

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL AND VARIANCE RELIEF FOR THE CONSTRUCTION OF THE RESORTS MARGARITAVILLE LAND SHARK BAR AND GRILL UNDER APPLICATION 2012-12-511**

**WHEREAS**, pursuant to Resolution 11-25 adopted April 19, 2011, the Casino Reinvestment Development Authority (the “Authority”) designated the tourism district (the “Tourism District”) in the city of Atlantic City in accordance with P.L. 2011 chapter 18 (the “Act”); and

**WHEREAS**, pursuant to the Act, the Authority is required to develop a master plan for the Tourism District, and adopt and impose regulations concerning the review and approval or denial of site plans and development proposals for development upon and improvements to land within the Tourism District (the “Land Use Regulations”) to supersede the regulations imposed by the governing bodies or agencies of the county or municipality; and

**WHEREAS**, pursuant to Resolution 11-33 adopted April 19, 2011, the Authority established the Land Use Regulation and Enforcement Division to, among other matter, hear applications for development in the Tourism District; and

**WHEREAS**, pursuant to Resolution 11-34 dated April 19, 2011, the Authority adopted the master plan, zoning and land use ordinances and regulations, and zoning maps approved by the City of Atlantic City until such time as the Authority adopts the Land Use Regulations in accordance with the Act; 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, as affirmed and re-adopted by Resolution 12-33 dated February 21, 2012 (the “Master Plan”), subject to further comment and revision; and

**WHEREAS**, pursuant to Resolution 12-130 adopted August 21, 2012, the Authority granted conditional use, preliminary and final site plan approval and variance relief for the reconstruction of the former Steeplechase Pier and the construction of a Margaritaville Land Shark Bar and Grill under application 2012-06-382; and

**WHEREAS**, on February 21, 2013, the Authority’s Land Use Regulation and Enforcement Division convened a public hearing on Application 2012-12-511 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 March 10, 2013 (the “Report”), incorporated herein by this reference and appended hereto as Exhibit “A”; 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 2012-12-511 is hereby approved in accordance with the Hearing Officer's Report and Recommendation dated March 10, 2013.
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 13-39 of the Casino Reinvestment Development Authority.

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**HOWARD J. KYLE, SECRETARY**

**MEETING OF MARCH 19, 2013**