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July 26, 2023  
31623 44

Re: A Perfect Bud, LLC, (CRDA Application #2023-03-3415)  
**Minor Site Plan  
Review #1**  
Block 161, Lot 9  
31 S. Christopher Columbus Boulevard (aka 31 S. Missouri Avenue)  
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 Variances has been received for the subject premise:

**Applicant Information**

- Applicant: A Perfect Bud, LLC,  
Attn: V. Jack Christophe  
700 Amsterdam Avenue  
Toms River, NJ 08757
- Owner: Christophe Real Estate, LLC,  
700 Amsterdam Avenue  
Toms River, NJ 08757
- Engineer: Jason T. Sciallo  
Sciallo Engineering Services  
137 S. New York Avenue, Suite 2  
Atlantic City, NJ, 08401
- Planner: Same as Engineer
- Traffic: N/A
- Attorney: Tara Vargo, Esquire  
2771 Delsea Drive  
Franklinville, NJ, 08322

- Architect: Jeffrey G. Bell  
786 Linden Road  
Toms River, NJ 08753

### **Documents Submitted**

1. Application Cover Letter, prepared by Tara Vargo, Esquire, Applicant’s Attorney, dated July 17, 2023.
2. City of Atlantic City Land Use Application signed July 16, 2023.
3. NJ CRDA- Minor Site Plan Checklist (Form #5).
4. NJ CRDA-“c” Variance Checklist (Form #12).
5. Tenant Fit Out for “A Perfect Bud” prepared by Jeffrey G. Bell, RA, last revised June 13, 2023, and consisting of the following sheets:
  - a. Sheet T1 Title Sheet
  - b. Sheet T2 Notes and Specifications
  - c. Sheet T3 ADA Diagrams
  - d. Sheet A1 Floor Plan
  - e. Sheet A2 Reflected Ceiling Plan
  - f. Sheet A3 Electrical Plan
  - g. Sheet A4 Finish Plan
  - h. Sheet A5 Site Plan
6. “A Perfect Bud” – Exterior Signage Proposal prepared by Allspace, last revised June 28, 2023, and consisting of the following sheets:
  - a. Page 1 of 2 “A Perfect Bud” – Exterior Signage Proposal
  - b. Page 2 of 2 “A Perfect Bud” – Exterior Signage Proposal
7. Resolution No. 500 of the City of Atlantic City Council, adopted July 27, 2022, Memorialized August 12, 2022
8. Survey and Topography of Premises, “31 S. Christopher Columbus Boulevard” by Daniel J. Ponzio, Sr., dated June 29, 2023
9. Certification of the Payment of Taxes by Kacey B. Johnson, CTC, CPM, dated May 10, 2023
10. Deed to Christophe Real Estate, LLC from Lev Plasovitsky, dated November 29, 2022, recorded December 6, 2022, Book 15356

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

Submission waivers are required from Item Nos. 6, 20 (missing FEMA Flood Zone), 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32 of the Minor Site Plan Checklist (Form # 5) and Item Nos. 7, 13, and 20 of the “c” Variance Checklist (Form # 12).

There are key items missing from the submission. FEMA Flood Zone and proposed building elevation is not included with the submission. Without the proposed elevations, it is difficult to assess if the design standards are met. The Applicant shall provide supplemental information and/or testimony regarding the comments related to the Site Plan Review comments below.

**Based upon the missing items, we recommend the application is deemed incomplete, the Applicant should submit the supplemental information requested in this letter.**

## **Technical Review #1**

The following comments are offered:

### **A. Project Description and Background**

The Applicant proposes a tenant fit-out to convert the first floor and basement of an existing approximately 900 square feet (SF) two-story mixed-use property into a Class 5 Cannabis Retailer sales facility in accordance with state and local regulations. The proposed development is located within the Resort Commercial (RC) Zoning District and is also located within the Green Zone Redevelopment Area. The lot in question fronts on the west side of Christopher Columbus Blvd. between Pacific Avenue and Atlantic Avenue. The first floor of the building is currently utilized as a “Cash for Gold” commercial use and the second floor is a residential use.

### **B. Bulk Variance Review**

1. Section 19:66-5.10(a)(1)(iv)(2) of the Land Development Rules requires a minimum lot area of 7,500 square feet (SF) where 925 SF or 12.3 percent of the required lot area is proposed. This is an existing non-conforming condition. We defer to CRDA’s attorney if a bulk variance is required.
2. Section 19:66-5.10(a)(1)(iv)(5) of the Land Development Rules requires a minimum lot frontage of fifty feet (50’) where 18.56 feet is provided on Christopher Columbus Boulevard or 37 percent of the required frontage. This is an existing non-conforming condition. We defer to CRDA’s attorney if a bulk variance is required.
3. Section 19:66-5.10(a)(1)(iv)(8) of the Land Development Rules requires a minimum front yard setback of 0 feet for a building up to 35 feet in height, whereas there is an encroachment of 0.2 feet into the public right-of-way of the Christopher Columbus Boulevard frontage. This is an existing non-conforming condition. We defer to CRDA’s attorney if a bulk variance is required.
4. Section 19:66-5.10(a)(1)(iv)(10) of the Land Development Rules requires a minimum rear yard setback of 20’, whereas 0’ is proposed. This is a pre-existing, non-conforming condition. We defer to CRDA’s attorney if a bulk variance is required.
5. Section 19:66-5.10(a)(1)(iv)(6) of the Land Development Rules permits a maximum building coverage of seventy percent (70%), whereas 95% is proposed. This is a pre-existing, non-conforming condition. We defer to CRDA’s attorney if a bulk variance is required.
6. Section 19:66-5.10(a)(1)(iv)(7) of the Land Development Rules permits a maximum impervious coverage of 80%, whereas 100% is proposed. This is a pre-existing, non-conforming condition. We defer to CRDA’s attorney if a bulk variance is required.
7. Section 19:66-5.8(b)1 of the Land Development Rules requires a minimum onsite parking of 1 space per 300 SF of floor space, whereas 0 spaces are provided. The structure that this use is located adjacent to the Caesars Casino parking garage. The applicant should provide testimony regarding how parking can be provided. Depending upon the nature of the testimony provided a bulk variance may be required. We defer to CRDA’s attorney if a bulk variance is required.
8. Section 19:66-5.8 (c) of the Land Development Rules requires a loading space and no loading space exists or is proposed. This is a pre-existing, non-conforming condition. The Applicant

should provide testimony regarding how the loading and unloading of the delivered products, cash, and any other products/supplies will be achieved in lieu of loading space and what types and sizes of vehicles are anticipated to execute such deliveries. We defer to CRDA's attorney if a bulk variance is required.

9. Section 19:66-7.6 (a) of the Land Development Rules requires that a landscape plan be submitted with all applications for site improvements and no landscape plan is proposed. This is a pre-existing, non-conforming condition. We defer to CRDA's attorney if a bulk variance is required.
10. On Sheet A1 of the Tenant Fit Out "A Perfect Bud", prepared by Jeffrey G. Bell, RA, there are two patron queuing lines shown encroaching on the public sidewalk. Neither the Green Zone Redevelopment Plan nor the RC (Resort Commercial) District allows outdoor sales. Additionally queuing of customers should occur within the building itself, not in the public right-of-way. We defer to CRDA's attorney if a use or bulk variance is required.
11. With respect to Item Nos. 1 through 10, for "c" variances the applicant must demonstrate that the strict application of the zoning regulations to the property create a hardship or result 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 also demonstrate that the benefits of granting any variance outweigh the detriments.

### **C. Site Plan Review / General Comments**

1. The Applicant should provide information and/or testimony demonstrating compliance with Section 5.1.2.a. to 5.1.2.d of the Green Zone Redevelopment Plan.
2. The Applicant should provide information demonstrating compliance with Section 5.1.2-(d)1 of the Green Zone Redevelopment Plan which regulates building colors for cannabis facilities.
3. The Applicant should provide information demonstrating compliance with Section 5.1.2-(d)2 of the Green Zone Redevelopment Plan which regulates lighting for cannabis facilities.
4. The Applicant shall provide testimony on the color and type of windows proposed and how the design goals of Section 5.1.2-(d)3 of the Green Zone Redevelopment Plan are being met. There is no provision in the Green Zone Redevelopment Plan or § 19:66-5.10 allowing serving windows on the sidewalk for the proposed use. The applicant has not provided a proposed front elevation of the structure. The elevation provided is of the existing structure for signage purposes.
5. The Applicant shall provide testimony on the nature and volume of as well as the proposed method(s) for handling and storage of trash and recycling. 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. **Considering that the building covers virtually the entire lot, a trash/recycling storage area should be provided within the building to stage these items before their collection. A written description of how the trash and recycling generated will be handled.**
6. Per the Green Zone Redevelopment Plan Section 5.1.2-(d)4, storefront doors shall be recessed from the storefront wall when possible. The Applicant should provide testimony regarding compliance with the same. **The architectural plans do not show that the applicant provides a vestibule entrance.**

- The design of the proposed business identification signage appears to comply with Section 5.1.2-(d)7 of the Green Zone Redevelopment Plan.

**EXISTING SIGNS**

LOCATION	SIZE	TYPE	SIGN CONTENTS
C. Columbus Blvd.		Wall Sign	“Cash for Gold” “Atlantic City Gold Exchange Two” “Cash for Gold”
C. Columbus Blvd.		Wall Sign	“Top Price for Gold Buy Sell Trade”

**PROPOSED SIGNS**

LOCATION	SIZE	TYPE	SIGN CONTENTS
C. Columbus Blvd.	24.6 sq. ft.	Wall Sign	“A Perfect Bud”
C. Columbus Blvd.	6.5 sq. ft.	Projecting sign	“A Perfect Bud”

- The proposed business identification signs appear to be appropriate in size and design for the “A Perfect Bud” location. The total maximum sign area permitted is 25% (42.95 SF) of the façade area (171.8 SF) and the proposed signage comprises a total of 31.1 SF (18.1% of the façade area).
- Per the Green Zone Redevelopment Plan Section 5.1-(d)8i (Land Use Provisions, Security), 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 prior to the granting of a Certification of Occupancy.
- The Applicant should provide information demonstrating compliance with Section 5.1.2-(d)8a to h and j of the Green Zone Redevelopment Plan which regulates security.
- Testimony should be provided by the Applicant to indicate how the queuing of customers will be handled (i.e. how can they be anticipated to be able to fit within the proposed waiting area at the front of the building). It appears that passing pedestrians will have to walk into S. Christopher Columbus Boulevard to get around the wait queues. The sidewalk is +/-8.5 feet wide and the two ques will require about three feet each leaving 2.5 feet for pedestrians to get around the queues.
- Approval of the design standards promulgated in the Green Zone Redevelopment Plan is required from the City of Atlantic City.
- A licensing agreement from the City of Atlantic City shall be sought and received for any signage, building projections, awnings, etc. that encumber the City right-of-way.
- The Applicant should provide testimony regarding intent with respect to the use of the second floor of the building (i.e. will the residential use be maintained as-is?)

**D. Site Photographs (Provided by the applicant)**



Photo 1 – Site View Looking Northeast



Photo 2 – Site View Looking North



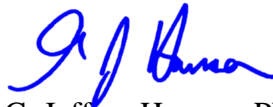
Photo 3 – Site View Looking Southeast

## **E. 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 – any proposed encumbrances into the City right-of-way
  - d. Atlantic City Police Department
  - e. All others as necessary

If you require any additional information or have any questions, please contact the undersigned. We are pleased to be of service.

Sincerely yours,



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

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