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May 7, 2025  
31623 61

Re: Atlantic City Cannabis, LLC (CRDA Application #2024-07-3662)  
**Minor Site Plan with Bulk Variances**  
**Technical Review #1**  
1714 Atlantic Avenue  
Block 156, Lot 36  
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 “c” Variances has been received for the subject premise:

**Applicant Information**

- Applicant: ACC - Atlantic City Cannabis, LLC  
3 Sloop Court  
Atlantic City, New Jersey 08401
- Owner: Center City Deli, Inc.  
(Block 156 Lot 36)  
1714-1716 Atlantic Avenue  
Atlantic City, New Jersey 08401
- Owner: Boardwalk Piers 3, LLC  
(Block 156 Lots 22 & 23 for customer parking/loading/unloading)  
2050 Centner Ave #400  
Fort Lee, NJ 07024  
B & B Parking (assumed operator for Boardwalk Piers 3, LLC)  
116 Park Place  
Atlantic City, NJ 08401
- Attorney: Joshua M. Lurie, Esquire, and Adam P. Burns, Esquire  
Shapiro, Croland, Reiser, Apfel & Di Iorio, LLP  
Continental Plaza II  
411 Hackensack Avenue  
Hackensack, New Jersey 07601

- Engineer      Trevor Curtis, PE  
                     L2A Land Design, LLC  
                     66 Grand Avenue, 2nd Floor  
                     Englewood, New Jersey 07631
  
- Planner        Nicholas Graviano  
                     Graviano & Gillis Architects & Planners, LLC  
                     P.O Box 3341  
                     Long Branch, New Jersey 07740
  
- Architect:     Corey Buchholz  
                     GRA Design Studio  
                     1924 Rt 22 East  
                     Bound Brook, New Jersey 08805

### **Documents Submitted**

1. CRDA City of Atlantic City Land Use Application, dated June 28, 2024.
2. CRDA City of Atlantic City Cannabis Use Zoning Letter (Form #14), undated.
3. Site Plan titled “ACC - Atlantic City Cannabis, LLC, Minor Site Plan”, prepared by Trevor Curtis, PE, of L2A Land Design, LLC, dated June 27, 2024, last revised February 17, 2025, and consisting of the following sheets:
  - a. Sheet C-01 Site Plan
  - b. Sheet C-02 Lighting & Circulation Plan
4. Architectural plans, prepared by Corey Buchholz, of GRA Design Studio, dated June 26, 2024, consisting of the following sheets:
  - a. “Sheet A-1 Proposed Floor Plan”
  - b. “Sheet A-2 Proposed Security Plan”
5. Lease Agreement for 1714 Atlantic Avenue, Atlantic City, Consisting of 53 pages, dated August 1, 2023.
6. Amendment to Lease Assignment for 1714 Atlantic Avenue, Atlantic City, Consisting of 4 pages, dated August 28, 2023.
7. Resolution of Support by Atlantic City Council, Resolution No. 656, adopted August 24, 2023.
8. Deed dated March 20, 2001, transferring ownership of Block 156 Lot 8 (1714 Atlantic Avenue) to Nael Zumot and Mousa Dababneh d/b/a Center City Deli, Inc. consisting of 4 pages.
9. Tax Bill for Block 156 Lot 8 (1714 Atlantic Avenue), dated November 1, 2023.
10. NJCRDA Checklist 5, Prepared by Adam P. Burns, Esq., dated October 17, 2024
11. NJCRDA Checklist 12, Prepared by Adam P. Burns, Esq., dated October 17, 2024
12. Title Report by Action Title Research, for 14 S Martin Luther King Boulevard, Block 156 Lot 22
13. Agreement between B & B Parking, Inc. and Atlantic City Cannabis, LLC, to lease seven (7) parking spaces for a term commencing April 2, 2025, at 18 S. Martin Luther King Boulevard, Block 156, Lot 23, signed by Tim Boland.
14. Intent to comply with Ordinance #57 signed by Melissa Jackson Shade, dated April 30, 2024.
15. Letter from Nael Zumot to CRDA, dated December 3, 2024.
16. Project Narrative, undated.

## **Project Description and Background**

An application has been submitted by Atlantic City Cannabis, LLC 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 site is approximately mid-block, on the south side of Atlantic Avenue between Martin Luther King Boulevard and Indiana Avenue. It appears that the Applicant proposes access and parking agreements for seven (7) parking spaces in an unstriped parking lot behind the building on Block 156 Lot 23 (18 S Dr. Martin Luther King Boulevard). The Applicant proposes to lease the second floor of 1714 Atlantic Avenue for the cannabis retailer use (above Center City Delicatessen) and is seeking a Minor Site Plan with Bulk Variance approval.

This site is located within the CBD Zoning District and is also within the Green Zone Redevelopment Area. The adopted Green Zone Redevelopment Plan permits the proposed Class 5 Cannabis Retailer. The only improvements proposed appear to be limited to interior building renovations.

According to the Site Plan submitted, the loading and unloading of products and cash will occur via parking spaces behind the building from 14 S Dr. Martin Luther King Boulevard (Block 156 Lot 22). The application proposes to store all cannabis and non-cannabis waste and recycling in designated areas within the cannabis retail operation for collection. A proposed trash enclosure is illustrated on the Site Plans at the rear of the building, with a note that states “Relocate Trash Area” but it is unclear from the submittal to where it is proposed to be relocated.

## **Completeness Review / Submission Waivers Required**

1. The application requires the following waivers from the NJ CRDA Minor Site Plan Checklist (Form # 5):
  - a. Item number 6 – Project narrative describing existing conditions, surrounding uses, and the proposed development including a list of variances and design waiver relief sought, if any
  - b. Item number 21 – Stormwater management plans and drainage calculations. (19:66-7.5)
  - c. Item number 23 – Grading plan depicting the direction of flow of surface run-off, spot elevations, contours within 1-foot intervals, stormwater management structures
  - d. Item number 24 – Landscaping Plan, details and plant schedule (19:66-7.6)
  - e. Item number 26 – Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)
  - f. Item number 27 – Plans of proposed utility layouts including sanitary sewer, water, gas, telephone, cable and electricity and showing proposed connections to existing or any proposed utility systems
  - g. Item number 28 – Road and paving cross-sections and profiles
  - h. Item number 34 – Performance guarantee [19:66-3.4 (b)]
  - i. Item number 35 – Maintenance guarantee (19:66-16.3)
  - j. Item number 36 – Inspection Fees (19:66-16.1)
2. The application requires the following waiver from the NJ CRDA “c” Variance Checklist (Form #12):
  - a. Item number 7 – Project narrative describing existing conditions, surrounding uses, and the proposed development including a list of variances and design waiver relief sought, if any.
3. Regarding the various submission waivers required, we do not have an objection to the granting of the waivers as many of them are not applicable to the current proposal (Minor Site Plan Item Nos. 21, 23, 24, 26, 27 & 28). With respect to Minor Site Plan Item #6 and “c” Variance Item #7, we

have no objection to the waivers being granted on the condition that the Applicant shall provide supplemental information and / or testimony at the land use hearing of how the site will operate, including hours of operation, number of employees, ingress and egress arrangements to the building, a description of the proposed security and surveillance methods for the business, a description of the protocols for the delivery / unloading / loading of product and cash and all other pertinent information. With respect to Minor Site Plan Item Nos. 34, 35 & 36, the proposed site improvements are of such a limited nature that the posting of performance / maintenance bonds is not required. However, regarding Item No. 36, we recommend a waiver for completeness only on the condition that appropriate inspection escrow be posted by the Applicant prior to the issuance of any construction permits for the purpose of inspecting the proposed improvements.

4. As noted in our Completeness Review Letter #4, dated April 9, 2024, we have no objection to the application being deemed complete on the condition that the Applicant provide testimony / supplemental information regarding the various comments contained in this letter and any other comments that arise during the course of the Land Use hearing.

## Zoning

The property is located within the CBD (Central Business District ) Zoning District. The following is a summary of the bulk requirements of the CBD Zone, including existing and proposed conditions and status of conformance with the bulk standards:

### BULK STANDARDS – CBD ZONING DISTRICT

19:66-5.12(a) 1. i.	BULK REQUIREMENTS PER NJAC 16:66-5.12(A)(IV) (CBD - CENTRAL BUSINESS DISTRICT)	PERMITTED	EXISTING	PROPOSED	STATUS
19:66-5.12(a) 1.iv (1)	Maximum Height (Principal Building) (FT)	65	Less than 65	Less than 65	C
19:66-5.12(a) 1.iv (2)	Lot Area (SF)	5,000	3,500	3,500	ENC
19:66-5.12(a) 1.iv (3)	Lot Depth (FT)	100	125	125	C
19:66-5.12(a) 1.iv (4)	Lot Width (FT)	50	28	28	ENC
19:66-5.12(a) 1.iv (5)	Lot Frontage (FT)	50	28	28	ENC
19:66-5.12(a) 1.iv (6)	Maximum Building Coverage	30%	60%	60%	ENC
19:66-5.12(a) 1.iv (7)	Maximum Impervious Coverage	80%	60%	60%	C
19:66-5.12(a) 1.iv (8)	Minimum Front Yard Setback (FT)	5	0	0	ENC
19:66-5.12(a) 1.iv (9)	Minimum Side Yard Setback (FT)	0	0	0	C
19:66-5.12(a) 1.iv (10)	Minimum Rear Yard Setback (FT)	20	50.09	50.09	C

ENC – Pre-existing Non-conforming Condition

C – Conforms

V – Variance Required

### OFF-STREET PARKING & LOADING

OFF-STREET PARKING REQUIREMENTS	REQUIRED	EXISTING	PROPOSED	STATUS
Ground Floor: Commercial Retail (Deli) (One space for each 300 sf of floor area)	2,100 SF / 300 SF = 7 Spaces	0	2	ENC
Second Floor: Commercial Dispensary (One Space for Each 300 SF of Floor Area )	2,100 SF / 300 SF = 7 Spaces	0	0	V
<b>TOTAL</b>	<b>14</b>	<b>0</b>	<b>2</b>	

C – Conforms, ENC – Existing Nonconforming Condition, V – Variance Required

1. Section 19:66-5.12(a)(1)(iv)(2) of the Land Development Rules requires a minimum lot area of 5,000 square feet (SF), whereas 3,500 SF is proposed. This is an existing non-conforming condition that is not being exacerbated by the current proposal.

2. Section 19:66-5.12(a)(1)(iv)(4) of the Land Development Rules requires a minimum lot width of fifty feet (50'), whereas 28' is provided on Atlantic Avenue. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
3. Section 19:66-5.12(a)(1)(iv)(5) of the Land Development Rules requires a minimum lot frontage of fifty feet (50'), whereas 28' is provided on Atlantic Avenue. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
4. Section 19:66-5.12(a)(1)(iv)(6) of the Land Development Rules permits a maximum building coverage of thirty percent (30%), whereas 60% is proposed. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
5. Section 19:66-5.12(a)(1)(iv)(8) of the Land Development Rules requires 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.
6. The cannabis retailer use requires seven (7) off-street parking spaces, The most recent use of the second floor space shall be provided so that the difference in the existing and proposed parking demand can be determined. A variance will be required for the increase to the on-site parking shortfall. It is noted that that seven (7) off-street parking spaces are being provided through an agreement with B&B Parking behind the subject building (Block 156, Lot 23). The agreement appears to run month to month and if the Applicant is unable or unwilling to continue to lease these spaces an amended application to the NJ CRDA LURED will be required to seek the appropriate further variance relief. The Applicant also indicates that two (2) additional off-street spaces are going to be provided on Block 156, Lot 36 (the subject premises).
7. Regarding Item Nos. 1 through 6 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.

### **General Comments**

1. The Applicant shall provide information and / or testimony at the land use hearing of how the site will operate, including days and hours of operation, number of employees, ingress and egress arrangements to the building, a description of the protocols for the delivery / unloading / loading of product and cash and all other pertinent information.
2. The Applicant has provided a signed / executed copy of the parking agreement between B&B Parking and the Applicant for the use of seven (7) unidentified spaces behind the subject building (Block 156, Lot 23). These spaces should be identified on the site plan. The Land Use Board should discuss whether the Applicant should provide wayfinding signage directing patrons to the parking spaces.
3. A detail of the proposed exterior trash enclosure illustrated at the rear of the building shall be provided on the Site Plan. The Applicant shall also provide testimony regarding the size of waste / recycling collection vehicle(s) and whether the vehicles will be able to negotiate the required maneuvers. The Applicant shall also provide testimony regarding the time(s) of day and frequency of collections.

4. The location of the two (2) on-site, parking spaces shall be illustrated on the Site Plan and appropriate striping shall be provided.
5. The Site Plan was revised to illustrate the route that will be utilized for loading / unloading purposes from the parking area on Lot 22 and Lot 23 into the facility for loading / unloading activities. However only a parking agreement was provided and not an access easement. An access easement will be required as a condition of any approval granted. A copy of the easement shall be provided to this office and to the CRDA Land Use Attorney for review and comment prior to recordation.
6. The Zoning Table on the Cover Sheet of the Site Plan (Sheet C-01) indicates that fourteen (14) off-street parking spaces are required and that only two (2) off-street parking spaces are proposed. This appears to be an oversight as it has been indicated in multiple places that seven (7) parking spaces are to be leased from B&B Parking. The Zoning Table should be amended to reflect the current proposal.
7. An up to date Certificate of Land Use Compliance (CLUC) for 18 South Martin Luther King Drive is required to permit the use of the seven (7) proposed parking spaces that the Applicant is proposing to lease to address the off-street parking requirement for the project. Procurement of the CLUC shall be a condition of any approval granted under this application.
8. The Applicant shall provide information indicating how compliance with current Americans with Disabilities Act (ADA) regulations with respect to parking and access to the second floor retail facility.
9. 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.
10. 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.
11. No information has been provided regarding the proposed business identification signage. Testimony / supplemental information shall be provided accordingly. Any signage not conforming to the bulk standards of the CBD Zone and / or the Green Zone Redevelopment Area shall require variance relief.
12. A Revocable Licensing Agreement from the City of Atlantic City is required for the encroachments of the existing awning, sign, and any other proposed encumbrances upon the Atlantic Avenue right-of-way.



## **Outside Agency Permits and Approvals**

1. The following permits and approvals are required:
  - a. Atlantic City Building Code Official
  - b. City of Atlantic City Revocable Licensing Agreement for ROW Encumbrances
  - c. City of Atlantic City – Green Zone Redevelopment Zone Design Standards
  - d. Atlantic City Police Department
  - e. NJ Cannabis Regulatory Commission
  - f. All others as necessary

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

Sincerely yours,



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

Cc: ACC - Atlantic City Cannabis, LLC, Email [blackwaterpearlprojects@yahoo.com](mailto:blackwaterpearlprojects@yahoo.com)  
Center City Deli, Inc., Email: [louay930@comcast.net](mailto:louay930@comcast.net)  
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Scott Collins, Esquire, CRDA Land Use Board Attorney  
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