

City of Atlantic City

LAND USE APPLICATION

City of Atlantic City: (Check where applicable)**AC Planning Division Jurisdiction**

City of Atlantic City Planning Board
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
609-347-5404

CRDA: (Check where applicable)**NJ CRDA LURED Jurisdiction**

Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
609-347-0500

To be completed by staff only.

Date Filed _____

Application No. _____

Application Fees: _____

Escrow Deposit _____

Scheduled for:

Review for Completeness _____ Hearing: _____

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1. SUBJECT PROPERTY 112 Park Place, 116 Park Place, 120 Park Place, 1804 Pacific Ave., 1800 Pacific Ave., 106 South Indiana Ave. and 120 South Indiana Ave.

Tax Map	Page 009	Block 44	Lot(s) 1,2,3 and 6
	Page 009	Block 46	Lot(s) 1,2,3 and 4
	Page _____	Block _____	Lot(s) _____

Dimensions Frontage 138.1 feet Depth 450 feet Total Area 3.03 acres

Zoning District RC

2. APPLICANT

Name High Rollers Dispensary LLC

Email Andrew@pkfinancialgrp.com

Address 10 Woodglen Lane, Voorhees, NJ 08043

Telephone Number 610-355-4255 x107

Applicant is a: Corporation ☒ Partnership ☐ Individual ☐**3. If Owner is other than the applicant, provide the following information on the Owner(s):**

Owner's Name TJM Atlantic City LLC

Email bdewinne@claridge.com

Address 5801 Ulmerton Rd, Ste 200, Clearwater FL 33760

Telephone Number 609-487-4400 x 3102

4. DISCLOSURE STATEMENT

Pursuant to N.J.S 40:55D-48.1 [Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.] Disclosure of owners of organization and property subject to application. [A corporation or partnership applying to a governing body of a municipality]Any organization making an application for development under this act [for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes] shall list the names and addresses of all members, stockholders or individual partners (collectively, "interest holders") [owning at least 10% of its stock of any class or at least 10% of the interest in the partnership], including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property [as the case may be]. In accordance with 40:55D-48.2 [Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership.] Listing of names and addresses of interest holders of applicant and owner organization. If [a corporation or partnership] an organization owns an interest equivalent to 10% or more of another organization the stock of a corporation, or 10% or greater interest in a partnership, subject to the disclosure requirements hereinabove described, [pursuant to section 1 of this act that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the [partnership, as the case may be, and] organization. [This requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.] In accordance with recently added 40:55D-48.3 Disclosure of all officers and trustees of a non-profit organization. A non-profit organization filing an application for development under this act shall list the names and addresses of all officers and trustees of the non-profit organization. In accordance with 40:55D-48.4 [Failure to comply with act; disapproval of application.] Approval of application. a. No municipal planning board, board of adjustment or [municipal] governing body shall approve the application of any [corporation or partnership] organization or non-profit organization which does not comply with this act. Any approval not in compliance with this act shall be voidable in a proceeding in lieu of prerogative writ in the Superior Court. b. Any party, including any member of the public, may institute a proceeding in lieu of prerogative writ in the Superior Court to challenge any PROPOSED AMENDMENTS TO MUNICIPAL LAND USE LAW approval granted by a municipal planning board, board of adjustment or governing body on the grounds that such action is void for the reasons stated in subsection a. of this section, and if the court shall find that the approval was not in compliance with this act, the court may declare the approval to be void. In accordance with 40:55D-48.5 [Concealing names of owners;] Organization or non-profit organization failing to disclose; fine. Any [corporation or partnership which conceals] organization or nonprofit organization failing to disclose in accordance with this act, [the names of stockholders owning 10% or more of its stock, or of individual partners owning a 10% or greater interest in the partnership, as the case may be,] shall be subject to a fine of \$1,000 to \$10,000, which shall be [recovered] recoverable in the name of the municipality in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.).

Name	<u>Andrew Kirkland</u>	Address	<u>10 Woodglen Lane, Voorhees, NJ 08043</u>	Interest	<u>51%</u>
Name	<u>Denise Kirkland</u>	Address	<u>10 Woodglen Lane, Voorhees, NJ 08043</u>	Interest	<u>49%</u>
Name	_____	Address	_____	Interest	_____
Name	_____	Address	_____	Interest	_____
Name	_____	Address	_____	Interest	_____

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies] _____ No X _____ Proposed _____

Present use of the premises: Commercial and meeting space

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

6. Applicant's Attorney Jack Plackter

Email jplackter@foxrothschild.com

Address Midtown Building, Suite 400, Atlantic City, NJ 08401-7212

Telephone Number 609-572-2200

FAX Number 609-348-6834

7. Applicant's Engineer Jon Barnhart

Email jbarnhart@aponzio.com

Address 400 North Dover Ave., Atlantic City, NJ 08401

Telephone Number 609-344-8194

FAX Number 609-344-1594

8. Applicant's Planning Consultant Jon Barnhart

Email jbarnhart@aponzio.com

Address 400 North Dover Ave. Atlantic City, NJ 08401

Telephone Number 609-344-8194

FAX Number 609-344-1595

9. Applicant's Traffic Engineer _____

Email _____

Address _____

Telephone Number _____

FAX Number _____

10. List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name SOSH Architects

Field of Expertise Architect

Email TSykes@sosharch.com

Address 1020 Atlantic Ave. Atlantic City, NJ 08401

Telephone Number 609-345-5222

FAX Number _____

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

_____ Administrative Review of Minor Subdivision Plan

_____ Administrative Review of Major Subdivision Plan

_____ Minor Subdivision Approval

_____ Major Subdivision Approval [Preliminary]

_____ Major Subdivision Approval [Final]

Number of lots to be created _____ Number of proposed dwelling units _____
(including remainder lot) (if applicable)

SITE PLAN:

_____ Administrative Review of Minor Site Plan

_____ Administrative Review of Major Site Plan

_____ Minor Site Plan Approval

☒ Major Preliminary Site Plan Approval [Phases (if applicable) ____]

☒ Major Final Site Plan Approval [Phases (if applicable) ____]

_____ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet) _____

Total number of proposed dwelling units _____

_____ Request for Waiver From Site Plan Review and Approval

Reason for request: _____

MISC:

_____ Administrative Review

_____ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]

_____ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]

_____ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]

☒ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]

_____ Variance Relief (use) [N.J.S. 40:55D-70d]

_____ Conditional Use Approval [N.J.S. 40:55D-67]

_____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]

_____ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a **variance is requested and justification for said request:** [attach additional pages as needed] _____
N.J.A.C. 19:66-5.7; N.J.A.C. 19:66-5.7e(6); and N.J.A.C. 19:66-5.10iv(6) and see Project Narrative.

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.
Requirements: [attach additional pages as needed] See Project Narrative.

14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. **Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:**

[attach pages as needed] See Project Narrative.

16. Is a public water line available? yes
17. Is public sanitary sewer available? yes
18. Does the application propose a well and septic system? no
19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A
20. Are any off-tract improvements required or proposed? N/A
21. Is the subdivision to be filed by Deed or Plat? N/A
22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Bond or other payment acceptable to the City

23. Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	_____	<u>X</u>	_____
Atlantic County Health Department	_____	<u>X</u>	_____
Atlantic County Planning Board	_____	<u>X</u>	_____
Atlantic County Soil Conservation Dist.	_____	<u>X</u>	_____
NJ Department of Environmental Protection	_____	<u>X</u>	_____
Sewer Extension Permit	_____	<u>X</u>	_____
Sanitary Sewer Connection Permit	_____	<u>X</u>	_____
Stream Encroachment Permit	_____	<u>X</u>	_____
Waterfront Development Permit	_____	<u>X</u>	_____
Wetlands Permit	_____	<u>X</u>	_____
Tidal Wetlands Permit	_____	<u>X</u>	_____
Potable Water Construction Permit	_____	<u>X</u>	_____
Other	_____	<u>X</u>	_____
NJ Department of Transportation	_____	<u>X</u>	_____
Public Service Electric & Gas Company	_____	<u>X</u>	_____
_____	_____	_____	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Quantity	Description of Item
_____	<u>See cover letter for list of included items</u>
_____	_____
_____	_____

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional Reports Requested All reports requested for each of Applicant's
 Attorney _____ professionals.
 Engineer _____

CERTIFICATIONS

27. I Amanda Moscillo certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
30th day of November, 2022

NICOLE RIVERA
Notary Public - State of New Jersey
My Commission Expires Mar 6, 2023

Nicole Rivera

NOTARY PUBLIC

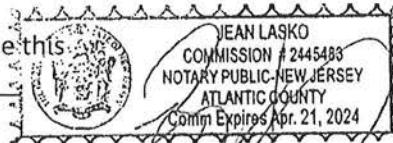
Amanda Moscillo

Attorney for Applicant

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
23rd day of November, 2022



Jean Lasko
NOTARY PUBLIC

Brian DeWinn, MCR.
SIGNATURE OF OWNER

29. I understand that the sum of \$_____ has been deposited in an escrow account (Builder's Trust Account). In accordance with Land Use Fees and Escrow Deposit Requirements, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

Date

SIGNATURE OF APPLICANT

EXHIBIT "A"

High Rollers Dispensary LLC, a New Jersey limited liability company

November 29, 2022

DISCLOSURE STATEMENT

**LISTS OF NAMES AND ADDRESSES OF STOCKHOLDERS
OR INDIVIDUALS OWNING 10% OF THE CORPORATION
STOCK OR 10% INTEREST IN THE PARTNERSHIP
(N.J.S.A. 40:55D-48.1 AND 48.2)**

Set forth below are the names and addresses of the members of the Company owning a 10% or greater beneficial interest in High Rollers Dispensary LLC, a New Jersey limited liability company.

Andrew Kirkland
10 Woodglen Lane,
Voorhees, NJ 08043

Denise Kirkland
10 Woodglen Lane,
Voorhees, NJ 08043

EXHIBIT "B"

Project Narrative:

High Rollers Dispensary LLC ("High Rollers") is requesting Major Preliminary and Final Site Plan Approval and variance relief from the CRDA to renovate a portion of the former casino floor of the Claridge Hotel into a state-of-the-art cannabis dispensary and improve the associated entrance and parking lot on Pacific Avenue. High Rollers will utilize the properties that are being leased from TJM Management for Class 5 Cannabis Business operations. The Property is located within the Resort Commercial zone (RC) of the Atlantic City Tourism District. The Applicant is seeking the following bulk ('c') variance relief:

- 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 1' where 5' feet is required.

Atlantic City has adopted a revised Green Zone Redevelopment Plan. The use is permitted under the Green Zone Redevelopment Plan that was recently implemented by the City of Atlantic City and CRDA. The Property is located in a commercial section of the Tourism District and will enhance the existing structure and overall development of Atlantic City. The site's design is compatible with surrounding uses and the project will diversify Atlantic City's economy.

The Applicant is only seeking minor variances regarding signage and the building coverage, which is an existing non-conformity. Because the variance relief requests is de minimus, there will not be a substantial detriment to the public good and the project will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.

Applicant seeks waiver of items 21, 23, 24, 25, 26, 27, 28 and 30 of the Major Preliminary and Final Site Plan Checklist as the Applicant is renovating an existing commercial/meeting space and is therefore, not significantly altering the existing structure.

In addition to typical planning, zoning, and construction permits, being a cannabis business requires state and local approval to conduct such business, Applicant will be required to have its cannabis license in order to operate its intended business(s) at the site.