

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 AND A CLASS 2 CANNABIS MANUFACTURING FACILITY ON THE SUBJECT PROPERTY LOCATED AT 1622 ATLANTIC AVENUE, BLOCK 155 LOT 5, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2024-02-3592

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, Mr. Nice Guys AC, 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 and a Class 2 cannabis manufacturing facility at the subject property located at 1622 Atlantic Avenue, Block 155 Lot 5, on the Tax Map of Atlantic City, located in the Central Business (CB) Zoning District, within the Green Zone Redevelopment Area; and

WHEREAS, on June 20, 2024, the Authority’s Land Use Regulation and Enforcement Division convened a public hearing on Application 2024-02-3592 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 24, 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 24, 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 2024-02-3592 is hereby approved in accordance with the Hearing Officer's Report and Recommendation dated September 24, 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 24-120 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 #2024-02-3592
Nice Guys AC, LLC
Minor Site Plan Approval with Variances Pursuant to N.J.S.A. 40:55D-70(c)
1622 Atlantic Avenue
Block 155, Lot 5
Central Business (CB) Zoning District
Green Zone Redevelopment Area

DATE: September 24, 2024

EXECUTIVE SUMMARY

On June 20, 2024, the Casino Reinvestment Development Authority (the “Authority”) heard testimony and public comment on the above-subject application. The Applicant, Nice Guys AC, LLC (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 and Class 2 cannabis manufacturing facility at the subject property. Other than façade improvements and signage, no physical changes to the site plan are proposed. 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, parking and to permit the loading door to swing onto the sidewalk.

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,



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for the reasons more fully outlined below, the Hearing Officer recommends that the Application be approved by the Authority.

INTRODUCTION

Application Information

Nice Guys AC, LLC
Minor Site Plan Approval with Variances Pursuant to N.J.S.A. 40:55D-70(c)
1622 Atlantic Avenue
Block 155, Lot 5
Central Business (CB) 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 and Class 2 cannabis manufacturing facility at the subject property. Other than façade improvements and signage, no physical changes to the site plan are proposed. 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, parking and to permit the loading door to swing onto the sidewalk.

Evidence List

- A-1 Application Materials
- A-2 Resolution of Atlantic City regarding municipal support
- A-3 Resolution of Atlantic City regarding designated loading space
- B-1 Letter from Environmental Resolutions, Inc. dated 6/13/2024

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 and Class 2 cannabis manufacturing facility at the subject property. Other than façade improvements and signage, no physical changes to the site plan are proposed. 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.



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40:55D-70(c) are required for signage, parking and to permit the loading door to swing onto the sidewalk.

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

The Applicant presented the testimony of Ellie Siegel, who is a principal of the Applicant. She testified that the Applicant proposes the operation of a Class 5 dispensary for the sale of adult use recreational cannabis at the subject property. The Class 5 license also permits the delivery of cannabis projects to retail customers. Ms. Siegel noted that there will be a small portion of the facility devoted to manufacturing under a Class 2 license, and explained odor mitigation measures to be employed.

She testified regarding operational features and security procedures. She testified the facility will be open from 10 am to 10 pm Monday through Thursday, from 10 am to midnight on Friday and Saturday and from 10 am to 8 pm on Sunday, or as otherwise permitted under City ordinances. There will be a total of 12 to 15 employees, with a maximum of 8 employees on location at any one time.

Ms. Siegel stated that deliveries will be made with a Sprinter van at a designated loading space during normal business hours. She testified that all trash and recycling will be stored inside of the building and removed by a commercial hauler. All cannabis waste will be disposed of in accordance with the requirements of the Cannabis Regulatory Commission.

Ms. Siegel 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.

The Applicant presented the testimony of Jason Sciullo, P.E., P.P., who was qualified as an expert in the fields of professional engineering and professional planning. Mr. Sciullo described the location of the site, existing conditions and development proposal. He explained that there are no changes proposed to the building footprint.

Mr. Sciullo testified that deliveries will be accomplished via a designated loading space directly in front of the facility along Atlantic Avenue. Loading and unloading will occur via a door along Mt. Vernon alley.



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Mr. Sciullo 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 the exterior door along Mt. Vernon alley to swing out onto the sidewalk.
- A variance to permit zero on-site parking spaces where a minimum of 10 are required.
- A variance to permit a wall sign that exceeds to structure's roof.

Mr. Sciullo testified that the characteristic of the property present a hardship in modifying the side door to swing in rather than out onto the sidewalk. He noted that this is an existing condition and necessary for the use of the door as an emergency exit under the City's building code. Finally, the door will not be used by the public.

With respect to parking and signage, Mr. Sciullo noted that these are existing conditions that are minorly impacted by the development proposal. He testified that the development proposal actually reduces parking need compared to the prior use, and that there is ample public parking in the vicinity of the site. He further testified that the Applicant merely proposes to replace the text and logos on existing signage panels that exceeds the structure's roof.

Mr. Sciullo 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 improving a pre-existing non-conforming condition with respect to parking. He further opined that the approval of the application would promote a desirable visual environment (Purpose I) by permitting the signage to create a more attractive architectural feature. With respect to the negative criteria, Mr. Sciullo 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

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



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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 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 the exterior door along Mt. Vernon alley to swing out onto the sidewalk.
- A variance to permit zero on-site parking spaces where a minimum of 10 are required.
- A variance to permit a wall sign that exceeds to structure's roof.

The evidence and testimony demonstrate that the characteristics of the lot and location of the structure present a hardship in meeting code requirements for emergency egress without deviation from the requirements of the land use regulations.

Approval of the Application would advance the purposes of the MLUL by promoting the public health, safety and welfare (Purpose A) by improving a pre-existing non-conforming condition with respect to parking. Moreover, the approval of the application would promote a desirable visual environment (Purpose I) by permitting the signage to create a more attractive architectural feature.



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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 and a Class 2 Manufacturing facility 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.

Christopher J. Noll, PE, CME, PP
President & CEO

William H. Kirchner, PE, CME, N-2
Vice President

Rakesh R. Darji, PE, PP, CME, CFM
Vice President/Treasurer

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Joseph R. Hirsh, PE, CME, CPWM
C. Jeremy Noll, PE, CME, CPWM
Marc H. Selover, LSRP, PG

June 13, 2024
31623 54

Re: Mr. Nice Guys AC, LLC (CRDA Application #2024-02-3592)
Minor Site Plan with Bulk Variances
Technical Review #1
1622 Atlantic Avenue
Block 155, Lot 5
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 approval has been received for the subject property:

Applicant Information

- Applicant: Mr. Nice Guys AC, LLC
15501 Brandywine Road
Brandywine, MD 20613
- Owner: Hookup Promotions LLC
740 Pearson Place
Annapolis, MD 21401
- Attorney: Jack Plackter, Esquire
Fox Rothchild, LLP
13301 Atlantic Avenue
Atlantic City, NJ 08401
- Engineer: Jason Sciuillo
Sciuillo Engineering Services, LLC
137 South New York Avenue, Suite 2
Atlantic City, NJ 08401
- Planner: Same as Engineer
- Architect: Joseph M. Davidson, AIA
10000 Lincoln Drive East, Suite 104
Marlton, NJ 08053

Documents Submitted

1. Application Cover Letter, prepared by Jack Plackter, Esquire, Applicant's Attorney, dated April 25, 2024.
2. Resubmission letter, prepared by Amanda R. Mosciello dated May 15, 2024.
3. CRDA City of Atlantic City Land Use Application, dated April 24, 2024.
4. 200-foot Property List, dated March 4, 2024.
5. Project Narrative, 1622 Atlantic Avenue, Mr Nice Guys AC, LLC, undated.
6. Manufacturing Plan, Undated and unsigned.
7. Safety and Security Plan, Undated and unsigned.
8. SOPs for Delivery, Undated and unsigned.
9. SOPs for Cash Management, Undated and unsigned.
10. Disclosure Statement for Hookup Promotions, LLC, dated May 15, 2024.
11. Survey by Daniel J. Ponzio, Sr. Co. and Associates, LLC, prepared by Daniel J. Ponzio, Sr., dated December 21, 2023, and unsigned.
12. Resolution of the City of Atlantic City No. 638, in support of Mr. Nice Guys AC, LLC locating a Class 5 Dispensary at 1622 Atlantic Avenue, dated August 30, 2023.
13. Security Plans for Mr. Nice Guys AC, LLC, by Gregory Wimsatt, CEO of setronics, dated April 15, 2024, consisting of 10 pages:
 - a. Cover Sheet
 - b. Key
 - c. Access Levels
 - d. Exterior Camera Site Plan
 - e. Interior Camera Floor Plan
 - f. Dorr Access Control Floor Plan
 - g. Intrusion Alarm Floor Plan
 - h. Thumbnails
 - i. Fisheye Notes P1
 - j. Fisheye Notes P2
14. Photo of Loading Zone sign at 1622 Atlantic Avenue.
15. CRDA Minor Site Plan Checklist (Form #5)
16. CRDA "c" Variance Checklist (Form 12)
17. Site Photographs, Mr. Nice Guys, 1622 Atlantic Avenue, Atlantic City, Consisting of 2 pages, Undated and unsigned.
18. Site Plan titled "Mr. Nice Guys, Minor Site Plan", prepared by Sciullo Engineering, dated April 1, 2024, Last revised May 2, 2024.
19. Filed Deed for 1622 Atlantic Avenue, Atlantic City, Consisting of 5 pages, dated June 15, 2022 and Recorded July 14, 2022.
20. "Schematic Floor Plan", 1 Sheet, prepared by Joseph M. Davidson, AIA, dated November 2, 2023, Last revised April 9, 2024.

Completeness Review / Submission Waivers Required

We recommended that the application be deemed complete in our completeness review letter dated May 8, 2024, on the condition that the Applicant provided the supplement information requested by the CRDA's Land Use Regulation Officer. The application was subsequently deemed complete.

The Applicant requires submission waivers for Minor Site Plan Checklist (Form # 5) Item Nos. 17, 24, 27, 28, 32, 34, 35, and 36.

We do not have any objection to granting the requested submission waivers, as many do not apply. The submission waivers should only be granted on the condition that all comments in our previous review letters and this letter related to these items are addressed by the Applicant via testimony and/or supplemental information before or at the time of the land use hearing, whichever is appropriate.

The Applicant should provide supplemental information or testimony concerning the surrounding land uses in the area.

Technical Review #1

The following technical comments are offered concerning the Applicant's proposal:

A. Project Description and Background

The application was submitted by Mr. Nice Guys NJ, LLC which is a proposed Class 2 Manufacturing and Class 5 Cannabis Retailer and requires licensing from the NJ Cannabis Regulatory Commission (CRC) in addition to the appropriate land use approvals. The Applicant also proposes to provide home delivery services through a contract with a third-party Class 6 license holder. The site is located on the southwest corner of Atlantic Avenue and Mt. Vernon Avenue and has zero (0) off-street parking spaces. The structure is a one-story commercial building last occupied by "Khan's Discount Store". The Applicant is seeking a Minor Site Plan with Bulk Variance approval.

The site is within the Central Business (CBD) Zoning District and the Green Zone Redevelopment Area. The adopted Green Zone Redevelopment Plan permits the proposed Class 2 Manufacturing, Class 5 Cannabis Retailer, and Class 6 Cannabis Delivery. Aside from interior building improvements, the applicant proposes some minor building façade and signage improvements.

B. Bulk Variance Review

1. Section 19:66-5.12(a)(1)(iv)(2) of the Land Development Rules requires a minimum lot area of 7,500 square feet (SF) whereas 2,417 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 30' is provided on the Atlantic Avenue frontage. 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 50' whereas 30' is provided on the Atlantic Avenue frontage. 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 100% 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)(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.

6. Section 19:66-5.12(a)(1)(iv)(8) of the Land Development Rules requires a minimum front yard setback of 5', whereas 0' is proposed. This is an existing non-conforming condition that is not being exacerbated by the current proposal.
7. 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. The proposed business comprises 3,000 SF, which requires ten (10) off-street parking spaces per CRDA Rules. The existing / proposed site has zero (0) off-street parking spaces. The Applicant should make arrangements with commercial parking entities near the property to lease ten (10) parking spaces or else variance relief is necessary.
8. Section 19:66-5.7(j)5v of the Land Development Rules limits the maximum height of wall signs to the height of the structure's roof. The Applicant proposes to utilize the existing wall sign area, which exceeds the height of the roofline, for their new business identification sign. The Applicant's engineer / planner has identified this as an existing non-conformity, however since the nature of the business and sign is being changed, we recommend that a variance be sought. We ultimately defer to the CRDA attorney whether the variance is required.
9. The application submitted indicates that all variances sought are existing non-conforming conditions that are not being exacerbated by the current proposal. Since the door for the security vestibule swings out onto the sidewalk it is recommended that the door is modified to swing inward. Otherwise bulk variance relief will be required.
10. With respect to Item Nos. 1 through 9, 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 because of the exceptional shape of the property or the exceptional topographic conditions uniquely affecting the property. In addition, the applicant must demonstrate that the benefits of granting any variance outweigh the detriments.

C. Site Plan Review / General Comments

11. City of Atlantic City Resolution No. 638 supports the application for the Class 5 Cannabis Retailer, however it does not grant support of either the proposed Class 2 nor Class 6 licenses that are being sought by the Applicant according to the materials submitted. The Resolution should be amended to include the Class 2 and Class 6 licenses as a condition of any approval granted.
12. 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 the proposal.
13. The Green Zone Redevelopment Plan has specific design requirements for Color at 5.1.2.d.1.a. to h. Of particular concern is 5.1.2.d.1.b. *"Business owners are encouraged to use at least three colors or three shades of one color, but no more than five colors or five shades of one color."* The proposed application only has one color for the building and does not comply with 5.1.2.d.1.b. which recommends at least three colors and not exceeding five colors or shades of color.
14. The Green Zone Redevelopment Plan has specific design requirements for Doors at 5.1.2.d.4.a. to m. The applicant should testify how the application will comply with these requirements. As noted in the Bulk Variance Review section of this letter, the exterior door on Mt. Vernon Avenue for the "Back Vestibule (for security)" swings out onto the sidewalk requiring a variance from 5.1.2.d.4.k.

15. If the Applicant decides to install awnings at this location the Green Zone Redevelopment Plan has specific design requirements for Awnings at 5.1.2.d.5.a. to j. The applicant should testify to their intentions and that the application will comply with these requirements. Any encumbrance(s) into the City's right-of-way will require a licensing agreement with the City of Atlantic City as a condition of any approval granted.
16. The Green Zone Redevelopment Plan has specific design requirements for Security at 5.1.2.d.8.a. to j. The applicant should testify how the application will comply with these requirements.
17. 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. As illustrated on the Sciullo Engineering site plan, the Applicant proposes an indoor trash area at the rear of the building for such purpose. The Applicant shall provide testimony regarding how and where the waste receptacles will be placed at the curb for collection.
18. The Site Plan illustrates two (2) options for loading / unloading of product, cash, etc. The first option entails utilizing the fifteen (15) minute parking spaces along the property's Atlantic Avenue frontage. The second option entails seeking consent from the City of Atlantic City to designate a space along the Mt. Vernon Avenue frontage as a loading zone. Appropriate approvals from the City must be sought and received for whichever option is ultimately chosen as a condition of any approval granted.
19. The Applicant should provide testimony regarding how the loading and unloading of the delivered products, cash, and any other products/supplies will be achieved safely and securely.

D. Outside Agency Permits and Approvals

1. The following permits and approvals are required:
 - a. Atlantic City Building Code Official
 - b. City of Atlantic City – Green Zone Redevelopment Zone Design Standards
 - c. City of Atlantic City – for any encumbrances into the City's rights-of-way
 - d. City of Atlantic City – for loading / unloading zone designation
 - e. New Jersey Cannabis Regulatory Commission (NJCRC)
 - i. Proof of NJCRC approval for Class 2, Class 5, and Class 6 licenses must be provided.
 - f. Atlantic City Police Department
 - g. All others as necessary

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.

31623 54 – Mr. Nice Guys AC, LLC
Technical Review #1
June 13, 2024

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: Mr. Nice Guys AC, LLC, Email: damoshome@gmail.com
Jack Plackter, Esquire, Applicant's Attorney, Email: jplackter@foxrothschild.com
Jason Sciuillo, PE, PP, Applicant's Engineer / Planner, Email: jsciullo@sciulloengineering.com
Maryanne Vizoco, AIA, Applicant's Architect, Email: mvisoco@vissi.com
Rob Reid, AICP, PP, CRDA Land Use Regulation Enforcement Officer
Scott Collins, Esquire, CRDA Land Use Board Attorney

31623 54 - Technical Review #1 - 06-13-24



DATE: OCTOBER 22, 2024

MR. NICE GUYS AC, 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 AND A CLASS 2 CANNABIS MANUFACTURING FACILITY ON THE SUBJECT PROPERTY LOCATED AT 1622 ATLANTIC AVENUE, BLOCK 155 LOT 5, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2024-02-3592

Motion:

RT

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>