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ADMINISTRATIVE ACTION

In the Matter of an Application for Interpretation of the Casino Reinvestment Development Authority's Tourism District Land Development Rules

**Applicant: Atlantic City Development Corporation ("ACDEVCO")
7 Gordon's Alley, Suite 300
Atlantic City, New Jersey 08401**

Properties:

**3504, 3506 & 3532 Atlantic Avenue
Block 186, Lots 5, 6, 7, 8 and 9
Atlantic City, New Jersey 08401**

By letter dated April 8, 2019, ACDEVCO filed an Application for Interpretation (the "Application") for the above-captioned properties (the "Properties") located in Atlantic City, New Jersey (the "City"). The Application seeks an interpretation as to whether ACDEVCO's application for Preliminary and Final Site Plan Approval for the Properties shall be reviewed by the Casino Reinvestment Development Authority (the "Authority") consistent with the standards set out in the Gateway Redevelopment Plan rather than the underlying zoning standards promulgated in the Authority's Tourism District Land Development Rules, *N.J.A.C. 19:66-1.1 et seq.* effective January 2, 2018 (the "Tourism District Land Development Rules").

The Tourism District Land Development Rules provide that the Authority shall continue to recognize zoning and land use rights conferred under a redevelopment plan duly adopted by the City pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "LRHL") prior to the enactment of the Tourism District Land Development Rules, provided: (i) a redeveloper shall have been properly designated pursuant to the LRHL, (ii) the designated redeveloper shall have entered into a redevelopment agreement with the City, and (iii) the redevelopment agreement remains in full force and effect. See *N.J.A.C. 19:66-9.1.*

Upon review of the Application, the records provided therein and the City's recent action (as detailed herein-below), the Authority makes the following findings:



1. By Resolution adopted June 24, 2015, the City established a redevelopment plan for the Gateway Redevelopment Area, as identified therein prior to the effective date of the Tourism District Land Development Rules.
2. Prior to the effective date of the Tourism District Land Development Rules, by Resolution #505 of 2015, adopted June 24, 2015, approving a Memorandum of Understanding in which the City designated ACDEVCO as the redeveloper for several properties within the Gateway Redevelopment Area.
3. The City and ACDEVCO entered into that certain Redevelopment Agreement dated [insert date] (the "Redevelopment Agreement") prior to the effective date of the Tourism District Land Development Rules.
4. The Redevelopment Agreement remains in full force and effect as of the date of this Interpretation.
5. By Resolution #253 of 2019 adopted April 10, 2019, the City approved an amendment to the Redevelopment Agreement designating ACDEVCO as the redeveloper of the Properties.
6. The City and ACDEVCO have executed an amendment to the Redevelopment Agreement dated April 10, 2019.

Based on the foregoing, the Authority determines that ACDEVCO's application for Preliminary and Final Site Plan Approval for Properties shall be reviewed consistent with the standards established in the Gateway Redevelopment Plan and in accordance with the those provisions of the Tourism District Land Development Rules not inconsistent with such plan.

This Interpretation is an administrative action of the Authority subject to the applicable appeal period as set forth in the Tourism District Land Development Rules and in accordance with applicable laws of the State of New Jersey.

Lance B. Landgraf, Jr., PP, AICP
Director of Planning and Development
Casino Reinvestment Development Authority

Dated: April 18, 2019