



Principals
Richard Rehmann, GISP
Richard Heggan, PLS, PP
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October 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
Healing Side LLC
2415-2417 Pacific Avenue
Block 164, Lots 54, 56, 57, 65, & 66
Atlantic City, NJ 08401
CRDA Application #: 2023-09-3521
ARH File: 24-10090

Dear Mr. Landgraf:

ARH ASSOCIATES has received the above captioned Application for review. The Applicant seeks Minor Site Plan approval. It shall be noted that an application for this site was heard before the CRDA Board on March 3, 2022 and was approved under Resolution #22-37, dated April 19, 2022. It is our understanding that the application had minor compliance comments that were never perfected.

Block 164, Lots 54, 56, 57, 65, & 66 are located in Atlantic City's Ducktown Arts Zoning District. It is proposed that the building on the property is to be renovated inside and out and converted into a Class 5 Microbusiness Dispensary of cannabis and the parking lot is to receive a seal coat and new striping.

This report consists of a review of the Subject Application for conformance with Casino Reinvestment Development Authority checklists as well as NJAC19:66, 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/APPLICANT

The Healing Side, LLC
rajsitalc@gmail.com
2310 Federal Street, Camden, NJ, 08105
201-647-3611

ARH Associates

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909
Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

www.arh-us.com

II. SUBMITTALS

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
CRDA Land Use Application	Applicant	Undated	
Escrow Setup Information			
Copies of Checks			
Land Use Application			
Cover Letter	Daniel J. Gallagher, Esquire	09/15/2023	
Planning Review	Cofone Consulting Group, LLC	03/01/2022	
Property Survey	Colliers Engineering & Design	02/09/2022	03/22/2022
Site Plan		09/15/2023	
Project Narrative		10/06/2023	
Architectural Plan	Allspace	Illegible	
Letter of Support	Mayor Marty Small, Sr.	12/16/2022	
Tax Map	City of Atlantic City	04/04/2022	
Resolution 2022-41		09/09/2022	
Resolution 2022-37		04/19/2022	
CRDA Board Tally			
Class 5 Cannabis Retailer License	State of New Jersey	07/24/2023	

III. CHECKLISTS

The following addresses conformance with the CRDA’s list of Required Application items for Minor Site Plan Checklist (form #5) 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.

Minor Site Plan Checklist (Form #5)

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Comments
4	Proof of real estate taxes and other assessments paid.	X			Not Submitted
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			Not Submitted
12	Certified List of Property Owners within 200’ Radius of the subject property by City of Atlantic City Tax assessor’s Office.	X			Not Submitted to this Office
16	Key map(s) at a legible scale showing location of property with existing	X		X	

Land Use Application
 Healing Side LLC
 2415-2417 Pacific Avenue
 Block 164, Lots 54, 56, 57, 65, & 66
 Atlantic City, NJ 08401
 ARH File: 24-10090

Page 3

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Comments
	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.				
18	List of development stages or phases, if any.	X		X	
21	Stormwater management plans and drainage calculations. (19:66-7.5).	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	
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	
32	Estimate of costs of on-site improvements [19:66-3.4 (b)]	X		X	

IV. BULK REQUIREMENTS, DUCKTOWN ARTS (DA)

Standard	Required	Existing	Proposed	Complies?
Maximum Height (measured from BFE), Principal Structure (FT)	35	1-sty, <35	NC	C
Minimum Lot Area (SF)	5,000	25,245	NC	C
Minimum Lot Depth (FT)	100	175	NC	C
Minimum Lot Width (FT)	50	200	NC	C
Minimum Lot Frontage (FT)	50	0	NC	ENC
Maximum Building Coverage (%)	30	29.5	NC	C
Maximum Impervious Coverage (%)	80	99.5	92.9	ENC
Minimum Front Yard (FT)	5	0	NC	ENC
Minimum Rear Yard	20	0	NC	ENC
Minimum Side Yard	0	0	NC	C
Parking (Spaces)	15	52	38	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. Checklists

1. Major Preliminary Site Plan Checklist

a. The applicant has requested waivers on the following items:

- i. Item 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.
- ii. Item 18: List of development stages or phases, if any.
- iii. Item 21: Stormwater management plans and drainage calculations. (19:66-7.5)
- iv. Item 23: Grading Plan depicting direction of flow of surface run-off, spot elevations, contours within 1-foot intervals, stormwater management structures.
- v. Item 26: Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)
- vi. Item 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.
- vii. Item 28: Road and paving cross-sections and profiles.
- viii. Item 29: Solid and liquid waste management plan.
- ix. Item 32: Estimate of costs of on-site improvements [19:66-3.4 (b)]

b. This office takes no objection to these waivers.

- b. Zoning
 - 1. The following existing non-conformities are to remain:
 - a. Minimum Lot Frontage – 0 FT is existing, where 50 FT is required per NJAC 19:66-5.11(a)1.iv.(5)
 - b. Maximum Impervious Coverage – 99.5% is existing and 92.9% is proposed, where 80% is permitted per NJAC 19:66-5.11(a)1.iv.(7)
 - c. Minimum Front Yard – 0 FT is existing, where 5 FT is required per NJAC 19:66-5.11(a)1.iv.(8)
 - d. Minimum Rear Yard – 0 FT is existing, where 20 FT is required per NJAC 19:66-5.11(a)1.iv.(10)
- c. Site Plan
 - 1. According to NJAC 19:66-7.2(c)1, a minimum two feet of landscaped open space is required as a buffer between vehicular use areas and buildings. Applicant has 0 feet of landscaped open space proposed. This may require a design waiver. It shall be noted that this is an existing condition.
 - 2. A landscaped island is required at the end of every parking bay, per NJAC 19:66-7.2(c)10. This office is particularly concerned about the parking spaces adjacent to the trash collection enclosure.
 - 3. Per NJAC 19:66-7.4(b) a line-of-sight triangle must be provided at the driveway on Pacific Avenue.
- d. Parking
 - 1. For retail use, one (1) parking space is required 500 square feet of retail floor space. For 7,450 square feet of floor space indicated on the site plan, 15 parking spaces are required. Applicant proposes 38 parking spaces, two (2) of which are ADA compliant.
 - 2. On the site plan, the applicant depicts in their parking requirement calculations to require one (1) stall per 250 square feet of floor space, however, there is a note below the table indicating one (1) stall per 500 square feet of floor space. Per Ordinance No. 51, Section 3. B.7. a cannabis retail facility, one (1) stall per 500 square feet of floor space is required. Applicant shall provide testimony regarding the one (1) stall per 250 square feet of floor space indicated on the table.
 - 3. A note on the plan indicates that 2,500 square feet are dedicated to the cannabis retail area, however, the entire building area is 7,450 square feet. Enough parking has been provided for the entire building area for retail use. Applicant to provide testimony on the use of the remainder of the building's area. See comment f.1.b. below.
 - 4. The applicant shall provide Electric Vehicle Charging Stations (EVCS) parking stalls, as required by NJAC 5:21-4.14(g)1.
- e. Landscaping
 - 1. Applicant shall confirm no landscaping exceeds 30 inches above ground level within the line-of-site triangle according to NJAC 19:66-7.4(c).
 - 2. Per NJAC 19:66-7.6(c)2. All shade trees shall be a minimum of 2.5 to 3 inches in caliper and 12 feet in height at the time of planting. The size of the Red Maple trees shall be revised.

- f. Green Zone
 1. Applicant shall confirm they meet the standard of a microbusiness under the following conditions:
 - a. Fewer than 10 employees.
 - b. The cannabis establishment occupying less than 2,500 square feet of floor space. Applicant has indicated no more than 2,500 square feet of floor space is dedicated to the cannabis retail area. Applicant to provide testimony on the use of the remainder of the building.
 - c. Possession of no more than 1,000 cannabis plants or equivalent per month.
 2. It shall be noted that the subject property is within the Green Zone Redevelopment Area.
 3. Signage:
 - a. According to CRDA Resolution 22-112 Section 5.1.2.d.7.n.: Signage, the cannabis leaf depicted on fixed signs is prohibited.
 - b. Backlit box signs are prohibited. Applicant to provide testimony regarding the sign's illumination.
 4. Applicant shall provide a security plan compliant with the CRDA Resolution 22-112 Section 5.1.2.d.8.

- g. Miscellaneous
 1. The site plan depicts two intersecting alleys of three (3) foot and five (5) foot widths which are to be vacated. Applicant shall provide testimony regarding the possible consolidation of Lots 54 and 56 and any impact this vacation may have on the site plan. Will the area of the vacated alleys be incorporated into any of the adjacent lots? The
 2. Applicant to provide testimony regarding the hours of operation, number of employees and a general business statement of operations, including deliveries to the site. A loading zone is not required, however, testimony shall include where delivery vehicles will unload, what size vehicles and expected times of deliveries, to ensure pedestrian and vehicular safety.
 3. The applicant shall provide testimony regarding the prior application and approval for this site and how it relates to the current application.
 4. Applicant to provide a detail of the proposed concrete wheel stops.

COFONE CONSULTING PLANNING REVIEW

Zoning Compliance

The property is located within the Green Zone Redevelopment Area, encompassing the Ducktown Arts (DA) 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.

Land Use Application
Healing Side LLC
2415-2417 Pacific Avenue
Block 164, Lots 54, 56, 57, 65, & 66
Atlantic City, NJ 08401
ARH File: 24-10090

Page 7

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).

Planning Analysis and Issues for Consideration by the Board

We offer the following for your consideration in reviewing the Application:

- 1) As noted in the engineering section of this review, there are pre-existing, non-conforming conditions on the subject property that are not being exacerbated, and there are no newly created variances required.
- 2) We note that there is a reduction of impervious coverage from 99.5% to 92.9%.
- 3) The Applicant shall discuss the proposed design enhancements to the site including landscaping and whether there will be any improvements to the existing building. We note that the Applicant shall make all efforts to provide landscaping to the satisfaction of board professionals.
- 4) The Applicant shall provide testimony on the proposed sign package. We note that per CRDA Resolution 22-112, cannabis leaf designs and backlit box signs are prohibited.
- 5) The Applicant shall further discuss if there have been any changes to the proposed site development since the grant of the use variance and subsequent resolution compliance.
- 6) The Applicant shall discuss how the proposal will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan and the Tourism District.

Land Use Application
Healing Side LLC
2415-2417 Pacific Avenue
Block 164, Lots 54, 56, 57, 65, & 66
Atlantic City, NJ 08401
ARH File: 24-10090
Page 8

POST APPROVAL CONSIDERATIONS

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

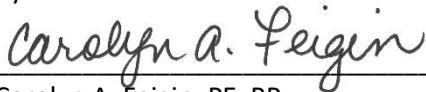
- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature,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