

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING MINOR SITE PLAN APPROVAL WITH VARIANCE RELIEF TO RENOVATE AND EXPAND PROPERTY LOCATED AT 2430 FAIRMONT AVENUE, BLOCK 339, LOTS 1 AND 78, IN THE CITY OF ATLANTIC CITY, IN THE DUCKTOWN ARTS ZONING DISTRICT UNDER APPLICATION 2019-08-2725**

**WHEREAS**, pursuant to P.L. 2011, c. 18, as amended (the “Act”), the Casino Reinvestment Development Authority (the “Authority”): (i) designated the Atlantic City Tourism District by Resolution 11-25 adopted April 19, 2011, (ii) established the Land Use Regulation and Enforcement Division to, among other matter, hear applications for development in the Tourism District by Resolution 11-33 adopted April 19, 2011, and (iii) adopted the master plan, zoning and land use ordinances and regulations, and zoning maps approved by the City by Resolution 11-34 adopted April 19, 2011; and

**WHEREAS**, pursuant to Resolution 12-14 dated February 1, 2012, the Authority adopted the “New Jersey CRDA Atlantic City Tourism District Master Plan” prepared by Jones Lang LaSalle, LLC and dated February 1, 2012 (the “Master Plan”) (as affirmed and readopted pursuant to Resolution 12-23 adopted February 21, 2012), subject to further comment and revision, which master plan became effective upon the Authority’s adoption of design, development and land use regulations on January 2, 2018; and

**WHEREAS**, on September 19, 2019, the Authority’s Land Use Regulation and Enforcement Division convened a public hearing on Application 2019-08-2725 in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and the Act, and subsequently prepared and delivered the Hearing Officer’s Report and Recommendation dated October 4, 2019 (the “Report”), incorporated herein by this reference and appended hereto as Exhibit “A”; and

**WHEREAS**, Rigoberto Alvarez and Eric Alvarez (the “Applicants”) seek minor site plan approval with variance on the property located at 2430 Fairmont Avenue, Block 339, Lots 1 and 78, in the city of Atlantic City, in the Ducktown Arts Zoning District. The proposed renovation and expansion of the existing restaurant requires a variance for lot setbacks, impervious coverage, parking and signage, all pursuant to Municipal Land Use Law N.J.S.A. 40:55D-70(c); and

**WHEREAS**, the Authority intends to adopt the findings, conclusions and recommendations of the Hearing Officer, as detailed in the Report; and

**NOW THEREFORE, BE IT RESOLVED** by the Casino Reinvestment Development Authority that:

1. The above recitals are incorporated herein, as if set forth in full.

2. Based on the record in this matter, Application 2019-08-2725 is hereby approved in accordance with the Hearing Officer's Report and Recommendation dated October 4, 2019.
3. A copy of this Resolution shall be immediately transmitted to the Governor. This Resolution shall take effect immediately but no action authorized herein shall have force and effect until the earlier of the passage of ten (10) days, Saturdays, Sundays and public holidays excepted, after the delivery of the copy to the Governor, or the Governor's approval.

I hereby certify that this document is a true and correct copy of Resolution 19- 115\_of the Casino Reinvestment Development Authority.

  
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HOWARD J. KYLE, SECRETARY

**MEETING OF OCTOBER 15, 2019**

**EXHIBIT "A" TO RESOLUTION 19- 115 , ADOPTED 10/15/2019**