

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING MINOR SITE PLAN APPROVAL WITH VARIANCES PURSUANT TO N.J.S.A. 40:55D-70(c) TO PERMIT THE OPERATION OF A CLASS 5 CANNABIS DISPENSARY FOR THE SALE OF ADULT USE RECREATIONAL CANNABIS ON THE SUBJECT PROPERTY LOCATED AT 2305 ATLANTIC AVENUE, BLOCK 280 LOT 40, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2023-10-3536

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 matters, 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, adopted 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 shall become effective upon the adoption of design, development and land use regulations on January 2, 2018; and

WHEREAS, Juniper Lane Cannabis Corporation (the “Applicant”), seeks Minor Site Approval with Variances pursuant to N.J.S.A. 40:55D-70(c) to permit the operation of a Class 5 cannabis dispensary for the sales of adult use recreational cannabis at the subject property located at 2305 Atlantic Avenue, Block 280 Lot 40, on the Tax Map of Atlantic City, located in the Ducktown Arts (DA) Zoning District, within the Green Zone Redevelopment Area; and

WHEREAS, on July 18, 2024, the Authority’s Land Use Regulation and Enforcement Division convened a public hearing on Application 2023-10-3536 in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and the Act, and subsequently prepared and delivered a Hearing Officer’s Report and Recommendation dated September 27, 2024 (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 dated September 27, 2024.

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, the Minor Site Plan with Variances pursuant to N.J.S.A. 40:55D-70(c) under Application 2023-10-3536 is hereby approved in

accordance with the Hearing Officer's Report and Recommendation dated September 27, 2024.

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 24-121 of the Casino Reinvestment Development Authority.

Michael Beson
MICHAEL BESON, SECRETARY

MEETING OF OCTOBER 22, 2024



Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

EXHIBIT "A" TO RESOLUTION 24- , ADOPTED 10/15/2024

TO: Members of the Authority

FROM: Lance B. Landgraf, Jr., Land Use Hearing Officer

COPY: Eric Scheffler, Executive Director

SUBJECT: Hearing Officer's Report and Recommendation
Application #2023-10-3536
Juniper Lane Cannabis Corporation
Minor Site Plan Approval with Variances Pursuant to N.J.S.A. 40:55D-70(c)
2305 Atlantic Avenue
Block 280, Lot 40
Ducktown Arts (DA) Zoning District
Green Zone Redevelopment Area

DATE: September 27, 2024

EXECUTIVE SUMMARY

On July 18, 2024, the Casino Reinvestment Development Authority (the "Authority") heard testimony and public comment on the above-subject application. The Applicant, Juniper Lane Cannabis Corporation (the "Applicant"), seeks Minor Site Plan Approval with variances pursuant to N.J.S.A. 40:55D-70(c) to permit the operation of a Class 5 dispensary for the sale of adult use recreational cannabis at the subject property. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. Variances pursuant to N.J.S.A. 40:55D-70(c) are required for signage and parking.

The Applicant demonstrated by evidence and testimony that the development proposal generally conforms to the site plan standards and technical requirements of the Authority's Tourism District Land Development Rules. In addition, the Applicant demonstrated by evidence and testimony that the grant of the requested variances is warranted. Therefore, for the reasons more fully outlined below, the Hearing Officer recommends that the Application be approved by the Authority.



Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

INTRODUCTION

Application Information

Juniper Lane Cannabis Corporation
Minor Site Plan Approval with Variances Pursuant to N.J.S.A. 40:55D-70(c)
2305 Atlantic Avenue
Block 280, Lot 40
Ducktown Arts (DA) Zoning District
Green Zone Redevelopment Area

A hearing on the Application was conducted in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and P.L. 2011, c. 18.

The Applicant seeks Minor Site Plan Approval with variances pursuant to N.J.S.A. 40:55D-70(c) to permit the operation of a Class 5 dispensary for the sale of adult use recreational cannabis at the subject property. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. Variances pursuant to N.J.S.A. 40:55D-70(c) are required for signage and parking.

Evidence List

- A-1 Application Materials
- AO-1 Witness and Exhibit List
- AO-2 Site Plan
- AO-3 CRC Approval and Annual License
- AO-4 Architectural Rendering
- A-5 Photo of Façade
- B-1 Letter from Environmental Resolutions, Inc. dated July 12, 2024

FINDINGS OF FACT

The Applicant seeks Minor Site Plan Approval with variances pursuant to N.J.S.A. 40:55D-70(c) to permit the operation of a Class 5 dispensary for the sale of adult use recreational cannabis at the subject property. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. Variances pursuant to N.J.S.A. 40:55D-70(c) are required for signage and parking.

The attorney for the Applicant, Rachel Koutishian, Esq., introduced the application generally and provided background regarding the specific relief sought by the Applicant.



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The Applicant presented the testimony of Colleen McQuade, who is a representative of the Applicant. She explained her experience in the cannabis business and testified regarding operational features and security procedures for the proposed facility. She testified the facility will be open from 9 am to 9 pm daily. There will be a total of approximately 5 to 8 employees.

Ms. McQuade testified that all product and cash will be stored in a vault at the facility. She testified that office trash will be stored beneath the exterior staircase and carted to the curb along Mississippi Avenue on collection days. In the event that the storage of trash beneath the staircase is unacceptable to the Fire Official or Fire Department, trash will be stored in a designated area indoors and carted to the curb along Mississippi Avenue on collection days. Any cannabis waste will be disposed of in accordance with Cannabis Regulatory Commission (“CRC”) regulations.

Ms. McQuade testified that deliveries will occur approximately 3 to 5 times per week via Sprinter van. Loading and unloading will occur at a designated loading space on Mississippi Avenue and carried by security personnel through a door at the rear of the building and taken directly into the vault. Deliveries of cash will be accomplished in the same fashion.

Ms. McQuade testified that customers will have the option to order product online and pick it up at the facility. Although product deliveries may be available in the future, deliveries will be the subject of another CRC license.

Ms. McQuade testified generally to security procedures to be implemented at the facility. She testified that the Applicant will agree to the following as a condition of any approval:

- Comply with all standards and requirements of the Green Zone Redevelopment Plan, including architectural standards.
- Have its security plan approved by the Atlantic City Police Department.
- Make all security cameras subject to monitoring by the Atlantic City Police Department.
- Comply with all requirements of the Cannabis Regulatory Commission.

Ms. McQuade noted that the existing residential unit on the second floor will continue to be occupied by the existing long-term tenant. The unit has direct access via a stairway along Mississippi Avenue and does not require the tenant to enter or exit through the proposed cannabis facility on the first floor.

The Applicant presented the testimony of Craig Doth, R.A., P.P., who was qualified as an expert in the fields of architecture and professional planning. Mr. Dothe described the location of the site, existing conditions and development proposal. Mr. Dothe described proposed layout, floor plan and operations plans.



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Mr. Dothe explained the proposed signage. He testified that the Applicant proposes to retain the existing awning sign and replace the text and logos. The Applicant also proposes painted window sign along the front of the building. Mr. Dothe agreed on behalf of the Applicant to obtain any necessary licenses from the City for encroachments of the awning sign and/or bay window into the public right of way.

The Applicant presented the testimony of Jon Barnhart, P.E., P.P., who was qualified as an expert in the fields of professional engineering and professional planning. Mr. Barnhart described the location of the site, existing conditions and development proposal. He explained site payout, circulation, access, signage and parking.

Mr. Barnhart testified that the site is extremely small and there is limited opportunity to modify the existing building. He noted that the Applicant has a licensing agreement with the City for the use of the designated loading space along Mississippi Avenue, as well as the alley between Mississippi Avenue and Atlantic Avenue. He testified that the alley will be monitored by video cameras from all angles.

Mr. Barnhart testified that 3 on-site parking spaces are required for the cannabis use. The lack of on-site parking for the residential unit is an existing non-conforming condition that is not exacerbated by the development proposal.

He testified that the Applicant has a lease for 4 parking spaces at the nearby B & B Parking facility for use by the Applicant's employees. Upon questioning, Mr. Barnhart agreed on behalf of the Applicant to secure alternative parking or return to the Authority for additional approvals in the event that the lease with B & B Parking is terminated. He testified that there is adequate public parking in the vicinity of the site to serve the development proposal.

Mr. Barnhart testified that the property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. He testified that the Applicant requests the following variances pursuant to N.J.S.A. 40:55D-70(c):

- A variance to permit 0 on-site parking spaces where a minimum of 3 on-site parking spaces are required.
- A variance to permit an awning sign where awning signs are not permitted.

Mr. Barnhart testified that the characteristics of the property and the structures lawfully existing thereon present a hardship in providing the required on-site parking. He noted that there is no opportunity to provide parking spaces on-site, and the parking needs for the proposed use are adequately addressed through the lease of 4 off-site parking spaces at the B & B Parking lot, as well as available public parking in the vicinity of the site.



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With respect to signage, Mr. Barnhart noted that this is an existing conditions previously installed as part of an Authority Special Improvement District Project. Mr. Barnhart opined that the approval of the application for development would advance the purposes of the Municipal Land Use Law (the "MLUL") by promoting the repurposing of an existing vacant building. With respect to the negative criteria, Mr. Barnhart testified that the grant of the variances would not have any substantial detriment to the Tourism District Master Plan or Tourism District Land Development Rules.

Jeffrey Hanson, P.E., was qualified as an expert in the field of professional engineering and provided testimony on behalf of the Authority. Mr. Hanson testified that he supports the approval of the Application, subject to the Applicant's compliance with all requirements of the Environmental Resolutions, Inc. review letter dated July 12, 2024 and obtaining any necessary licenses from the City for encroachments into the public right of way.

CONCLUSIONS OF LAW

Minor Site Plan Approval

A land use agency's authority in reviewing an application for site plan approval is limited to determining whether the development plan conforms to the zoning ordinance and the applicable provisions of the site plan ordinance. See Pizzo Mantin Group v. Township of Randolph, 137 N.J. 216 (1994).

Here, based on the evidence and testimony, the Applicant has demonstrated that development plan generally conforms to the site plan standards and technical requirements of the Tourism District Land Development Rules and Green Zone Redevelopment Plan.

Variances Pursuant to N.J.S.A. 40:55D-70(c)

For variances requested pursuant to N.J.S.A. 40:55D-70(c)(1) and (c)(2), an applicant must demonstrate through evidence and testimony that the positive and negative criteria of the statutory requirements have been met.

Positive Criteria

The positive criteria for variances requested pursuant to N.J.S.A. 40:55D-70(c)(1) is satisfied if relief can be granted for a specific piece of property upon the finding of hardship arising out of the exceptional narrowness, shallowness, shape, or exceptional topographic conditions of specific piece of property or from a structure lawfully existing thereon. See Lang v. Zoning Board of Adjustment, 160 N.J. 41 (1999). The positive criteria for variances requested pursuant to N.J.S.A. 40:55D-70(c)(2) is satisfied if one or more



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purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of that deviation would substantially outweigh any detriment to the public good. Ketcherick v. Bor. Mountain Lakes, 256 N.J. Super. 646 (App. Div. 1992); Green Meadows v. Planning Board, 329 N.J. Super. 12 (App. Div. 2000).

Here, the Applicant requests the following variances pursuant to N.J.S.A. 40:55D-70(c):

- A variance to permit 0 on-site parking spaces where a minimum of 3 on-site parking spaces are required.
- A variance to permit an awning sign where awning signs are not permitted.

The characteristics of the property and structures lawfully existing thereon present a hardship in providing the required on-site parking as there is no opportunity to provide parking spaces on-site. In addition, the parking needs for the proposed use are adequately addressed through the lease of 4 off-site parking spaces at the B & B Parking lot, as well as available public parking in the vicinity of the site.

With respect to signage, this is an existing conditions previously installed as part of an Authority Special Improvement District Project. The evidence and testimony demonstrate that the approval of the Application would advance the purposes of the MLUL by promoting the public health, safety and welfare (Purpose A) by promoting the repurposing of an existing vacant building.

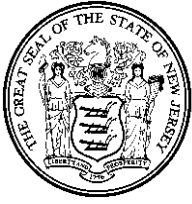
Negative Criteria

Relief under N.J.S.A. 40:55D-70(c)(1) and (c)(2) cannot be granted unless the negative criteria is satisfied. The negative criteria required for all "c" variances is that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and the zoning ordinance.

The evidence and testimony demonstrate that the grant of the requested variances will not create any detriment to the public good, and will not substantially impair the purpose and intent of the Tourism District Mast Plan and the Tourism District Land Development Rules.

RECOMMENDATION

For all of the foregoing reasons, the Hearing Officer recommends that the Application for Minor Site Plan Approval with variances pursuant to N.J.S.A. 40:55D-70(c) to permit the operation of a Class 5 dispensary for the sale of adult use recreational cannabis at the subject property be approved. The grant of approval of this Application shall be expressly conditioned upon the Applicant complying with all conditions of prior approvals, satisfying



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all representations made by the Applicant or by others on its behalf during the course of the hearing on this matter before the Hearing Officer.

The grant of approval shall be further conditioned upon compliance with all applicable requirements of the Tourism District Land Development Rules, Atlantic City Ordinances, and the requirements of any City agency, board or authority. Any approval granted in accordance herewith shall be further expressly conditioned upon the Applicant obtaining all other necessary governmental approvals, and compliance with all Federal, State and local laws.

4871-7090-8138, v. 1

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C. Jeremy Noll, PE, CME, CPWM

Marc H. Selover, LSRP, PG

July 12, 2024
31623 59

Re: Juniper Lane Cannabis (CRDA Application #2023-10-3536)
Minor Site Plan with Bulk Variances
Technical Review #1
2305 Atlantic Avenue
Block 280, Lot 40
Atlantic City, NJ, 08401

Lance B. Landgraf, Jr., AICP, PP, Director of Planning & Development
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Dear Mr. Landgraf:

An Application for a Minor Site Plan with Bulk Variances has been received for the subject premise:

Applicant Information

- Applicant: Juniper Lane Cannabis c/o Colleen Begley
1252 Pelican Drive
Avalon, NJ 08202
- Owner: Constantine & Sarantoula Catrickes
107 S. Amherst Avenue
Ventnor City, NJ 08406
- Attorney Rachel Lida Koutishian, Esquire
4030 Ocean Heights Avenue
Egg Harbor Township, NJ 08234 1301
- Engineer Bill Ponzio, PE
40 Dover Avenue
Atlantic City, NJ, 08401
- Architect: Craig Dothe, RA
33 N. Brighton Ave.
Atlantic City, NJ 08401

Documents Submitted

1. Submission Cover Letters, prepared by Rachel L. Koutishian, Esquire, Applicant's Attorney, dated June 3, 2024; June 5, 2024; and July 11, 2024.
2. CRDA City of Atlantic City Land Use Application, dated May 31, 2024.
3. "Zoning Application Drawing", 1 Sheet, prepared by Craig Dothe, RA, dated May 16, 2024.
4. "Minor Site Plan", 1 Sheet, dated January 9, 2024, prepared by Arthur Ponzio Co., unsigned and unsealed.
5. "Project Narrative & Variance Justification Report", undated, preparer unspecified.
6. CRDA Minor Site Plan Checklist (Form #5), dated June 3, 2024.
7. CRDA Variance Checklist (Form #12), dated June 3, 2024.
8. Deed for 2305 Atlantic Avenue, Block 280, Lot 40.
9. Lease Agreement for 2305 Atlantic Avenue, Block 280, Lot 40, granted by Sarantoula Catrickes (Property Owner), granting use of approximately 800 SF of first-floor retail space at 2305 Atlantic Avenue to Juniper Lane Cannabis, LLC (Applicant), expiring April 30, 2025.
10. Parking Agreement with B & B Parking, Inc. for use of four (4) off-street spaces at 14 S. Mississippi Avenue, expiring April 20, 2025.
11. Resolution No. 662 of the City of Atlantic City supporting the suitability of the proposed cannabis business for "Juniper Lane Cannabis NJ Corp.", dated August 23, 2023.
12. Resolution No. 370 of the City of Atlantic City Granting a Revocable License Agreement for Access and Use of City Owned Property Located at Block 280, Lots 37 & 38 (License Approved for a Loading / Unloading Zone), dated May 15, 2024.
13. CRDA Zoning Determination Letter, prepared by Robert L. Reid, AICP, PP, for "Juniper Lane NJ Corp." dated October 11, 2023.
14. Certification of Paid Taxes, Block 280 Lot 40, current to June 30, 2024.

A. Project Description and Background

An application for Minor Site Plan with Bulk Variance approval has been submitted by Juniper Lane Cannabis, which is a proposed Class 5 Cannabis Retailer and requires licensing from the NJ Cannabis Regulatory Commission (CRC) in addition to appropriate land use approvals. The Applicant has obtained a lease from the property owner to utilize approximately 800 SF of first floor retail space for the proposed cannabis retail use. The site fronts on the north side of Atlantic Avenue between N. Mississippi Avenue and N. Georgia Avenue. Loading and unloading activities are proposed to occur utilizing a City-designated and signed loading space along the westbound shoulder of N. Mississippi Avenue near its intersection with Atlantic Avenue. The Applicant obtained a revocable licensing agreement from the City of Atlantic City to utilize the space for these purposes, which was memorialized by City Council Resolution No. 370. The revocable licensing agreement also allows the Applicant to utilize a three-foot (3') wide alley at the rear of the building, designated as Block 280 Lot 37 (aka 2305 Atlantic Avenue RR) and 38 (aka 2301 Atlantic Avenue RR) for loading / unloading purposes. The Applicant also obtained a lease agreement with B & B Parking, Inc., which expires on April 30, 2025, for the use of four (4) off-street parking spaces at 14 S. Mississippi Avenue.

The site is located within the Ducktown Arts (DA) Zoning District and also within the Green Zone Redevelopment Area. The Green Zone Redevelopment Plan permits Class 5 Cannabis Retailers. Aside from minimal interior and exterior building improvements (façade improvements & business identification signage), it does not appear that the Applicant proposes any extensive enhancements. According to information provided by the Applicant, the proposed cannabis retail use will be exclusive to

the first floor of the two-story building. The Applicant has not specified the existing or proposed use(s) for the second floor.

B. Completeness Review / Submission Waivers Required

1. The application was deemed conditionally complete, provided that in a, provided that the Applicant address the items in our Completeness Review #1 letter, dated letter dated July 2, 2024 via supplemental information prior to the Land Use hearing or by testimony at the Land Use hearing.
2. The Applicant has requested submission waivers from Items 21, 23, 24, 25, 27, 28, 30, 32, 34, 35, and 36 of the Minor Site Plan Checklist (Form # 5). We have no objection to the waivers being granted on the condition that the supplemental information / testimony is provided in response to our various review comments below in this letter and in our completeness review letter of July 2, 2024 in order to justify the waivers, as many of the checklist items requiring waivers do not appear to apply to this application.

C. Zoning Review

This property is located within the DA (Ducktown Arts) Zoning District. The following is a summary of the bulk requirements of the DA Zone, including existing and proposed conditions:

SECTION REFERENCE	REGULATION	APPLICABLE REQUIREMENTS	EXISTING LOT 40	PROPOSED LOT 40	STATUS
<i>USE</i>		Retail / Residential	<i>Check Cashing</i>	Cannabis Retailer	C
<i>N.J.A.C. §19:66-5.11(a)1.iv(2)</i>	Minimum Lot Area	5,000 S.F.	857.8 S.F. (0.02 Ac.)	857.8 S.F. (0.02 Ac.)	ENC
<i>N.J.A.C. §19:66-5.11(a)1.iv(3)</i>	Minimum Lot Depth	100'	67	67	ENC
<i>N.J.A.C. §19:66-5.11(a)1.iv(4)</i>	Minimum Lot Width	50'	12.8'	12.8'	ENC
<i>N.J.A.C. §19:66-5.11(a)1.iv(5)</i>	Minimum Lot Frontage	50'	12.8'	12.8'	ENC
<i>N.J.A.C. §19:66-5.11(a)1.iv(8)</i>	Front Yard Setback	5'	0'	0'	ENC
<i>N.J.A.C. §19:66-5.11(a)1.iv(9)</i>	Side Yard Setback	0'	0'	0'	C
<i>N.J.A.C. §19:66-5.11(a)1.iv(10)</i>	Rear Yard Setback	20'	0'	0'	ENC
<i>N.J.A.C. §19:66-5.11(a)1.iv(1)</i>	Building Height	Principal - 35' Accessory - 15'	<35'	<35'	C
<i>N.J.A.C. §19:66-5.11(a)1.iv(6)</i>	Building Coverage	30%	100%	100%	ENC
<i>N.J.A.C. §19:66-5.11(a)1.iv(7)</i>	Max. Impervious Coverage	80%	100%	100%	ENC
<i>N.J.A.C. §19:66-5.B(b)B. §19:66-5.8(b)1. As Specified by RSIS</i>	Onsite Parking	(R) Retail - 1 per 300 S.F. (Res) Residential 2 per D/U	(R) Req - 3 / Ex. 0 [ENC] (Res) - 2 / Dwell. Unit 0 (ENC)	(R) Req - 3 / Ex. 0 [ENC] (Res) - 2 / Dwell. Unit 0 (ENC)	V
<i>N.J.A.C. §19:66-5.7(i)2</i>	Types of signs permitted	Awning Sign Proposed Not permitted	17 S.F.	12.5 S.F.	V
<i>N.J.A.C. §19:66-5.7(i)S.ii</i>	Maximum height of signs permitted	15' or no higher than 2nd floor windowsill	NIA	Under 2nd floor windowsill	C

C - Conforming

ENC – Existing Nonconforming Condition

V – Variance Required

1. Section 19:66-5.11(a)(1)(iv)(2) of the Land Development Rules requires a minimum lot area of 5,000 square feet (SF), whereas 857.8 SF is proposed. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
2. Section 19:66-5.11(a)(1)(iv)(3) of the Land Development Rules requires a minimum lot depth of one hundred feet (100'), whereas 67' is provided. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
3. Section 19:66-5.11(a)(1)(iv)(4) of the Land Development Rules requires a minimum lot width of fifty feet (50'), whereas 12.8' is provided on Atlantic Avenue. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
4. Section 19:66-5.11(a)(1)(iv)(5) of the Land Development Rules requires a minimum lot frontage of fifty feet (50'), whereas 12.8' is provided on Atlantic Avenue. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
5. Section 19:66-5.11(a)(1)(iv)(6) of the Land Development Rules permits a maximum building coverage of thirty percent (30%), whereas 100% is proposed. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
6. Section 19:66-5.11(a)(1)(iv)(7) of the Land Development Rules permits a maximum impervious coverage of 80%, whereas 100% is proposed. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
7. Section 19:66-5.11(a)(1)(iv)(8) of the Land Development Rules permits a minimum front yard setback of five feet (5') whereas 0' is proposed. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
8. Section 19:66-5.11(a)(1)(iv)(10) of the Land Development Rules requires a minimum rear yard setback of 20', whereas 0' is proposed. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
9. Section 19:66-5.8(b)(1) of the Land Development Rules requires a minimum of one (1) off-street parking space per 300 SF of floor space for retail uses, consequently three (3) parking spaces are required for the cannabis use, whereas four (4) off-street spaces provided at 14 S. Mississippi Ave. through a lease agreement with the owner of that lot. **The lease agreement identifies the second floor as an “apartment” which would increase the required parking by two (2) parking spaces, resulting in a requirement for a total of five (5) parking spaces required for the combined uses, whereas four (4) off-site parking spaces are provided.** The Applicant should provide supplemental information / testimony indicating the proposed use of the second-floor space and regarding the adequacy of the proposed parking. If it is determined that more than a total of four (4) spaces are required for the proposed uses, then a variance is required.
10. Section 19:66-5.7(i)2 does not permit awning signs within the DA Zone. A variance is required to permit the proposed 12.5 SF awning sign. Additionally, the proposed sign projects into the City's right-of-way along Atlantic Avenue, which requires a revocable licensing agreement from the City of Atlantic City for the encumbrance.
11. Regarding Item Nos. 1 through 9 above, for "c" variances the applicant must demonstrate that the strict application of the zoning regulations to the property creates a hardship or results in exceptional practical difficulties by reason of the exceptional shape of the property or the exceptional topographic conditions uniquely affecting the property. In addition, the applicant will have to demonstrate that the benefits of granting any variance outweigh the detriments.

D. Site Plan Review / General Comments

1. If the lease for the four (4) off-street parking spaces located at 14 S. Mississippi Avenue expires at any time and is not renewed (i.e. the spaces are no longer available to the Applicant) for any reason, the Applicant shall reapply to CRDA Land Use Regulation for the appropriate variance relief with respect to off-street parking requirements.
2. No information has been provided regarding the existing / proposed use of the second floor of the premises. Supplemental information shall be provided so that the conformance of the proposed second-floor use, off-street parking requirements and all other regulations can be determined.
3. The Applicant shall provide testimony regarding how the loading and unloading of the delivered products, cash, and any other products/supplies will be achieved safely and securely.
4. The Applicant should testify to the nature any existing or proposed deed restrictions. A title report shall be provided to confirm existing or absence of same.
5. Approval of the design standards promulgated in the Green Zone Redevelopment Plan is required from the City of Atlantic City. The Applicant should provide testimony regarding the status of the City's review of this application.
6. Per the Green Zone Redevelopment Plan Section 5.1.d.8 which governs security and surveillance measures, an electronic alarm system that automatically notifies the police and the business owner shall be installed. The Applicant shall provide testimony / supplemental information regarding the proposed security and surveillance measures. It is recommended that any approval be conditioned upon the proposed measures being submitted to the City Police Department for their review and approval before the issuance of a Certificate of Land Use Compliance.
7. The Applicant shall provide testimony on the anticipated nature and volume of trash and recycling that will be generated. Sections 19:66-7.12(c) and 19:66-7.12(k) of the Land Development Rules stipulate the design requirements for outdoor trash and recycling areas. The Applicant proposes a designated outdoor solid waste and recycling container storage area under the stairs at the rear of the building with a vinyl privacy fence for screening purposes.
8. Atlantic City Resolution No. 370 memorializes a licensing agreement with the Applicant to permit loading activities within the City-owned alley (Block 280, Lots 37 and 38) at the rear of the building. The architectural plans submitted illustrate a waste / recycling storage area at the rear exterior portion of the building with a privacy fence that encroaches approximately seven inches (0'-7") into the alley. City Resolution No. 370 must be amended by to permit the encroachment, or the Applicant will be required to relocate all such improvements to be situated within their lot lines or accommodate the storage area within the building.
9. The Applicant shall provide a copy of the Revocable Licensing Agreement from the City of Atlantic City for the encroachments of the awning sign, the second-floor bay window, and any other proposed encumbrances upon the Atlantic Avenue right-of-way.

We reserve the right to make further comments as revised submittals are received. If you require any additional information or have any questions, please contact the undersigned.

Sincerely yours,



G. Jeffrey Hanson, PE, CME
CRDA Land Use Board Engineering Consultant



David Benedetti, PP, AICP
CRDA Land Use Board Planning Consultant

Gjh/djb

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Scott Collins, Esquire, CRDA Land Use Board Attorney



DATE: OCTOBER 22, 2024

JUNIPER LANE CANNABIS CORPORATION - RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING MINOR SITE PLAN APPROVAL WITH VARIANCES PURSUANT TO N.J.S.A. 40:55D-70(c) TO PERMIT THE OPERATION OF A CLASS 5 CANNABIS DISPENSARY FOR THE SALE OF ADULT USE RECREATIONAL CANNABIS ON THE SUBJECT PROPERTY LOCATED AT 2305 ATLANTIC AVENUE, BLOCK 280 LOT 40, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2023-10-3536

Motion: BM

Second: RT

Michael Beson	<u>N</u>
Sen. Chris Brown <i>for the DCA Commissioner</i>	<u>Y</u>
Daniel Cosner	<u>Y</u>
Christopher Glaum <i>for the State Attorney General</i>	<u>Y</u>
Michael Hanley	<u>Y</u>
Michael Laughlin	<u>Y</u>
Brett Matik	<u>Y</u>
William Mullen	<u>Y</u>
Paulina O'Connor	<u>Absent</u>
James Plousis	<u>Absent</u>
Mayor Marty Small, Sr.	<u>Absent</u>
William Sproule	<u>Y</u>
Robert Tighue <i>for the State Treasurer</i>	<u>Y</u>
Joseph Tyrrell	<u>Absent</u>
Chairman Mo Butler	<u>Y</u>