and private redevelopment and/or rehabilitation of the Project Area consistent with certain municipal objectives and public policy goals as stated herein.

### 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 supercede all applicable provisions of the development regulations of Atlantic City and as such the

## REDEVELOPMENT PLAN FOR THE ROOSEVELT – SEEDORF REDEVELOPMENT AREA

ordinance adopting this plan shall contain an explicit amendment to the zoning district map included in the Atlantic City zoning ordinance.

### 1.5. SITE CONTEXT

- 1.5.1. The Roosevelt-Seedorf Redevelopment Plan Project Area is located in the Chelsea section of Atlantic City near Albany Avenue and the Black Horse Pike entranceway.
- 1.5.2. It has a mix of commercial and residential uses in the surrounding area. Adjacent to the Project Area but within one of the two blocks is a high-rise condominium (27 stories) known as the Enclave, constructed in the early 1980's. There are various other smaller residential dwelling structures that are occupied, including a 2 story condominium and several 2 & 3 story apartment houses.
- 1.5.3. Within the past 25 years, there have been little or no improvements to the two block area exclusive of the development of the Enclave and various additions/renovations to the former nursing home.

### 1.6. BACKGROUND AND HISTORICAL OVERVIEW

The general area over the years has seen the demise of many residential, commercial and institutional uses with an associated loss of neighborhood activity. At one time the Project Area and surrounding Chelsea neighborhood had the Seashore Gardens Nursing Home (now vacant), Atlantic City High School (demolished), Children's Seashore House (demolished), Mayfair high-rise apartments (demolished) and other facilities.

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 initiatives have resulted in any development within the boundaries of the Project Area. This may have been as a result of conflicting interests of property owners and their respective uses (including non-conforming commercial uses) within this residential zone, but for whatever reason this tract remains vacant, fallow and underutilized.

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.

## 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.

**REDEVELOPMENT PLAN FOR THE  
ROOSEVELT – SEEDORF REDEVELOPMENT AREA**

- 2.2. The term “Redevelopment Entity” shall mean the City Council of 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 Roosevelt-Seedorf Redevelopment Project Area is located along Atlantic Avenue and the boardwalk, between Roosevelt Place and Seedorf Avenue (formerly Elberon Avenue). It excludes one lot in Block 17 with an existing high-rise building in service. The blocks are designated on the tax map as 17, 18 & 19 and are separated by Lincoln Place and an unnamed R.O.W.

**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 rehabilitation and 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) improve and abate the present conditions of deterioration in residential and commercial properties, public services and facilities and other components and support systems of community life, (2) ameliorate and correct decay in a timely and concerted effort of responsible public bodies to promote redevelopment which would not otherwise occur solely by private effort, and (3) to provide a mechanism for the orderly planning and private redevelopment and/or rehabilitation 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. Provide new housing and services and increase employment opportunities.
- 3.3.3. Maximize tax revenue and generate tax ratables by returning vacant land and underutilized obsolete buildings to their highest and best use.

## REDEVELOPMENT PLAN FOR THE ROOSEVELT – SEEDORF REDEVELOPMENT 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:

- 3.4.1. The elimination of unhealthy and unsafe conditions including the elimination of obsolete, blighted and incompatible land uses which are detrimental and deleterious to the public welfare.
- 3.4.2. The removal of structurally and otherwise substandard buildings.
- 3.4.3. The prevention of the spread of blight by the application of comprehensive Redevelopment Plan controls.
- 3.4.4. The removal of impediments to land disposition.
- 3.4.5. Stimulate private development by allowing maximum flexibility in land use, project design and building limit controls. In keeping with this objective, more moderate building setbacks and coverage standards in favor of innovative and appealing design solutions are particularly important.
  - 3.4.5.1. Building Setbacks: The prevailing pattern of development in this district and in surrounding areas is one of minimal or no set backs including the existing 27 story high-rise. Although the majority of these buildings in the Project Area are obsolete and in need of replacement, these structures were originally designed to encourage pedestrian activity and social interaction along the streetscape. Because of the Atlantic Avenue 100 feet right of way, set backs provide little benefit to the protection of light, air and open space for properties on the other side of the street.
  - 3.4.5.2. Building Coverage: Utilization of the NJDEP standards for impervious site coverage in lieu of the "Maximum Building Coverage" standards in the Land Use Ordinance has been the basis for numerous site plan approvals granted in Atlantic City and is consistent with the recommendations of the New Jersey Development and Redevelopment Plan, thus fulfilling the desire of the City to have local land use policies that are consistent with state policy encouraging smart growth and the redevelopment of the City.

### 3.5. COMPLIANCE WITH THE REDEVELOPMENT STATUTE

- 3.5.1. Pursuant to N.J.S.A. 40A:12A-7(1) "relationship to definite local objectives", Land Use Ordinance Section 163-56(3) designates all properties within this RM-4 District as multifamily high-rise which states: "The RM-4 Multifamily District has been established at selected waterfront areas in the city to allow high-rise apartment buildings."
  - 3.5.1.1. The City Master Plan has limited its RM-4 high-rise residential districts not only in quantity but in geographic area as well. This Redevelopment Plan is consistent with the intent of the ordinance and the Master Plan in encouraging high-rise residential development in this district and as such it is intended to achieve that goal of the Master Plan.

**REDEVELOPMENT PLAN FOR THE  
ROOSEVELT – SEEDORF REDEVELOPMENT AREA**

3.5.1.2. Providing a balanced mix of community housing opportunities to complement and support the redevelopment of Atlantic City as a casino and tourist economy has been a key municipal goal since the advent of casino gaming. The promotion of the goals of the Master Plan by adoption of this Redevelopment Plan, at a residential density contemplated by the Land Use Ordinance, will ensure that Atlantic City maintains a balance between its role as a resort destination and a thriving residential community. It will also ensure that residential access will be provided to the waterfront areas of the city.

3.5.1.3. Part of the reasoning for the RM-4 zoning for 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(2) “proposed land uses and building requirements in the Project Area”, Section 4.1 within the Redevelopment Plan is consistent with and describes the permitted land uses as enumerated for the RM-4 District within the Land Use Ordinance.

3.5.3. 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 casino industry has spurred new development not only within the borders of Atlantic City, but has also significantly affected new development within the bay communities. However, as available land within the barrier island and bay communities becomes increasingly scarce, the Mainland Regional Growth Area is taking the lead and experiencing the most development pressure in the county”.*

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:

*#2. Promote quality growth and development in areas where capital facilities are available.*

*#3. To encourage revitalization of urban neighborhoods where housing is in decline.*

*#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.*

**REDEVELOPMENT PLAN FOR THE  
ROOSEVELT – SEEDORF REDEVELOPMENT AREA**

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

Promoting quality development in “infill” or “smart growth” location, where infrastructure exists to support it.

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

Relieving residential development pressure in areas of the county negatively impacted by sprawl and the costs of suburban development and

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,

Reduce sprawl

Promote development and redevelopment in a manner consistent with sound planning and where infrastructure can be provided at private expense or with reasonable expenditures of public funds (N.J.S.A. 52:18A-196, et seq.)”

3.5.8. The goals and objectives of this Redevelopment Plan are consistent with the State Development and Redevelopment Plan in that it:

- a. Promotes “smart growth” by encouraging development in an area of the state where there is available infrastructure capacity to support it and,
- b. Minimizes sprawl by locating new housing within the city.

#### **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**

4.1.1. All permitted land uses within the existing RM-4 District including multifamily high-rise residential shall be permitted under this Redevelopment Plan.

##### **4.2. APPLICABLE PARCELS**

4.2.1. The parcels identified from the Atlantic City tax map within the Project Area are: Block 17 lots 1, 4, 5 & 6; Block 18 lots 1 (previously consolidating lots 1 to 3 and 6 to 11), 4 &



## REDEVELOPMENT PLAN FOR THE ROOSEVELT – SEEDORF REDEVELOPMENT AREA

5; and Block 19 lots 1, 2 & 3. The Project Area consists of approximately 3.2 acres. Refer to Exhibit E-2.

### 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 granted with the approval of the Planning Board.

### 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 and/or rehabilitation 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 rehabilitation and or 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 and/or rehabilitation projects and superior building quality.

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.

4.4.6. Pursuant to N.J.S.A. 40A:12A-7(5)c. The Building Limit Control standards of this Redevelopment Plan set forth within Sections 4.4.7, 4.4.8, 4.4.9 and 4.4.11 herein shall amend and supercede 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

**REDEVELOPMENT PLAN FOR THE  
ROOSEVELT – SEEDORF REDEVELOPMENT AREA**

cover”. The maximum impervious coverage applicable to the Project Area shall be 90% in conformance with the NJDEP requirements for Atlantic City.

- 4.4.8. **Maximum Building Heights:** The maximum height for Principal Buildings (the “Maximum Principal Building Height”) shall be 225 feet and the maximum height for attached or detached Accessory Uses or Structures (the “Maximum Accessory Building Height”) shall not exceed 35 feet. Such building heights shall be defined as the vertical distance measured from average finished grade to the highest point of flat roofs or decks or uppermost roof deck/slab which encloses occupied spaces.
- 4.4.9. **General Height Exceptions:** The Maximum Building Height set forth in Section 4.4.8 shall not apply to any of the following structures or appurtenances: (1) architectural ornamentation including spires, belfries, cupolas, domes, monuments, flagpoles, 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, equipment and elevator penthouses, and the 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 Section 4.4.9 shall extend to a height exceeding 25 feet above the Maximum Principal Building Height.
- 4.4.10. **Minimum Lot Area:** The minimum lot area shall be 30,000 square feet within this redevelopment area.
- 4.4.11. **Minimum Yard Requirements**
- 4.4.11.1. **Principal Buildings:** Principal buildings shall be orientated with the long axis perpendicular to the Boardwalk, consistent with the New Jersey Coastal Zone Management Regulations (N.J.A.C. 7:7E-7.14). Properties fronting on side streets, meaning Roosevelt Place, Lincoln Place or Seedorf Lane, should provide a 10 foot front yard setback for not less than 50% of the building length along said street frontages. The remainder of the building may project to the property line. There shall be no front yard setback along Atlantic Avenue. The front yard setback for properties fronting on the Boardwalk shall comply with the existing RM-4 standard contained in the Land Use Ordinance. Side and rear yard setbacks shall not be required up to a height of 50 feet, and above 50 feet, a 15 foot building setback is required.
- 4.4.11.2. **Accessory Structures:** Yard requirements for accessory structures shall be consistent with Section 163-68 of the Land Use Ordinance.
- 4.4.11.3. **Accessory Uses:** Multi-level parking shall conform to the setback and height requirements for the Principal Building, except that portions of multi-level parking that do not front on a public street shall be set back a minimum of 5 feet from the property line; provided, further, that all exterior facades of multi-level parking have architectural treatments to screen views of vehicles and add interest to the façade by providing variations in the plane of the building façade through the use of piers, pilasters, ornamental grillwork, water-tables, ornamental parapets and variety of building materials. Further, the area between multi-level parking and the right of way of a public street line

## REDEVELOPMENT PLAN FOR THE ROOSEVELT – SEEDORF REDEVELOPMENT AREA

shall be landscaped consistent with the current NJDEP impervious coverage and landscaping standards.

- 4.4.11.4. Parking: Parking shall comply with the New Jersey Residential Site Improvement Standards pursuant to N.J.A.C. 5:21-1.1 et seq. including waiver provisions. Parking requirements set forth within the Land Use Ordinance are not applicable.
- 4.4.11.5. Open Space: The minimum Usable Open Space of 120 square feet per dwelling unit including balconies and rooftop areas shall be provided.
- 4.4.11.6. Signage: The maximum wall mounted identification signage or signs shall not exceed 2 square feet per linear front building footage, but not in any event to exceed 200 square feet per building frontage. The building mounted sign shall be located no higher than the roofline of the wall supporting said sign. .
- 4.4.11.7. Loading Space Requirements: Multi-family high rise residential structures shall be required to provide one (1) loading space per residential tower.
- 4.4.11.8. Floor Area Ratio ("FAR"): The maximum floor area ratio, as defined in the Land Use Ordinance shall be 9.0.

### 4.5. ADDITIONAL BUILDING CONTROLS

- 4.5.1. Any development proposed within the project area of this Redevelopment Plan shall comply only with those Performance Standards, Urban Design Standards and Signage Regulations of the Land Use Ordinance which are specifically incorporated by reference herein, and no others.
- 4.5.2. Unless otherwise specified in this Redevelopment Plan all Land Use, Building Limit and other Controls contained herein are not a substitute for any requirements, controls or regulations established by any applicable State or Federal agency.

### 4.6. UNDERGROUND UTILITY LINES

- 4.6.1. Utility distribution lines and infrastructure (either existing or new) for all systems shall be placed underground wherever permissible by governing public utility companies and building codes. Utility easements shall comply with City requirements and established at time of Site Plan approval. Relocation and/or replacement of utility lines and expense related thereto shall be addressed by the Redevelopment Entity in all agreements for redevelopment and/or rehabilitation.

### 4.7. PROVISIONS APPLICABLE TO EXISTING PROPERTIES

- 4.7.1. 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.

**REDEVELOPMENT PLAN FOR THE  
ROOSEVELT – SEEDORF REDEVELOPMENT AREA**

**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 are not applicable to land or structures within this project area pursuant to this Redevelopment Plan unless specifically incorporated herein by reference, and only in that event.

**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. 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. The Redevelopment Entity does not contemplate the public acquisition of privately owned parcels 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 assistance or plan is therefore required.

6.1.2. Section 6.1.1 notwithstanding, this Redevelopment Plan does recognize that the parcels within the Project Area may be desirable from a development standpoint. Acquisition of 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

## REDEVELOPMENT PLAN FOR THE ROOSEVELT – SEEDORF REDEVELOPMENT AREA

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).

### 6.3. ZONING CHANGES

- 6.3.1. Prior to the adoption of this Redevelopment Plan, the Project Area was zoned RM-4.
- 6.3.2. 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 supercede 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 et. seq.

### 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.).

**REDEVELOPMENT PLAN FOR THE  
ROOSEVELT – SEEDORF REDEVELOPMENT AREA**

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.
  
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.
  
9. **EXHIBITS**
  - E-1: Project Area Aerial Map
  - E-2: Project Area Tax Map

Roosevelt – Seedorf Redevelopment Plan Project Area

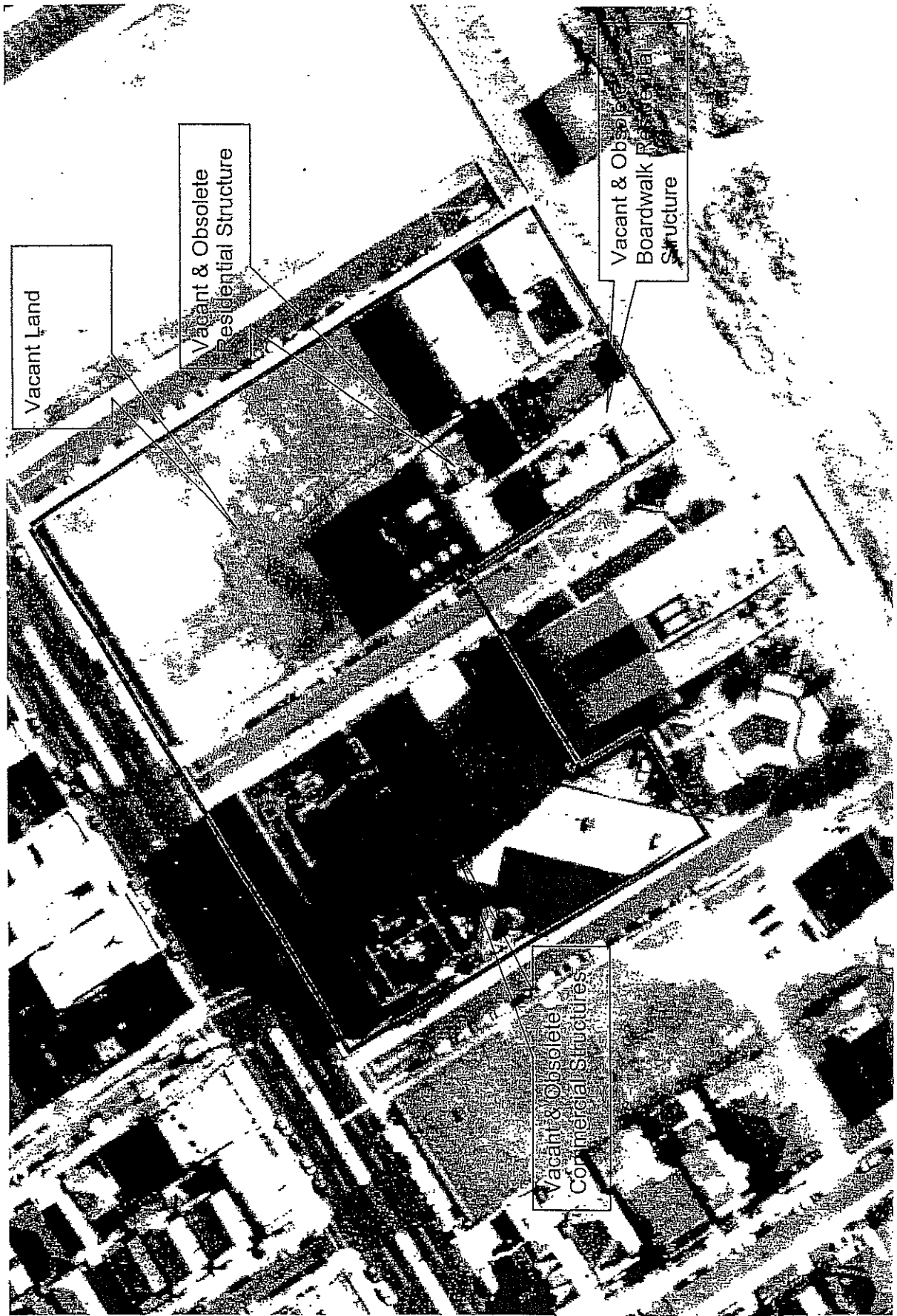


EXHIBIT E-1  
Project Area Aerial Map

Atlantic Ave

AVE

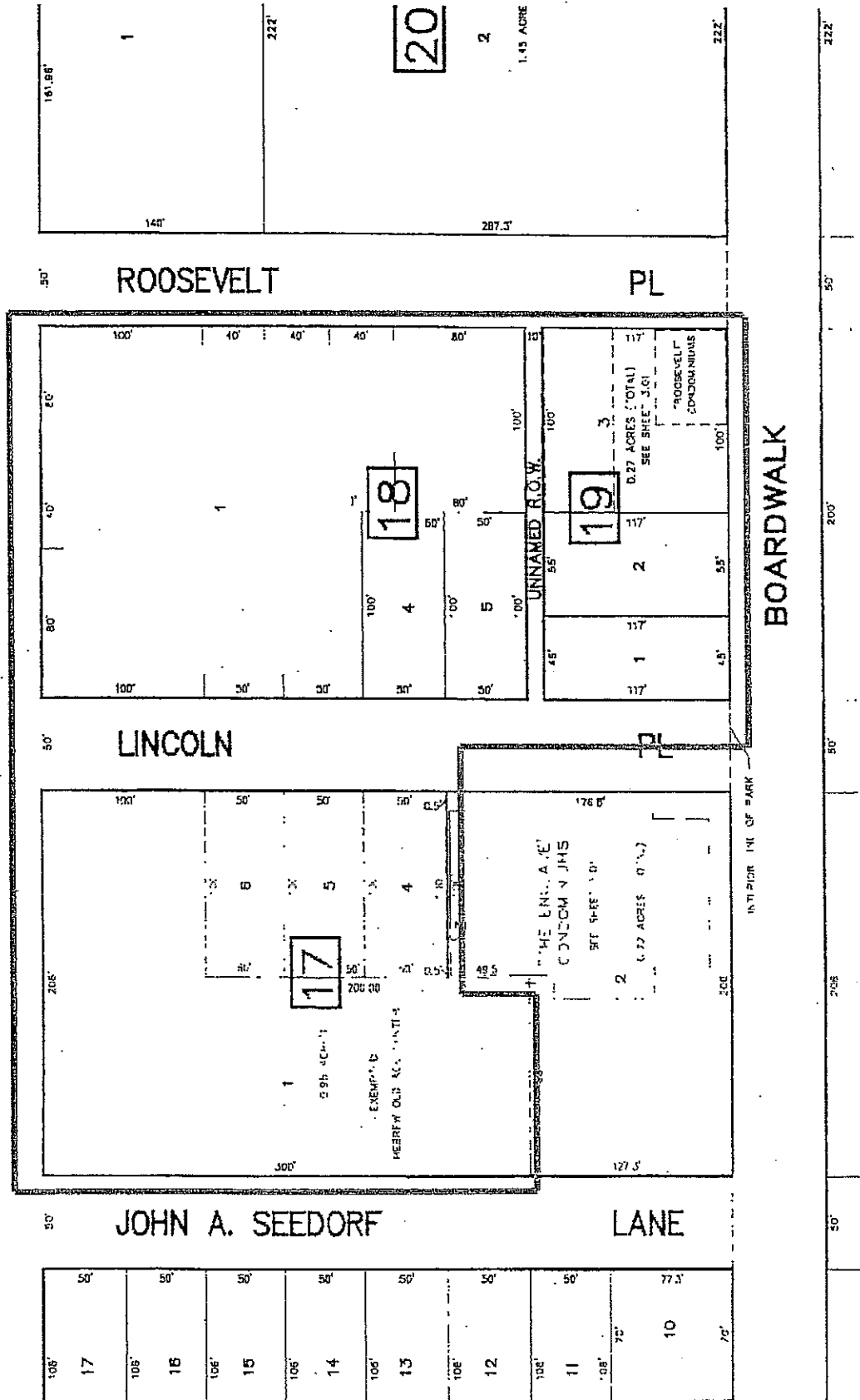


Exhibit E-2  
Project Area Tax Map