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FILE NO. 59277/00011

July 13, 2016

NOTICE OF APPEAL

Via Hand Delivery and E-mail
Lance Landgraf, Director of Planning
Land Use Hearing Officer
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, New Jersey 08401

Re: Polo North Country Club, Inc.
500 Boardwalk, Atlantic City, New Jersey
Block 62, Lots 1 & 2
Application #2016-06-1922

Dear Mr. Landgraf:

We are the attorneys for Polo North Country Club, Inc. ("Applicant") in connection with an application for a Certificate of Land Use Compliance ("CLUC") for the above-referenced property. The CLUC application was submitted on June 15, 2016 ("Application #2016-06-1922"). We are in receipt of correspondence dated June 23, 2016 in which the Casino Reinvestment Development Authority ("CRDA") denied Application #2016-06-1922 ("June 23, 2016 denial letter"). The June 23, 2016 denial letter stated that an application for site plan approval is required because "[t]he subject property exceeds the 100,000 square foot minimum and the floor area ratio of the (sic) 3.0." See June 23, 2016 denial letter. Please allow this letter to serve as an appeal of the decision of the CRDA to deny Application #2016-06-1922.

Applicant strongly disagrees with the CRDA's position that site plan approval is required for the limited changes proposed. Application #2016-06-1922 indicates that Applicant proposes to reopen the former Revel building for hotel and parking. A revised circulation plan was submitted with Application #2016-06-1922. The facility previously received all necessary approvals and received a temporary certificate of occupancy in 2012 and thereafter opened to the public. The only item being altered is the site circulation plan for the flow of traffic. Applicant had planned to submit a revised plan to show the "ropes course" as Applicant indicated to CRDA Zoning Officer, Robert L. Reid, AICP,

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PP, but the June 23, 2016 denial letter was issued before such amended submission could be made. Therefore, for purposes of the June 23, 2016 denial letter, the only proposed change was for the site circulation.

The New Jersey Municipal Land Use Law at N.J.S.A. 40:55D-37(a) provides: “The governing body may by ordinance require approval of subdivision plans by resolution of the planning board . . . and approval of site plans by resolution of the planning board as a condition for the issuance of a permit for any development.” (Emphasis added.) It is clear that a land use ordinance may require site plan approval and, if required, the land use ordinance specifies the circumstances when site plan review is required.

To be clear, Applicant does not assert that land use approval is not required for the proposed changes. Land use approval may be obtained by an administrative approval process via a CLUC or, for large-scale projects, by the more costly and time-consuming site plan review process. In this case the CRDA initially agreed that the CLUC review process was appropriate, and Applicant submitted its CLUC application, Application #2016-06-1922, on June 15, 2016. Indeed, the CRDA Zoning Officer agreed with the CLUC process in his June 17, 2016 letter acknowledging Application #2016-06-1922 and requesting additional detail. Applicant agreed to provide the additional detail requested. Applicant was in the process of providing the additional detail when the June 23, 2016 denial letter was received.

The former Revel site is controlled by the Amended Redevelopment Plan for the Revel Redevelopment Area dated February 2008 (“Redevelopment Plan”). The Redevelopment Plan at Section 6.2.2D, titled “Land Use Approvals,” states: “Unless Planning Board approval is required by this Redevelopment Plan or by Section 163-81 of the Land Use Ordinance, land use approvals shall be granted by the Land Use Administrator pursuant to 163-247 (sic) of the Land Use Ordinance.” The Redevelopment Plan thus relates back to the City of Atlantic City’s Land Use Ordinance, Section 163-81, for determining the situations when site plan approval is required and those situations when administrative approval, via a CLUC, is permitted.

The City of Atlantic City’s Land Use Ordinance has a very liberal standard for when site plan review is required. Section 163-81 sets forth the specific circumstances when site plan is required. Section 163-81 provides as follows:

- (1) Applications for major subdivisions.
- (2) Any development requiring issuance of a conditional use permit.
- (3) Any development requiring planned development approval.
- (4) Any development requiring a use variance.

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- (5) Any development involving an area of land under single ownership or control in excess of two (2) acres or one (1) City Block, whichever is less.
- (6) Any development involving the construction of any new or rehabilitation of any existing structure or structures containing in excess of ten (10) dwelling units or other uses having a total floor area in excess of 100,000 square feet or a floor area ratio in excess of 3.0.
- (7) Any development involving the construction of any new structure in excess of ten (10) stories in height.
- (8) Any development involving an existing structure that would alter existing floor area, floor area ratio or height by more than 25%.
- (9) Any development involving the construction of any building to be constructed, owned, leased or operated by any unit of the national, state or local government, or the exterior alteration of any building to be constructed, altered, owned, leased or operated by the City of Atlantic City, or the use or development of any land to be owned, leased or operated by any such governmental agency.
- (10) Any development involving the construction or exterior alteration of any public or private school or other educational institution, library or church or any place of public assembly.
- (11) Any development involving the physical expansion of any existing rooming house or lodging house or the increasing of the number of rooms in any existing rooming house or lodging house.

(Emphasis added.)

The term “development” is defined in Section 163-15(B) of the Land Use Ordinance as “the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure; . . . any use or change in the use of any building or other structure or land[.]” Virtually any change at a property, whether it be a new sign, a new restaurant, a helipad, or a change in circulation, can be deemed a “development.” If there is a development, the issue then becomes the process required to obtain approval for the development.

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Unless the triggers for site plan are met by a proposed development, the Land Use Ordinance provides for administrative review of a development through the CLUC process. Article XXXVI, "Certificates of Land Use Compliance," Section 163-208, titled "Purpose," states that "[i]t provides a procedure for reviewing plans for compliance with this chapter and a means for evidencing such compliance[.]" Further, Section 163-209(A)(1) provides that "[t]he construction, reconstruction, remodeling, alteration or moving of any structure shall not be commenced" unless a CLUC is first obtained from the Land Use Administrator. The existence of this section alone indicates an intent in the Land Use Ordinance to provide an alternative review process for certain developments that do not rise to the level of mandating site plan review.

The June 23, 2016 denial letter cites to Section 163-81(A)(6) of the Land Use Ordinance as the sole reason for the CRDA's denial of Application #2016-06-1922 and the imposition of the requirement for site plan approval. Specifically, the June 23, 2016 denial letter states as follows:

The request is hereby **DENIED** for the following reason(s):
Section **163-81 Uses requiring site plan/subdivision approval**, (6) states the following:

For any development involving the construction of any new or rehabilitation of any existing structure or structures containing in excess of 10 dwelling units or other uses having a total floor area in excess of 100,000 square feet or a floor area ratio in excess of 3.0.

The subject property exceeds the 100,000 square foot minimum and the floor area ratio of the (sic) 3.0. Accordingly, the proposed modifications/improvements require an application for site plan approval.

[See **Exhibit 1** (Emphasis added).]

The June 23, 2016 denial letter specifically asserts that the size of the "**subject property**" determines whether site plan review is required. The Land Use Ordinance, however, at Section 163-81(A)(6) clearly states, "[f]or any development involving the construction of any new or rehabilitation of any existing structure or structures containing in excess of 10 dwelling units or other uses having a total floor area in excess of 100,000 square feet or a floor area ratio in excess of 3.0." (Emphasis added.) The Land Use Ordinance specifically uses the term "development" and not "subject property."

While the subject property in Application #2016-06-1922 is over 100,000 square feet in total floor area, the "development" is only a minute percentage of the previously-approved project and is less than 100,000 square feet in total floor area. The only change is the alteration to the prior traffic circulation route. The facility, having previously received all necessary approvals, is not required to obtain a new site plan review. In fact, the instant project is also exempt from site plan review under Section 163-81(A)(8) of the Land Use Ordinance, which requires site plan approval "[f]or any

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development involving an existing structure which would alter existing floor area, floor area ratio or height by more than 25%.” The development proposed by Application #2016-06-1922 does not come close to triggering site plan review under this requirement.

In considering CLUC applications in the past, the CRDA has approved CLUC applications where the subject properties contained over 100,000 square feet of floor area and/or have a floor area ratio in excess of 3.0. In those instances, the CRDA only considered the area being developed/renovated/changed as forming the basis for whether site plan approval is required under Section 163-81(A)(6) of the Land Use Ordinance. The CRDA has not previously taken the position that the existing total floor area or the floor area ratio of the subject property as a whole as being the determining factor for whether site plan approval is required under Section 163-81(A)(6) of the Land Use Ordinance.

For instance, in comparison to the very small project described in this application, the CRDA previously approved a CLUC application for the renovation of a casino hotel building where the area renovated totaled approximately 95,470 square feet, just 4,530 feet short of the 100,000 square foot limit set forth in Section 163-81(A)(6) of the Land Use Ordinance. Site plan approval was not required for that project. See Application for Certificate of Land Use Compliance approved on October 12, 2012, attached as **Exhibit 2**.

Indeed, the CRDA has previously granted not one, but two CLUC applications for the very same property that is the subject of Application #2016-06-1922. The first was the addition of the lighted “ball” at the top of the building. The addition of this architectural feature to the former Revel building involved development of less than 100,000 square feet of total floor area, and thus did not require site plan approval as evidenced by the CLUC signed approved by the CRDA. See Application for Certificate of Land Use Compliance of Revel Entertainment Group, LLC approved September 21, 2011, attached as **Exhibit 3**.

The second CLUC application approved by the CRDA for the former Revel building was for the addition of a helipad to the rooftop of the building at an elevation of 173 feet above grade and involved construction of a significant new structure. That approved addition to the former Revel building also involved development of less than 100,000 square feet of total floor area and likewise was not required to obtain site plan approval as is evidenced by the CLUC approved by the CRDA. See Application for Certificate of Land Use Compliance of Revel Entertainment Group, LLC approved January 12, 2012, attached as **Exhibit 4**.

The CRDA has not previously taken the position that the total floor area or the floor area ratio of the subject property is the determining factor for whether site plan approval is required by Section 163-81(A)(6) of the Land Use Ordinance, but rather has only considered the size of the area actually being developed. That is clearly what was intended by the governing body of the City of Atlantic City, a fact that is further supported by the existence of the Land Use Ordinance section providing for

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CLUCs to be utilized in situations such as this where the proposed development does not meet one of the threshold requirements for site plan review pursuant to Section 163-81.

The CRDA has had the opportunity since 2011 to adopt its own regulations regarding land use applications and could have made site plan review applicable to Application #2016-06-1922, but has chosen to continue to rely on the City's land use regulations. It has now minted a new interpretation of the City's criteria contrary to the plain language of the Land Use Ordinance.

Finally, it is important to mention that after submission of Application #2016-06-1922 on June 15, 2016, the Applicant received correspondence from the CRDA dated June 17, 2016 requesting additional supporting documentation in order to "properly evaluate the proposed development to issue a CLUC." There was absolutely no mention of Section 163-81(A)(6) of the Land Use Ordinance. Surely, the CRDA was aware of the size of the subject property at the time it first reviewed Application #2016-06-1922 and, by issuing the June 17, 2016 letter, all but conceded that site plan review was not applicable to this project due to the limited scope of development. Otherwise, the CRDA would have denied Application #2016-06-1922 at the outset and would not have requested additional information. Applicant was in the process of providing the requested information when it received the June 23, 2016 denial letter.

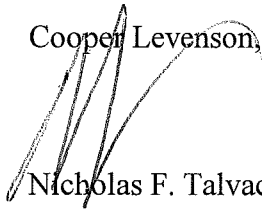
For the foregoing reasons, Applicant firmly disagrees with the decision of the CRDA set forth in the June 23, 2016 denial letter. Applicant hereby requests a review by the Land Use Hearing Officer as provided for in the CRDA's appeal procedures and a reversal of the Zoning Officer's decision.

Applicant is enclosing two (2) checks made payable to "NJCRDA" in the amounts of \$200.00 and \$1,500.00 for application and escrow fees, respectively.

Thank you for your prompt attention to this matter.

Very truly yours,

Cooper Levenson, P.A.


Nicholas F. Talvacchia

NFT/rcf

Enclosures

cc: Paul Weiss, Esquire
James Lott, Esquire
Scott Collins, Esquire
Polo North Country Club, Inc.
Rebecca C. Lafferty, Esquire



APPLICATION FOR CERTIFICATE OF LAND USE COMPLIANCE

Fee: Commercial: \$50.00

Residential: \$25.00

Check or Money Order Payable To "Casino Reinvestment Development Authority"

Applicant's (Your) Name: DGMB Casino, LLC Phone: _____

Business Name: DGMB Casino, LLC

Applicant's (Your) Address: 1133 Boardwalk, Atlantic City, NJ 08401

Applicant's (Your) Email Address: ntalvacchia@cooperlevenson.com

✓ Owner's Name: Same as Applicant Phone: _____

Owner's Address: Same as Applicant

Owner's Email Address: Same as Applicant

*Owner's Signed Consent: [Signature] Date: 10/11/12

Name and Address of Professional Consultant(s): Nicholas F. Talvacchia, Esquire, Cooper

Street Address of Subject Property: 1133 Boardwalk Levenson, 1125 Atlantic Avenue
Atlantic City, NJ 08401

✓ Zoning District: RSC Block(s) 60 Lot(s) 14 & 15

Present Use (include total number of units, describe fully): Casino Hotel

Proposed Use (fully describe proposed use and/or signage, including total number of units; attach sheets if necessary): See attached Project Narrative.

SIGN PLAN MUST ACCOMPANY APPLICATION. Rendition of sign with dimensions and square footage of façade of building. Sign package to be submitted separately.

Notice: 1) THIS CERTIFICATION MAY NOT BE THE ONLY APPROVAL REQUIRED NOR DOES IT SUBSTITUTE FOR A CERTIFICATE OF NON-CONFORMITY, BUILDING PERMIT, PERMITS REQUIRED IN FLOOD HAZARD AREAS, MERCANTILE LICENSE OR OTHER STATE AND LOCAL PERMITS. 2) THE OWNER, BY HIS "SIGNED CONSENT" ABOVE, ALSO AUTHORIZES THE RELEASE OF THE PROPERTY RECORD CARDS AND ANY OTHER DOCUMENTS TO THE APPLICANT.

FOR OFFICE USE ONLY

Approved Denied

Conditions of Approval: Subject to applicant's satisfaction of all applicable City of Atlantic City ordinances and regulations.

Renovations as per the narrative and plan A100 + 101
Dated 9/30/12 titled CRDA CLUC Submission

Application Number: 2012-10-463 Fee Received: QCF 633616

Date Filed: 10/11/12 Date Issued: 10/12/12 \$ 50.00

Authorization: [Signature]
(N.B.: Must be acted on within ten days of receipt).

Distribution (City Departments):
Construction Division _____ Code Enforcement _____ Mercantile Office _____
V. LP Program _____ Police Dept. _____ Fire Dept. _____
City Engineer _____ Tax Assessor _____ Health Dept. _____ Other [Signature]

emailed 10/15/12

Casino Reinvestment Development Authority
APPROVED
Land Use Regulation and Enforcement Division



June 23, 2016

Mr. Nicholas J. Talvacchia, Esq.
Cooper Levenson
1125 Atlantic Avenue
Atlantic City NJ 08401

Via Email: ntalvacchia@cooperlevenson.com

RE: Application for Certificate of Land Use Compliance
Hotel and Parking
Polo North Country Club, Inc.
500 Boardwalk (Former Revel Site)
Block 62, Lots 1 & 2
Application # 2016-06-1922

Dear Mr. Talvacchia:

This confirms receipt of an application for a Certificate of Land Use Compliance (CLUC) for a hotel and parking at the above-captioned property dated June 15, 2016 and supplemental documents received on June 16, 2016. The subject property is improved by an existing hotel facility with approximately 144 acres of floor space on an approximately 20-acre parcel. The request is hereby **DENIED** for the following reason(s):

Section 163-81 Uses requiring site plan/subdivision approval, (6) states the following:

For any development involving the construction of any new or rehabilitation of any existing structure or structures containing in excess of 10 dwelling units or other uses having a total floor area in excess of 100,000 square feet or a floor area ratio in excess of 3.0.

The subject property exceeds the 100,000 square feet minimum and the floor area ratio of the 3.0. Accordingly, the proposed modifications/improvements require an application for site plan approval.

Also, please be advised that any approval granted for the proposed modifications/improvements will be conditioned upon the payment of any outstanding balance due for Special Improvement District assessments.

You may appeal this determination by filing a Notice of Appeal with this office within 20 days.

Respectfully,

Robert L. Reid, AICP, PP
Land Use Regulation Enforcement Officer

C: Paul Weiss, Esq. Chief Legal Counsel, via email
Scott Collins, Esq. via email
Wallace Shields, Construction Official, via email
Dale Finch, Director of Licensing and Inspections, via email

Enclosure

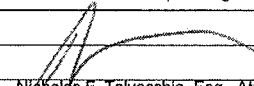


15 South Pennsylvania Avenue
Atlantic City, NJ 08401

APPLICATION FOR CERTIFICATE OF LAND USE COMPLIANCE

(PLEASE PRINT CLEARLY)

Fees: Commercial: \$50.00, Residential: \$32.00*
*Fees in accordance with Resolution 11-60 dated 6/21/11 and Resolution 15-24 dated 3/3/15.
Check or Money Order Payable To "Casino Reinvestment Development Authority". No cash.

BUSINESS NAME: Polo North Country Club, Inc.
Applicant's Name: Polo North Country Club, Inc. Phone: _____
Applicant's Address: 11198 Polo Club Road, Wellington, FL 33414
Applicant's Email: _____
Applicant's Signature:  _____
Nicholas F. Talvacchia, Esq., Attorney for Applicant

PROPERTY INFORMATION
Street Address: 500 Boardwalk Unit# _____
Zoning District: RSC Block(s) 62 Lot(s) 1 & 2 Qualifier No. _____
Prior Use (Include total number of units, number of seats if restaurant and /or bar, describe fully.): _____
Hotel Casino

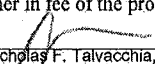
Proposed Use (Fully describe proposed use and/or signage, including total number of units; number seats if restaurant and / or bar attach sheets if necessary.): Hotel and parking. There are no changes to the hotel.
See attached circulation plan prepared by Arthur W. Ponzio Co. and Associates Inc for revisions to parking.

CERTIFICATION IN LIEU OF OATH (OWNER OR AGENT)

Owner Section (To be completed by the owner in fee of the property that is the subject of this application.)

Owner's Name: Polo North Country Club, Inc. Phone: _____
Owner's Address: 11198 Polo Club Road, Wellington, FL 33414
Owner's Email : _____

I hereby certify that I am the owner in fee of the property that is the subject of this application.

Property Owner's Signature:  _____ Date: 6/15/16
Nicholas F. Talvacchia, Esq., Attorney for Owner

Agent Section (To be completed if owner in fee has authorized an agent for this application.)

Agent's Name: Nicholas F. Talvacchia, Esq.
Agent's Title: Attorney for Applicant
Agent's Address: 1125 Atlantic Ave., 3rd Floor, Atlantic City, NJ 08401
Agent's Email: ntalvacchia@cooperlevenson.com

I hereby certify that I have been authorized by the owner in fee to make this application as his/her agent.

Agent's Signature:  _____ Date: 6/15/16

Notice: 1) THIS CERTIFICATION MAY NOT BE THE ONLY APPROVAL REQUIRED NOR DOES IT SUBSTITUTE FOR A CERTIFICATE OF NON-CONFORMITY, BUILDING PERMIT, PERMITS REQUIRED IN FLOOD HAZARD AREAS, MERCANTILE LICENSE, LICENSE TO OCCUPY PUBLIC PROPERTY, LICENSE TO OCCUPY THE PUBLIC RIGHT OF WAY OR OTHER STATE AND LOCAL PERMITS. 2) THE AGENT BY THEIR SIGNATURE REPRESENTS THAT THE PROPERTY OWNER HAS GRANTED CONSENT TO THE AGENT TO SIGN ON THEIR BEHALF. 3) THE CERTIFICATE WILL NOT BE ISSUED IF VIOLATIONS OF CHAPTER 163 EXIST. 4) THIS CERTIFICATE IS ISSUED BASED ON TRUE AND ACCURATE INFORMATION BEING PROVIDED BY THE APPLICANT AND MAY BE RESCINDED IF IT IS DETERMINED THAT VIOLATIONS OF CHAPTER 163 EXIST.

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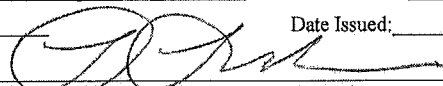
Approved _____ Denied

Conditions of Approval: Subject to applicant's satisfaction of all applicable requirements of the City of Atlantic City's Land Use Ordinances and regulations and compliance with all Federal, State and Local laws.

SEE LETTER DATED 6/23/16 ATTACHED

Application Number: 2016-06-1922 Fee Received: \$50.00 ck# 582464

Date Filed: 6/15/16 Date Issued: 6/23/16

Authorization:  _____
Robert L. Reid, AICP, PP, Land Use Regulation Enforcement Officer

Distribution (City Departments):
Construction Division _____ City Engineer _____ Code Enforcement _____ Fire Department _____
Police Department _____ Mercantile Office _____ Tax Assessor _____ Health Department _____
CDBG Program _____ Other _____

Project Narrative

Resorts Casino Hotel Margaritaville Café and Related Project Components and Food Court Project

Applicant proposes significant renovations to its existing casino hotel facility. All the proposed uses are permitted. There are no changes to building coverage or setbacks because all the work is within the existing building. The uses do not increase required parking. Rather, because of the decrease in commercial (non-hotel) floor space, there is a reduction in required parking.

The project components and parking analysis are detailed below:

Project Components

First Floor:

1. New Margaritaville Cafe adjacent to the Boardwalk to replace existing Breadsticks Restaurant and Club 1133.
2. New Margaritaville retail space in partial area of existing Breadsticks Restaurant.
3. Re-theme existing Asian Noodle Bar to Margaritaville Polynesian Bar.
4. Re-theme portion of casino for Margaritaville.
5. Add 5 O'clock Somewhere Bar.
6. Renovate portion of casino into new Players' Club.
7. Replace current Players' Club with a new Blue Mountain Coffee Shop.
8. Renovate existing retail space at corner of North Carolina Avenue and the Boardwalk into Margaritaville retail/promo shop. Reduction of 580 sf of floor area to create an outdoor public loggia along the Boardwalk.
9. Replace portion of casino adjacent to bus entrance with new food court.

See attached Project Area Summary indicating the area of each project element.

Note: The Margaritaville Café includes outdoor Loggia/Boardwalk seating of approximately 72 seats.

Second Floor:

1. Remove portion of floor in nightclub to create a double-height space for the new Margaritaville Cafe below. The existing nightclub is being eliminated which results in a reduction of 3,287 sf of commercial (non-hotel) floor space.
2. Renovate portion of the existing nightclub into new restroom facilities to serve the theater. This change will result in a reduction of 950 sf of commercial (non-hotel) space.

3. Create new exterior wall and windows at the existing ballroom and at Cappriccio's Restaurant.

Parking Analysis

Summary of Changes in Area:

New seating at Loggia/Boardwalk	Add 1,615 SF
Loggia at first floor west entrance	Reduce 580 SF
Removal of a portion of second floor nightclub	Reduce 3,287 SF
New restrooms for theater	Reduce 950 SF
Total	Net loss of 3,202 SF of commercial (non-hotel) space
Required Parking – 3 spaces per 1,000 sf of commercial (non-hotel) space	Reduction of required parking = 3 spaces

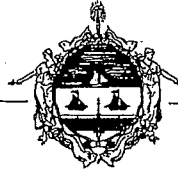
Resorts/Margaritaville Project Area Summary

10/12

RENOVATED AREA	
First Floor	
Margaritaville Polynesian Bar	2,250 sf
Margaritaville Casino Slot Area - 179 slots	4,970 sf
Margaritaville Entry, Vestibule, Lobby	12,440 sf
Margaritaville Retail	1,815 sf
Margaritaville Restaurant Kitchen	3,570 sf
Margaritaville Restaurant with Restrooms – 388 seats (interior)	8,890 sf
Resorts Retail Space	1,270 sf
Margaritaville Promo/Retail Store	1,860 sf
Margaritaville Blue Mountain Coffee - 37 seats	965 sf
Resorts Players Club - 172 seats	7,305 sf
Resorts High Limit Slot Area - 62 slots	4,470 sf
Margaritaville 5 O'Clock Bar - 30 seats	1,905 sf
Margaritaville Casino - 286 slots, 18 tables	11,455 sf
Resorts Food Court - 323 seats	12,050 sf
Resorts BOH Service Corridor	1,395 sf
Resorts Circulation	14,160 sf
Total First Floor	90,770 sf
Second Floor	4,700 sf
TOTAL RENOVATED AREA	95,470 sf

CITY OF ATLANTIC CITY

DIVISION OF PLANNING
CITY HALL - SUITE 508
ATLANTIC CITY, NEW JERSEY 08401-4603
(609) 347-5404
FAX: (609) 347-5345



William D. Crane, P.P., AICP
Planning Director

CERTIFICATE OF LAND USE COMPLIANCE

Fee: Commercial \$32.00 Residential: \$16.00
Checks or Money Order Payable To The City of Atlantic City

Applicant's (Your) Name: Revel Entertainment Group, LLC Phone: 609-340-0003

Applicant's (Your) Address: 1301 Atlantic Avenue, Atlantic City, NJ 08401

✓ Owner's Name: Revel Entertainment Group, LLC Phone: 609-340-0003

Owner's Address: 1301 Atlantic Avenue, Atlantic City, NJ 08401

Owner's Signed Consent [Signature] Date: 09/19/2011

Name and Address of Professional Consultant(s):
Nicholas F. Talvacchia, Esq. 1125 Atlantic Ave., 3rd Flr, Atlantic City, NJ 08401
Sosh Architects 1020 Atlantic Ave., Atlantic City, NJ 08401

Street Address of Subject Property: 500 Boardwalk

✓ Zoning District: RVRA Block(s) 62 Lot(s) 1&2

Present Use (include total number of units, describe fully): Revel project under construction

This Application is For (fully describe proposed use and/or signage, including total number of units):
Applicant proposes the addition of an architectural feature to the previously approved Revel project.

Notice: 1) THIS CERTIFICATION MAY NOT BE THE ONLY APPROVAL REQUIRED NOR DOES IT SUBSTITUTE FOR A CERTIFICATE OF NON-CONFORMITY, BUILDING PERMIT, PERMITS REQUIRED IN FLOOD HAZARD AREAS, MERCANTILE LICENSE OR OTHER STATE AND LOCAL PERMITS. 2) THE OWNER, BY HIS "SIGNED CONSENT" ABOVE, ALSO AUTHORIZES THE RELEASE OF THE PROPERTY RECORD CARDS AND ANY OTHER DOCUMENTS TO THE APPLICANT.

FOR OFFICE USE ONLY

Approved ✓

Denied _____

Conditions of Approval: Subject to applicant's satisfaction of all applicable City of Atlantic City ordinances and regulations.

Application Number: 2011-09-162

Fee Received: CK# 52973 \$500.00

Date Filed: 9/19/11

Date Issued: 9/21/2011 (18)

Authorization: [Signature]
William D. Crane, P.P., AICP, Land Use Administrator

Distribution: Construction Division _____ City Engineer _____
Code Enforcement _____ Fire Department _____
Mercantile Office _____ Tax Assessor _____
V.I.P. Program _____ Health Department _____
Police Department _____ Other _____

Casino Reinvestment
Development Authority
APPROVED
Land Use Regulation and
Enforcement Division