



**Principals**

Richard Rehmman, GISP  
Chris Rehmman, PE, CME, PP, PLS  
Richard Heggan, PLS, PP  
Robert Heggan, PLS, PP

January 13, 2023

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

Re: Land Use Application  
High Rollers Dispensary LLC  
112, 116, & 120 Park Place, 1804 & 1800 Pacific Avenue, 106 & 120 South Indian Avenue.  
(Block 44 (Lots 1, 2, 3 & 6) & Block 46 (Lots 1, 2, 3 & 4))  
Atlantic City, NJ 08401  
ARH File: 24-10068

Dear Mr. Landgraf:

**ARH ASSOCIATES** has received the above captioned Application for review. The Applicant seeks Preliminary and Final Major Site Plan Approval as well as bulk ('c') variance relief.

Block 44 (Lots 1, 2, 3, & 6) & Block 46 (Lots 1, 2, 3 & 4) are located in Atlantic City's Resort Commercial (RC) Zoning District. Additional street addresses for the entirety of the submission are: 112, 116, & 120 Park Place, 1804 & 1800 Pacific Avenue, 106 & 120 South Indiana Avenue. It is proposed that a portion of the former casino floor of the Claridge Hotel is to be renovated and converted into a cannabis dispensary.

This report consists of a review of the Subject Application for conformance with Casino Reinvestment Development Authority checklists as well as N.J.A.C.19:66, the CRDA Tourism District Land Development Rules. Comments are limited to the information presented to date. The Applicant may present additional information and testimony at the Board hearing on this matter.

**I. OWNER & APPLICANT INFORMATION**

**OWNER**

TJM Atlantic City LLC  
[bdewinne@claridge.com](mailto:bdewinne@claridge.com)  
5801 Ulmerton Road, Suite 200, Clearwater FL, 33760  
609-487-4400 x 3102

**APPLICANT**

High Rollers Dispensary LLC  
[Andrew@pkfinancialgrp.com](mailto:Andrew@pkfinancialgrp.com)  
10 WOODGLEN LANE, VOORHEES, NJ, 08043  
610-355-4255 x 107

**ARH Associates**

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037  
Tinton Falls – 97 Apple Street – Tinton Falls, NJ 07724 | Bloomfield – 2 Broad Street – Bloomfield, NJ 07003  
tel 609.561.0482 – fax 609.567.8909

**www.arh-us.com**

Land Use Application  
 High Rollers Dispensary LLC  
 112, 116, & 120 Park Place, 1804 & 1800 Pacific Avenue, 106 & 120 South Indiana Avenue.  
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## II. SUBMITTALS

| TITLE / DESCRIPTION                               | PREPARED / SIGNED / SEALED BY  | DATE       | DATE LAST REVISED |
|---|--|------------|-------------------|
| Cover Letter from Applicant's Attorney            | Applicant's Attorney<br>Fox Rothschild LLP                                 | 12/02/2022 |                   |
| 200 Foot Property Owners List                     |  | 11/29/2022 |                   |
| Copies of Checks                                  |  | 12/01/2022 |                   |
| CRDA Land Use Application                         | Owner / Applicant  | Not Dated  |                   |
| Proposed Cannabis Facility Site Development Plans | Arthur Ponzio Co., Jon J. Barnhart, PE, PP and Arthur Ponzio, Jr., PP, PLS | 12/01/2022 |                   |
| Proposed Cannabis Facility Architectural Plans    | SOSH Architects  | 12/02/2022 |                   |
| Major Preliminary Site Plan Checklist (Form #6)   | Attorney for Applicant,<br>Amanda Moscillo                                 | 12/02/2022 |                   |
| Major Final Site Plan Checklist (Form #7)         |  |            |                   |
| "c" Variance Checklist (Form #12)                 |  |            |                   |
| Escrow Setup Information                          |  | Not Dated  |                   |
| Certification of Payment of Taxes                 | City of Atlantic City  | 11/03/2022 |                   |
| Photographs of Site                               | Applicant  | Not Dated  |                   |
| TJM Deed to Site                                  | William J. Downey, Esquire   | 02/24/2014 |                   |

## III. MAJOR PRELIMINARY, FINAL SITE PLAN AND "c" VARIANCE CHECKLISTS

The following addresses conformance with the CRDA's list of Required Application items for Major Preliminary, Final Site Plan, and "c" Variance (forms #6, #7, & #12) and does not reflect adequacy of submissions for review purposes. The correct number of copies are assumed to have been submitted. Column entries reflect ARH's review of Applicant's submissions.

### Major Preliminary Site Plan Checklist (Form #6)

| ITEM | TITLE / DESCRIPTION (Subdivision Application)  | Required | Submitted | Waiver Requested by Applicant | Waiver recommended by Reviewer |
|------|--|----------|-----------|-------------------------------|--------------------------------|
| 1    | Completed Land Use Application   | X        | X         |                               |                                |
| 2    | Payment of Required Application and Escrow Fees (19:66-3.4)  | X        | X         |                               |                                |
| 3    | Name and address, email address of property owner and applicant.   | X        | X         |                               |                                |
| 4    | Proof of real estate taxes and other assessments paid.   | X        | X         |                               |                                |
| 5    | Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents. | X        | X         |                               |                                |

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| ITEM | TITLE / DESCRIPTION<br>(Subdivision Application)  | Required | Submitted | Waiver<br>Requested<br>by<br>Applicant | Waiver<br>recommended<br>by Reviewer |
|------|---|----------|-----------|--|--------------------------------------|
| 6    | Project narrative describing existing conditions, surrounding uses and the proposed development including list of variance and design waiver relief sought, if any.   | X        | X         |  |                                      |
| 7    | Title block denoting type of application, tax map sheet, project address, block and lot, and street location.   | X        | X         |  |                                      |
| 8    | Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk's Office, affidavit or other documentation evidencing ownership.)  | X        | X         |  |                                      |
| 9    | Consent of property owner to applicant to development project.  | X        | X         |  |                                      |
| 10   | FOR ADMINISTRATIVE REVIEW AND APPROVAL: Certification from Applicant's licensed professional that the development proposed meets all requirements and no variance or design waivers are requested. (19:66-4.6)                          | X        | X         |  |                                      |
| 11   | Zoning Schedule listing: Use, lot area, lot width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each.    | X        | X         |  |                                      |
| 12   | Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.  | X        | X         |  |                                      |
| 13   | Public Notice in compliance with NJSA 40:55D-12.  | X        | TBP       |  |                                      |
| 14   | North arrow, scale and graphic scale  | X        | X         |  |                                      |
| 15   | Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.  | X        | X         |  |                                      |
| 16   | Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within | X        | X         |  |                                      |

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|------|--|----------|-----------|--|--------------------------------------|
|      | 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.  |          |           |  |                                      |
| 17   | List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.   | X        | N/A       |  |                                      |
| 18   | List of development stages or phases, if any.  | X        | N/A       |  |                                      |
| 19   | List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.  | X        | N/A       |  |                                      |
| 20   | Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings. | X        | X         |  |                                      |
| 21   | Stormwater management plans and drainage calculations. (19:66-7.5).  | X        |           | X                                      |                                      |
| 22   | Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas,  | X        | X         |  |                                      |

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|------|---|----------|-----------|--|--------------------------------------|
|      | location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions. |          |           |  |                                      |
| 23   | Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures.   | X        |           | X                                      |                                      |
| 24   | Landscaping Plan, details and plant schedule (19:66-7.6)  | X        |           | X                                      |                                      |
| 25   | Lighting plan and details (19:66-7.10)  | X        |           | X                                      |                                      |
| 26   | Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)   | X        |           | X                                      |                                      |
| 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.  | X        |           | X                                      |                                      |
| 28   | Road and paving cross-sections and profiles.  | X        |           | X                                      |                                      |
| 29   | Solid and liquid waste management plan.   | X        | X         |  |                                      |
| 30   | Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles   | X        |           | X                                      |                                      |
| 31   | Preliminary architectural plan and elevations, and areas and type of each proposed use.   | X        | X         |  |                                      |
| 32   | Electronic copy of the full application including application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB.   | X        | X         |  |                                      |

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Major Final Site Plan Checklist (Form #7)

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|------|--|----------|-----------|--|--------------------------------------|
| 1    | Completed Land Use Application   | X        | X         |  |                                      |
| 2    | Payment of Required Application and Escrow Fees (19:66-3.4)  | X        | X         |  |                                      |
| 3    | Name and address, email address of property owner and applicant.   | X        | X         |  |                                      |
| 4    | Proof of real estate taxes and other assessments paid.   | X        | X         |  |                                      |
| 5    | Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.   | X        | X         |  |                                      |
| 6    | Project narrative describing existing conditions, surrounding uses and the proposed development including list of variance and design waiver relief sought, if any.  | X        | X         |  |                                      |
| 7    | Title block denoting type of application, tax map sheet, project address, block and lot, and street location.  | X        | X         |  |                                      |
| 8    | Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk's Office, affidavit or other documentation evidencing ownership.)   | X        | X         |  |                                      |
| 9    | Consent of property owner to applicant to development project.   | X        | X         |  |                                      |
| 10   | FOR ADMINISTRATIVE REVIEW AND APPROVAL: Certification from Applicant's licensed professional that the development proposed meets all requirements and no variance or design waivers are requested. (19:66-4.6)                       | X        | X         |  |                                      |
| 11   | Zoning Schedule listing: Use, lot area, lot width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each. | X        | X         |  |                                      |
| 12   | Certified List of Property Owners within 200' Radius of the subject property by  | X        | X         |  |                                      |

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|------|---|----------|-----------|--|--------------------------------------|
|      | City of Atlantic City Tax Assessor's Office.  |          |           |  |                                      |
| 13   | Public Notice in compliance with NJSA 40:55D-12.  | X        | TBP       |  |                                      |
| 14   | North arrow, scale and graphic scale  | X        | X         |  |                                      |
| 15   | Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.  | X        | X         |  |                                      |
| 16   | Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.   | X        | X         |  |                                      |
| 17   | List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.  | X        | N/A       |  |                                      |
| 18   | List of development stages or phases, if any.   | X        | N/A       |  |                                      |
| 19   | List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.   | X        | X         |  |                                      |
| 20   | Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, | X        | X         |  |                                      |

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|------|---|----------|-----------|--|--------------------------------------|
|      | directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings.  |          |           |  |                                      |
| 21   | Stormwater management plans and drainage calculations. (19:66-7.5).   | X        |           | X                                      |                                      |
| 22   | Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions. | X        | X         |  |                                      |
| 23   | Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures.   | X        |           | X                                      |                                      |
| 24   | Landscaping Plan, details and plant schedule (19:66-7.6)  | X        |           | X                                      |                                      |
| 25   | Lighting plan and details (19:66-7.10)  | X        |           | X                                      |                                      |
| 26   | Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)   | X        |           | X                                      |                                      |
| 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.  | X        |           | X                                      |                                      |
| 28   | Road and paving cross-sections and profiles.  | X        |           | X                                      |                                      |
| 29   | Solid and liquid waste management plan.   | X        | X         |  |                                      |
| 30   | Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles   | X        |           | X                                      |                                      |



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|------|---|----------|------------------------------|--|--------------------------------------|
| 31   | Preliminary architectural plan and elevations, and areas and type of each proposed use.   | X        |                              | X                                      |                                      |
| 32   | Estimate of costs of on-site and off-site improvements [19:66-3.4 (b)]  | X        |                              | X                                      |                                      |
| 33   | Electronic copy of the full application including application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB. | X        | X                            |  |                                      |
| 34   | Performance guarantee [19:66-3.4 (b)]   | X        | To be provided upon approval |  |                                      |
| 35   | Maintenance guarantee (19:66-16.3)  | X        | To be provided upon approval |  |                                      |
| 36   | Inspection Fees (19:66-16.1)  | X        | To be provided upon approval |  |                                      |

"c" Variance Checklist (Form #12)

| ITEM | TITLE / DESCRIPTION<br>(Subdivision Application)  | Required | Submitted | Waiver<br>Requested<br>by<br>Applicant | Waiver<br>recommended<br>by Reviewer |
|------|---|----------|-----------|--|--------------------------------------|
| 1    | Completed Land Use Application Form   | X        | X         |  |                                      |
| 2    | Payment of Required Application and Escrow Fees (19:66-4.3)   | X        | X         |  |                                      |
| 3    | Name and address, email address of property owner and applicant.  | X        | X         |  |                                      |
| 4    | Proof of real estate taxes and other assessments paid.  | X        | X         |  |                                      |
| 5    | Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.                                  | X        | X         |  |                                      |
| 6    | Color Photographs of site from four (4) different viewpoints.   | X        | X         |  |                                      |
| 7    | Project narrative describing existing conditions, surrounding uses and the proposed development including list of "c" variance(s) and design waiver relief sought, if applicable. | X        | X         |  |                                      |

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|------|---|----------|-----------|-------------------------------------|--------------------------------------|
| 8    | Title block denoting type of application, tax map sheet, project address, block and lot, and street location.   | X        | X         |                                     |                                      |
| 9    | Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk's Office, affidavit or other documentation evidencing ownership.)  | X        | X         |                                     |                                      |
| 10   | Consent of property owner to applicant to development project.  | X        | X         |                                     |                                      |
| 11   | Zoning Schedule listing: Use, lot area, lot width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each.  | X        | X         |                                     |                                      |
| 12   | Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.  | X        | X         |                                     |                                      |
| 13   | Public Notice in compliance with NJSA 40:55D-12.  | X        | TBP       |                                     |                                      |
| 14   | North arrow, scale and graphic scale  | X        | X         |                                     |                                      |
| 15   | Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.  | X        | X         |                                     |                                      |
| 16   | Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.                                   | X        | X         |                                     |                                      |
| 17   | List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.  | X        | N/A       |                                     |                                      |
| 18   | List of development stages or phases, if any.   | X        | N/A       |                                     |                                      |
| 19   | List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.   | X        | N/A       |                                     |                                      |
| 20   | Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, fences, stoops, | X        | X         |                                     |                                      |

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|------|--|----------|-----------|-------------------------------------|--------------------------------------|
|      | stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings. |          |           |                                     |                                      |
| 21   | Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.  | X        | X         |                                     |                                      |
| 22   | Preliminary architectural plan and elevations, and areas and type of each proposed use.  | X        | X         |                                     |                                      |
| 23   | Electronic copy of the full application including: application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB.   | X        | X         |                                     |                                      |

**IV. BULK REQUIREMENTS, RESORT COMMERCIAL DISTRICT (RC)**

| Standard  | Required | Existing         | Proposed | Complies?     |
|---|----------|------------------|----------|---------------|
| Maximum Height (measured from BFE),<br>Principal Structure (FT) | 300      | Not<br>Specified | NC       | Not Specified |
| Maximum Height (measured from BFE),<br>Accessory Structure (FT) | 35       | Not<br>Specified | NC       | Not Specified |
| Minimum Lot Area (SF)   | 7,500    | 123,029          | NC       | C             |
| Minimum Lot Depth (FT)  | 150      | 450              | NC       | C             |
| Minimum Lot Width (FT)  | 50       | 138.1            | NC       | C             |
| Minimum Lot Frontage (FT)                                       | 50       | 138.1            | NC       | C             |
| Maximum Building Coverage (%)                                   | 70       | 77               | NC       | ENC / V       |
| Maximum Impervious Coverage (%)                                 | 80       | 92               | NC       | ENC           |
| Minimum Front Yard (FT) –<br>Pacific Avenue                     | 0        | 139.2            | NC       | C             |
| Minimum Front Yard (FT) –                                       | 0        | 12.4             | NC       | C             |

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| <b>Standard</b>                          | <b>Required</b> | <b>Existing</b> | <b>Proposed</b> | <b>Complies?</b> |
|--|-----------------|-----------------|-----------------|------------------|
| Park Place                               |                 |                 |                 |                  |
| Minimum Front Yard (FT) – Indiana Avenue | 0               | 38.8            | NC              | C                |
| Minimum Rear Yard                        | 20              | N/A             | N/A             | N/A              |
| Minimum Side Yard                        | 0               | N/A             | N/A             | N/A              |
| Floor Area Ratio                         | N/A             | N/A             | N/A             | N/A              |
| Open Space                               | N/A             | N/A             | N/A             | N/A              |
| Density                                  | N/A             | N/A             | N/A             | N/A              |
| Parking                                  | 34              | 50              | 43              | C                |

**C = COMPLIES**

**ENC = EXISTING NON-CONFORMING CONDITION**

**V = VARIANCE REQUIRED**

**N/A = NOT APPLICABLE**

**NC = NO CHANGE FROM EXISTING**

**VG = VARIANCE GRANTED**

**V. REVIEW OF PLANS**

a. Checklist Waivers

1. The Applicant has requested waivers on items 21, 23, 24, 25, 26, 27, 28, and 30 of the Major Preliminary and Final Site Plan Checklists, as well as items 31 and 32 of the Final Site Plan Checklist. Those items are as follows:
  - a. Stormwater management plans and drainage calculations. (19:66-7.5).
  - b. Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1-foot intervals, stormwater management structures.
  - c. Landscaping Plan, details and plant schedule (19:66-7.6)
  - d. Lighting plan and details (19:66-7.10)
  - e. Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)
  - f. 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. Road and paving cross-sections and profiles.
  - h. Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles
  - i. Preliminary architectural plan and elevations, and areas and type of each proposed use
  - j. Estimate of costs of on-site and off-site improvements [19:66-3.4 (b)]

b. Variances Required

1. The following bulk (“c”) variance relief has been requested by the applicant:
  - a. To permit building coverage of 77% where 70% is permitted. This is an existing non-conformity;

- b. To permit a roof sign, which is not permitted in the RC Zone;
- c. To permit a sign setback of one (1) foot where five (5) feet is required.

Testimony shall be provided in support of the requested waivers and variances.

c. Stormwater Management

- 1. The Applicant has not provided any stormwater management features for the proposed development. The project does not qualify as a “major development” as classified per N.J.A.C. 7:8 as it does not increase impervious coverage by ¼ acre or disturb over one (1) acre of area; therefore, our office acknowledges that no stormwater attenuation is required for this project.

d. Parking

- 1. The proposed development will utilize the existing parking lot on Pacific Avenue for customer parking. As part of the site improvements, the lot will be reduced from 50 to 43 spaces; it should be noted that retail uses require less parking than the previous use:

Existing - Non-Hotel Activity (12 spaces/1,000 SF:  $12 * (9,995 \text{ SF} / 1,000 \text{ SF}) = 120$  spaces  
Proposed - Retail Use (1 space/300 SF):  $9,995 \text{ SF} / 300 \text{ SF} = 34$  spaces

Therefore, the change of use requires 86 fewer parking spaces.

It is unclear whether the parking lot will be solely for patrons of the dispensary or if it will remain available for other hotel functions. The Applicant shall provide testimony regarding the adequacy of the reduced number of parking spaces and how they will serve the proposed use, and existing use, if applicable.

e. Landscaping

- 1. The plans indicate that the existing stone planter around the perimeter of the parking area will remain unchanged. The Applicant shall provide testimony that the existing plantings meet the landscaping requirements of 19:66-7.6.

f. Loading

- 1. The plans do not appear to provide a designated loading area for site deliveries. The Applicant shall provide testimony regarding how site deliveries will be accommodated, size of delivery vehicles, hours for deliveries, circulation throughout the parking lot, etc.

g. Signage

- 1. The Applicant shall provide testimony in support of variances requested for the proposed roof and pylon signs and also consistency with the Green Zone Redevelopment Plan. We acknowledge that both signs meet the area and height requirements of 19:66-5.7.

h. Lighting

- 1. The plans indicate that the existing lighting will remain with no change. We note that the existing building façade does not have accessibility where the proposed building entrance will be located and it is unclear whether that area will be sufficiently illuminated. The

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Applicant shall provide testimony regarding the adequacy of the existing lighting to serve customer parking and access to the building.

- i. Miscellaneous
  1. The parking lot shall be reconfigured to provide an additional handicap parking stall. Per ADA standards, parking areas with 26-50 spaces shall provide two (2) handicap accessible spaces.
  2. The Applicant shall confirm that the ADA parking spaces comply with the maximum permitted slopes.
  3. EVCS – The Applicant shall provide Electric Vehicle Charging Stations (EVCS) as required by the State’s Model Ordinance.
  4. The Applicant shall provide testimony regarding the method of solid waste and recycling disposal.
  5. The Applicant shall provide proof of possessing a Class Five (5) Cannabis Retailer License in the State of New Jersey.

**COFONE CONSULTING REVIEW**

**Zoning Compliance**

The property is located within the Green Zone Redevelopment Area under the jurisdiction of the CRDA, encompassing the RC and CBD Zone Districts. The property was previously within the RC Zone 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.

Per Section 5 of the Green Zone Redevelopment Plan, "Land Use Plan" the land use provisions and design guidelines for the underlying zone (RC) are applicable. Accordingly, the following variances appear to be required from the RC Zone District requirements:

- 1) To permit building coverage of 77% where 70% is permitted (existing non-conformity).
- 2) To permit a roof sign, which is not permitted in the RC Zone District;
- 3) To permit a sign setback of 1', where 5' is required.

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

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### **Planning Analysis and Issues for Consideration by the Board**

In regard to the “c” variance, the Municipal Land Use Law (MLUL) at NJSA 40:55D-70c sets forth the standards for variances from the bulk regulations of a zoning ordinance. A “c(1)” variance is for cases of hardship due to factors such as shape or topography, or due to “an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.” A “c(2)” variance may be granted where the purposes of zoning are advanced and the benefits of deviating from the ordinance requirements outweigh any detriments. The benefits derived from granting a “c(2)” variance must include benefits to the community as a whole, not just to the applicant or property owner. A “c” variance application also must address the “negative criteria.”

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 variances.
- 2) The Applicant shall provide detailed testimony on the operation of the business, with a specific focus on product storage, patron access, on-site product consumption, security, etc.
- 3) The Applicant’s architect shall provide detailed testimony, including compliance with design guidelines per N.J.A.C. 19:66-7.1, the 2012 CRDA Tourism District Master Plan, Section 4.8, and the Green Zone Redevelopment Area storefront & façade design standards. The Redevelopment Area storefront and façade design standards include a focus on color, lighting, windows, doors, awnings, cornices, signage, and security.
- 4) Due to the nature of the application, we understand that all storefront and façade design standards may not be applicable. However, for the purpose of the record, the applicant’s architect shall provide the requisite testimony. We are particularly interested in the proposed storefront colors, materials, lighting, signage details, as well as the style of the proposed mural.
- 5) The Applicant shall provide testimony on how parking is to be accommodated.
- 6) The Applicant shall discuss how the application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan and the Tourism District.
- 7) The Applicant shall comply with the conditions of all previous approvals received for the site.
- 8) The Applicant shall furnish any resolution and/or prior approvals from, and agreements with, the City of Atlantic City, if any.

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### **POST APPROVAL CONSIDERATIONS**

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

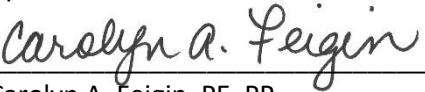
- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature,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

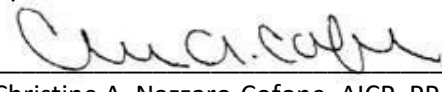
By



Carolyn A. Feigin, PE, PP  
CRDA Consulting Engineer

**COFONE CONSULTING GROUP**

By



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