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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
USE		Retail / Residential	Check Cashing	Cannabis Retailer	C
N.J.A.C. §19:66-5.11(a)1.iv(2)	Minimum Lot Area	5,000 S.F.	857.8 S.F. (0.02 Ac.)	857.8 S.F. (0.02 Ac.)	ENC
N.J.A.C. §19:66-5.11(a)1.iv(3)	Minimum Lot Depth	100'	67	67	ENC
N.J.A.C. §19:66-5.11(a)1.iv(4)	Minimum Lot Width	50'	12.8'	12.8'	ENC
N.J.A.C. §19:66-5.11(a)1.iv(5)	Minimum Lot Frontage	50'	12.8'	12.8'	ENC
N.J.A.C. §19:66-5.11(a)1.iv(8)	Front Yard Setback	5'	0'	0'	ENC
N.J.A.C. §19:66-5.11(a)1.iv(9)	Side Yard Setback	0'	0'	0'	C
N.J.A.C. §19:66-5.11(a)1.iv(10)	Rear Yard Setback	20'	0'	0'	ENC
N.J.A.C. §19:66-5.11(a)1.iv(1)	Building Height	Principal - 35' Accessory - 15'	<35'	<35'	C
N.J.A.C. §19:66-5.11(a)1.iv(6)	Building Coverage	30%	100%	100%	ENC
N.J.A.C. §19:66-5.11(a)1.iv(7)	Max. Impervious Coverage	80%	100%	100%	ENC
N.J.A.C. §19:66-5.B(b)B. §19:66-5.8(b)1. As Specified by RSIS	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
N.J.A.C. §19:66-5.7(i)2	Types of signs permitted	Awning Sign Proposed Not permitted	17 S.F.	12.5 S.F.	V
N.J.A.C. §19:66-5.7(i)S.ii	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

Cc: Juniper Lane Cannabis, c/o Colleen Begley, colleen.begley@juniperlanecannabis.com
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