

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 FIRST FLOOR AND AN APARTMENT ON THE SECOND FLOOR OF THE EXISTING STRUCTURE ON THE SUBJECT PROPERTY LOCATED AT 2616 PACIFIC AVENUE, BLOCK 35 LOT 15, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2023-10-3537

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, Slamn Sammy’s LLC (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 on the first floor and an apartment on the second floor of the existing structure at the subject property located at 2616 Pacific Avenue, Block 35 Lot 15, on the Tax Map of Atlantic City, located in the Resort Commercial (RC) Zoning District, within the Green Zone Redevelopment Area; and

WHEREAS, on August 1, 2024, the Authority’s Land Use Regulation and Enforcement Division convened a public hearing on Application 2023-10-3537 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 25, 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 25, 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 2023-10-3537 is hereby approved in accordance with the Hearing Officer's Report and Recommendation dated September 25, 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- 122 of the Casino Reinvestment Development Authority.


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

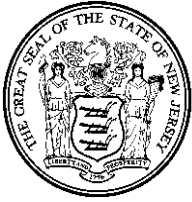
SUBJECT: Hearing Officer’s Report and Recommendation
Application #2023-10-3537
Slamn Sammy’s, LLC
Minor Site Plan Approval with Variance Pursuant to N.J.S.A. 40:55D-70(c)
2616 Pacific Avenue
Block 35, Lot 15
Resort Commercial (RC) Zoning District
Green Zone Redevelopment Area

DATE: September 25, 2024

EXECUTIVE SUMMARY

On August 1, 2024, the Casino Reinvestment Development Authority (the “Authority”) heard testimony and public comment on the above-subject application. The Applicant, Slamn Sammy’s LLC (the “Applicant”), seeks Minor Site Plan Approval with a variance 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 on the first floor and an apartment on the second floor of the existing structure at the site. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. A variance pursuant to N.J.S.A. 40:55D-70(c) is required for 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 variance 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

Slamn Sammy's, LLC
Minor Site Plan Approval with Variance Pursuant to N.J.S.A. 40:55D-70(c)
2616 Pacific Avenue
Block 35, Lot 15
Resort Commercial (RC) 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 a variance 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 on the first floor and an apartment on the second floor of the existing structure at the site. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. A variance pursuant to N.J.S.A. 40:55D-70(c) is required for parking.

Evidence List

- A-1 Application Materials
- B-1 Letter from ARH Associates dated July 29, 2024

FINDINGS OF FACT

The Applicant seeks Minor Site Plan Approval with a variance 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 on the first floor and an apartment on the second floor of the existing structure at the site. The property has several pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. A variance pursuant to N.J.S.A. 40:55D-70(c) is required for parking.

The attorney for the Applicant, Brian Callaghan, Esq., introduced the application generally and provided background regarding the specific relief sought by the Applicant. In response to questions raised in the ARH review letter, Mr. Callaghan advised the following:

- The proposed hours of operation 10 am to 10 pm daily, or as otherwise permitted by City ordinance.
- There will be between 3 and 8 employees.



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- Product will be delivered via Sprinter van approximately two times per month and stored in a vault at the facility.

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. He testified that the existing building essentially occupies the entirety of the lot. Accordingly, there are a number of pre-existing, non-conforming conditions that are not exacerbated or impacted by the development proposal. He testified that the proposed improvements are limited to façade improvements and the relocation of the front entry door.

Mr. Dothe, on behalf of the Applicant, acknowledged that the existing structure encroached over the property lines in several location. Mr. Dothe agreed to obtain any necessary licenses to cure such encroachments.

Mr. Dothe described proposed layout, floor plan and operations plans. He explained that access to the second floor apartment is independent from access to the ground floor cannabis facility. He also explained the location of security cameras and lighting in the vicinity of the site. Mr. Dothe explained that trash will be stored inside of the facility and picked up curbside. All Cannabis trash will be disposed of in accordance with the requirements of the Cannabis Regulatory Commission. He testified that all signage will conform to the requirements of the Green Zone Redevelopment Plan.

Mr. Dothe testified that loading will be accomplished via dedicated loading space along Texas Avenue. Product and cash will be brought into and out of the facility through the front door along Pacific Avenue.

The Applicant presented the testimony of Gary Bozzini, who is one of the managers of the Applicant. He testified that there will be one to two security guards on site during hours of operation, and more on delivery days. Mr. Bozzini testified that the Applicant will reserve 5 parking spaces designated for patrons at Park Place Parking along California Avenue. Hew testified that the Applicant will further reserve up to 8 mirror tags for employees to park anywhere at Park Place Parking.

Mr. Bozzini 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.



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- Comply with all requirements of the Cannabis Regulatory Commission.

Moreover, Mr. Bozzini agreed, on behalf of the Applicant, to comply with all of the requirements of the ARH review letter.

Mr. Dothe testified that there is no existing on-site parking and none is proposed. He noted that the development proposal requires 5 on-site parking spaces and that there is a grandfathered shortfall of 4 parking spaces. Accordingly, the Applicant requires a variance for the one-parking space deficiency. However, he opined, that the application for development meets the intent of the regulations by providing more than the number of required parking spaces off-site and nearby.

Mr. Dothe opined that the approval of the application for development would advance the purposes of the Municipal Land Use Law (the "MLUL") by promoting the public health, safety and welfare (Purpose A) by reinvigorating a building that has been vacant for many years and bringing activity and excitement to the neighborhood. With respect to the negative criteria, Mr. Dothe 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.

Christine Cofone, P.P., was qualified as an expert in the field of professional planning and provided testimony on behalf of the Authority. Ms. Cofone testified that there is more than enough parking being provided off-site to meet the intent of the regulations and that she supports the approval of the Application.

Carolyn Feigin, P.E., was qualified as an expert in the field of professional engineering and provided testimony on behalf of the Authority. Ms. Feigin testified that she supports the approval of the Application, subject to the Applicant revising the plans to show the location of trash containers, obtaining any necessary licenses from the City for all encroachments into the public right of way and obtaining permission from adjoining property owners to install lighting and security cameras on their property.

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).



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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 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, there is no existing on-site parking and none is proposed. The development proposal requires 5 on-site parking spaces and there is a grandfathered shortfall of 4 parking spaces. Accordingly, the Applicant requires a variance for the one-parking space deficiency.

The evidence and testimony demonstrate that the approval of the application for development would advance the purposes of the MLUL by promoting the public health, safety and welfare (Purpose A) by reinvigorating a building that has been vacant for many years and bringing activity and excitement to the neighborhood. Moreover, the Application meets the intent of the regulations by providing more than the number of required parking spaces off-site and nearby.

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.



Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

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 with an apartment on the second floor 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 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.

4871-7648-5609, v. 1

**Principals**

Richard Rehmann, GISP
Richard Heggan, PLS, PP
Jeffery MacPhee, PLS
Carolyn A. Feigin, PE, PP

July 29, 2024

Lance B. Landgraf, Jr., PP, AICP
Casino Reinvestment Development Authority
Division of Land Use and Regulatory Enforcement
15 S Pennsylvania Avenue
Atlantic City, NJ 08401

Re: TECHNICAL REVIEW #1: CRDA # 2023-10-3537
Minor Site Plan w/ Variance Approval
Slamn Sammy's LLC
2616 Pacific Avenue
Block 35, Lot 15
Atlantic City, NJ 08401
ARH # 2410097

Dear Mr. Landgraf:

ARH ASSOCIATES has reviewed the following information towards issuance of Preliminary & Final Major Site Plan Approval for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Project Narrative	Brian J. Callaghan, Esq.	Undated	
CRDA Land Use Application	Owner / Applicant	05/01/2024	
Four (4) Color Photographs of Site			
Project Narrative			
Minor Site Plan Checklist (Form #5)	Brian J. Callaghan & Craig F. Dothe	04/26/2024	
"c" Variance Checklist (Form #12)			
Cannabis Dispensary Plans	Craig F. Dothe, LLC	04/04/2024	
Land Title Survey	Robert J. Catalano, PLS	02/20/2024	
Deed	Brian J. Callaghan, Esq.	02/25/2005	

Per this information, our office offers the following comments:

ARH Associates

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909
Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

www.arh-us.com

I. PROJECT INFORMATION & CONTACT INFORMATION

The 790.5 SF site is a through lot with primary frontage on Pacific Avenue and secondary frontage on Texas Court. The site is presently developed with a two story, mixed use building. The Applicant seeks approval to construct a first floor commercial space into a cannabis dispensary with proposed signage. The Applicant is seeking a revocable license agreement from the City for any overhangs projecting into the ROW. Additionally, out of the scope of our office's review, the Applicant is requesting a certificate of non-conformity for the second floor residential use.

Below please find the contact information for the responsible parties associated with this Application:

APPLICANT / OWNER

Slamn Sammy's, LLC
52 Dunmore Avenue
Trenton, NJ 08618
Phone: 609-435-6369
Email: sammybslamn@gmail.com

ARCHITECT/PLANNER

Craig F. Dothe
33 N. Brighton Avenue
Atlantic City, NJ 08401
Phone: 609-348-2236
Email: craig@cfidarchitect.com

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TECHNICAL REVIEW #1: CRDA # 2023-10-3537

Minor Site Plan w/ Variance Approval

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ARH # 2410097

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ATTORNEY

Brian J. Callaghan, Esq.
101 N. Washington Avenue, Suite 14
Margate, NJ 08402
Phone: 609-348-5300
Email: bjclaw@comcast.net

II. ZONING REVIEW

The subject property is situated within the Resort Commercial (RC) zoning district. Cannabis retail is a permitted use in the zone as per the Green Zone Redevelopment Plan. The below table summarizes the bulk requirements for this zone:

BULK ITEMS	REQUIREMENT	EXISTING	PROPOSED
Max. Principal Building Height	3000 ft (from BFE)	21.7 ft	NC
Min. Lot Area	7,500 sf	790.5 sf (ENC)	NC
Min. Lot Depth	150 feet	51.00 feet (ENC)	NC
Min. Lot Width	50 feet	15.50 feet (ENC)	NC
Min. Lot Frontage	50 feet	15.50 feet (ENC)	NC
Min. Principal Front Yard Setback (up to 35' in height)	0 feet	2.00' Over (Bay Window) (Pacific Avenue) (ENC)	NC
		0.25' Over (Texas Court) (ENC)	
Min. Principal Side Yard Setback (up to 35' in height)	0 feet	0.26' Over (ENC)	NC
Min. Principal Rear Yard Setback	20 feet	N/A	N/A

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TECHNICAL REVIEW #1: CRDA # 2023-10-3537

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BULK ITEMS	REQUIREMENT	EXISTING	PROPOSED
Max. Building Coverage	70 %	99.85 % (ENC)	NC
Max. Impervious Coverage	80 %	100.00 % (ENC)	NC

N/A = Not Applicable; NC = No Change; ENC = Existing Non-Conformity;
NP = Not Provided; TBP = To Be Provided; **V = Variance Required**

PARKING	REQUIREMENT	REQUIRED	PROPOSED
Retail	1 space per 300 sf of GFA (678 sf)	3 spaces	0 Spaces (V) (See Comment III.B.1. below)
Residential (2-BR)	2.0 spaces per unit (1 unit)	2 spaces	
TOTAL		5 spaces	

The Applicant has not specifically requested any variances with their application; however, the following variance appears to be necessary:

- Section 19:66-5.8 – Where the existing tattoo parlor and residential uses required four (4) parking spaces, whereas the proposed cannabis retail and existing residential use require five (5) parking spaces, creating an increase in demand of one (1) parking space required, and zero parking spaces are provided.

III. ENGINEERING COMMENTS

A. GENERAL

- The tax map sheet #, and the block and lot shall be provided in the title block.
- The Graphic Scale shall be provided for the various details at different scales on sheet Z-1.
- The existing and proposed lot frontage in the Zoning Schedule shall be revised to be 15.50 feet.
- The Zoning Schedule indicates a 0.09' front yard setback but it is dimensioned as 0.10' from Pacific Avenue ROW in the Site Plan. This discrepancy shall be addressed.
- The Zoning Schedule shall be revised to indicate two front setbacks as the southerly façade of the building fronts Texas Court and is incorrectly labeled

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as a rear yard setback.

6. Texas Court shall be labeled on the Site Plan and the 0.25' dimension shall be revised to read a front yard dimension that is over the property line.
7. The Applicant shall clarify what the 0.57' dimension is measuring at the front of the building along Pacific Avenue.
8. The 0.26' side yard as labeled on the site plan shall be revised to mention it is over the property line.
9. It shall be noted that the building extends over the property lines on the northerly, southerly, and westerly sides. The Applicant shall clarify the building line on the westerly side of the building on the site plan as it appears to not be uniformly 0.26' over the property line. The Applicant shall clarify the building line on the easterly side of the building as it appears to be missing. Furthermore, the Applicant shall clarify the discrepancies of the building lines on the easterly and westerly side as provided on the site plan vs the first floor plan as they show conflicting information with where the building lies in conjunction with the property lines. All building line discrepancies shall be addressed on the site plan and floor plan.
10. The front and side elevations show conflicting building height dimensions. This discrepancy shall be revised, and the building height provided in the Zoning Schedule shall be revised if necessary.
11. The dimensions of the protrusions of the existing bay window and proposed marquee sign into the City's ROW shall be provided on the site plan.

B. PARKING, LOADING & REFUSE COLLECTION

1. As per N.J.A.C. 19:66-5.8, for retail uses, one (1) parking space is required per 300 SF of floor area. The 678 SF cannabis retail facility will require three (3) parking spaces. Per RSIS, two (2) spaces are required for a two-bedroom apartment. One (2) two-bedroom apartment exists and is to remain, requiring two (2) parking spaces. A total of five (5) parking spaces are required for the proposed conditions. The parking calculations on the site plan shall be revised accordingly. Per N.J.A.C. 19:66-5.8, the existing tattoo parlor required two (2) parking spaces and the existing two-bedroom apartment required two (2) parking spaces. A total of four (4) parking spaces were required for the existing conditions. Zero parking spaces exist or are proposed on-site. A variance is required for the increase in demand of one (1) parking space. The Applicant shall provide testimony regarding the parking variance.
2. As no new parking areas or reconstruction to existing parking areas are proposed, no EV parking is required.
3. The Applicant shall provide testimony regarding where the cannabis dispensary customers and/or employees will park to access the site.
4. The Applicant shall provide testimony on the loading operations for the

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cannabis facility. The plans demonstrate an existing loading space on Texas Avenue to be utilized with a secure service entry at the southerly entry of the site to be accessed via Texas Court. Testimony shall include the times of the loading operations, size of the loading space, size of the delivery vehicles and if they are able to properly circulate into the loading space. Has there been coordination with other businesses that utilize this loading space so as not to interfere with their existing loading operations? Has there been an approval or discussion with the City to utilize this loading space?

5. The Applicant shall provide testimony on cannabis waste and general waste refuse collection operations for the proposed site. The location of the secured cannabis waste shall be provided on the floor plan, and it shall be separate from the general/retail waste. If a refuse collection vehicle is to access the southerly entrance of the site, a circulation plan shall be provided.

C. ADA & FLOOD COMPLIANCE

1. The existing first floor FF for the building appears to contain a 0.24' high single riser into the building from the existing sidewalk grade. The Site Plan shall be revised to provide ADA access into the cannabis retail use. The entrance doors may need to be lowered to be flush with the sidewalk elevation and an internal ramp to reach the existing FF elevation may be necessary.
2. The property is located within Flood Zone AE 10 as per the latest revised preliminary FIRM from FEMA. However, the first floor FF elevation is at 7.04'. Testimony shall be provided on flood damage prevention measures for the proposed improvements in conformance with FEMA standards. It shall be noted that the residential unit on the second floor is above the BFE.
3. The FF floor elevation shall be provided on the site plan, not just the elevation views.

D. GREEN ZONE REDEVELOPMENT PLAN

1. The Applicant shall provide testimony regarding the proposed cannabis retail facility's compliance with the Green Zone Redevelopment Plan including hours of operations, number of employees, security measures, trash storage, etc.
2. The Applicant shall provide testimony on the status of a letter of support from the Mayor of Atlantic City for the proposed cannabis retail use and the status of a Class V retail license from NJ CRC. Is the dispensary to be considered a micro-dispensary?

E. LANDSCAPING & LIGHTING

1. No Landscaping is proposed with the subject application nor does any appear to exist on site.
2. The Applicant shall provide testimony regarding the site lighting in conformance with N.J.A.C. 19:66-7.10. Is there lighting proposed for the

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building entry?

F. SIGNAGE

1. The Applicant shall provide testimony regarding the proposed marquee and wall signs' compliance with N.J.A.C. 19:66-5.7(j). Is the marquee sign attached to the bay window?

G. MISCELLANEOUS

1. A revocable license shall be obtained from the City for the building, bay window, and marquee sign protrusions into Pacific Avenue's ROW and the building protrusion into the Texas Court ROW. It shall be noted that the exterior stairs to the second floor within Texas Court's ROW are to be removed.
2. The common lot line for Lot 13 and Lot 14 shall be depicted on the site plan. The Applicant shall provide testimony if they received approval from the property owner(s) to the west for the subject building protruding into their lot(s).

IV. COFONE CONSULTING PLANNING REVIEW

Zoning Compliance

The property is located within the Green Zone Redevelopment Area, encompassing the Resort Commercial (RC) District. The proposed use is a principal permitted use in the Green Zone Redevelopment Area.

The intent of the Green Zone Redevelopment Area is for diversifying the local economy, increasing opportunities for private investment, increasing pedestrian traffic, with collateral reduction in crime, and reducing the existing commercial vacancy rate and abandoned commercial space along Atlantic Avenue and Pacific Avenue and in the Orange Loop.

Master Plan Review

The subject property is located within the Atlantic City Tourism District. Pursuant to the New Jersey CRDA Atlantic City Tourism District Master Plan, the overall intention and vision is to "reinvigorate Atlantic City in the near-term as the leading resort destination in the Northeast and beyond (Page 4, New Jersey CRDA Atlantic City Tourism District Master Plan). Among others, overarching objectives are to "develop

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an economically viable and sustainable tourism district” and “[expand] Atlantic City’s tourism and economic bases” (Id, Page 1-2).

Planning Analysis and Issues for Consideration by the Board

We offer the following for your consideration in reviewing the Application:

- 1) The Applicant’s professional planner shall provide the required statutory proofs for the proposed variance. The only new variance condition is for the increase in parking demand from the existing non-conforming condition of 3.7 cars to 4.26 cars. We note that the “Parking Calculation” table in the submitted Architectural Plan “rounds down” the proposed parking demand from 4.26 cars to 4 cars (the existing parking demand is 3.7 cars, with a notation of “round up” to 4 cars. The CRDA Land Use Regulations do not contain a provision of rounding up/down of parking demand.
- 2) We note that there are ample parking options available throughout the area, as well as a well-defined pedestrian circulation network along with the availability of public transit and ride-sharing.
- 3) The Applicant shall provide testimony on the operation of the business, with a specific focus on product storage, patron access, on-site product consumption, security, etc.
- 4) The Applicant’s architect shall provide testimony about the functionality and type of the proposed site lighting, security and refuse storage and collection.
- 5) The Applicant’s architect shall provide testimony about the proposed signage and building alterations.
- 6) The Applicant shall discuss how the application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan, the Green Zone Redevelopment Area, and the Tourism District.

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- 7) The Applicant shall comply with the conditions of all previous approvals received for the site.
- 8) The Applicant shall furnish prior approvals from, and agreements with, the City of Atlantic City that involved the site, if any.

V. POST APPROVAL CONSIDERATIONS

Should the Board grant the desired approval for this Application, Applicant, and/or its professionals must:

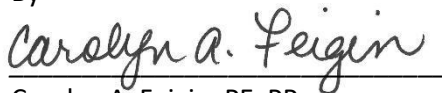
- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature, or the issuance of building permits, as applicable.**

Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. To facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

Respectfully Submitted,

ARH ASSOCIATES

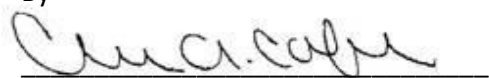
By



Carolyn A. Feigin, PE, PP
CRDA Consulting Engineer

COFONE CONSULTING GROUP

By



Christine A. Nazzaro-Cofone, AICP, PP
CRDA Consulting Planner

cc: Robert L. Reid, AICP, NJPP
Christine A. Nazzaro-Cofone, AICP, PP
Scott Collins, Esq.
Tetje Linsk
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DATE: OCTOBER 22, 2024

SLAMN SAMMY'S, LLC - 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 FIRST FLOOR AND AN APARTMENT ON THE SECOND FLOOR OF THE EXISTING STRUCTURE ON THE SUBJECT PROPERTY LOCATED AT 2616 PACIFIC AVENUE, BLOCK 35 LOT 15, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2023-10-3537

Motion:

MH

Second:

WS

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>