



Principals
 Richard Rehmann, GISP
 Richard Heggan, PLS, PP
 Jeffery MacPhee, PLS
 Carolyn A. Feigin, PE, PP

May 10, 2024

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

Re: TECHNICAL REVIEW #1: CRDA # 2024-03-3599
 Minor Site Plan Approval
 Garden Organics, LLC
 Block 182, Lot 4
 3112 Atlantic Avenue
 Atlantic City, NJ 08401
 ARH # 2410092

Dear Mr. Landgraf:

ARH ASSOCIATES has reviewed the following information towards issuance of Preliminary & Final Major Site Plan Approval for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Cover Letter from Applicant’s Attorney	Nehmad Davis & Goldstein, PC	04/25/2024	
CRDA Land Use Application	Applicant	04/25/2024	
Minor Site Plan Checklist (Form #5)			
“c” Variance Checklist (Form #12)			
List of Variances and Waivers			
Project Narrative and Variance Justification Report			
List of Outside Agency Approvals			
Color Photographs of Site			
Zoning Determination Letter	CRDA Land Use Regulation Enforcement Offer	03/19/2024	
Survey of Property	Arthur Ponzio Co.	12/07/2022	
Minor Site Plan	Persistence Engineering	04/22/2024	
Architectural Floor Plans	Core Design Group	04/12/2024	

Per this information, our office offers the following comments:

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

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I. PROJECT INFORMATION & CONTACT INFORMATION

The +/- 0.097 acre site is situated along the southerly frontage of Atlantic Avenue approximately 88' to the west from the intersection of Chelsea Avenue. The site is presently developed with an existing three-story commercial building containing a first floor Class 5 micro dispensary, a vacant second floor which was previously approved to be a consumption lounge and a third floor call center/office space. The Applicant seeks approval to convert the third floor into a Class 1 Cannabis Cultivation and a Class 2 Cannabis Manufacturing space. No external site improvements are proposed. The Applicant has received a resolution of support from the City of Atlantic City on August 23, 2023, and their Class 1 & 2 annual license approvals from the State's Cannabis Regulatory Commission.

Below please find the contact information for the responsible parties associated with this Application:

APPLICANT
Garden Organics, LLC 18 North Portland Avenue Ventor City, NJ 08406 Phone: 267-918-2130 Email: ashley@poconoorganics.com

OWNER
3112 Atlantic Avenue Holdings, LLC c/o Louis Freedman 555 New Jersey Avenue, Suite 2 Absecon, NJ 08201 Phone: 609-335-4987 Email: lou@opinionservices.com

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ENGINEER

William T. Loughney, PE
Persistence Engineering
1114 Belmont Avenue
Haddon Township, NJ 08108
Phone: 502-575-5088
Email: wloughney85@gmail.com

ARCHITECT

Core Design Group Architects & Engineers
155 W. Market Street #200
York, PA 17401
Email: marketing@core-designgroup.com

ATTORNEY

CherylLynn Walters, Esq.
Nehmad Davis & Goldstein, PC
4030 Ocean Heights Avenue
Egg Harbor, NJ 08234
Phone: 609-927-1177
Fax: 609-926-9721
Email: cwalters@ndglegal.com

II. ZONING REVIEW

The subject property is situated within the Central Business District (CBD). Cannabis cultivation and manufacturing is a permitted use in the zone as per the Green Zone Redevelopment Plan. The below table summarizes the bulk requirements for this zone:

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BULK ITEMS	REQUIREMENT	EXISTING	PROPOSED
Max. Principal Building Height	65 ft (from BFE)	+/- 36 ft	NC
Min. Lot Area	5,000 sf	4,237.5 sf (ENC)	NC
Min. Lot Depth	100 feet	113 feet	NC
Min. Lot Width	50 feet	37.50 feet (ENC)	NC
Min. Lot Frontage	50 feet	37.50 feet (ENC)	NC
Min. Principal Front Yard Setback	5 feet	0 feet (ENC)	NC
Min. Principal Side Yard Setback	0 feet	0 feet	NC
Min. Principal Rear Yard Setback	20 feet	0 feet (ENC)	NC
Max. Building Coverage	30 %	> 30 % (ENC)	NC
Max. Impervious Coverage	80 %	100 % (ENC)	NC
Floor Area Ratio	N/A	N/A	N/A
Open Space	N/A	N/A	N/A
Maximum Density	25 DU/A	N/A	N/A

N/A = Not Applicable; NC = No Change; ENC = Existing Non-Conformity;
 NP = Not Provided; TBP = To Be Provided; **V = Variance Required**

PARKING	REQUIREMENT	REQUIRED	PROPOSED
Warehouse	1 space per 5000 sf of GFA (≤ 4,237.5 sf)	9 spaces	0 Spaces (V) (See Comment III.B.1. below)

The Applicant has requested a waiver from the following:

1. Per N.J.A.C. 19:66-5.8(b) – where nine (9) parking spaces are required, whereas zero (0) parking spaces are existing and proposed.

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III. ENGINEERING COMMENTS

A. GENERAL

1. The subject property's lot and block numbers shall be provided within the plan view on the site plan.
2. The existing and proposed minimum lot areas in the bulk table on the site plan shall be revised to include a decimal point.
3. The Applicant shall provide testimony on the existing fire escape that is over the ROW line into the public alley at the rear of the site. Has a license been obtained from the City for the fire escape protrusion into the ROW?
4. The proposed trash room on the third floor appears to contain cannabis and general waste trash storage. The Applicant states cannabis storage will be disposed of on a weekly basis as per NJ CRC regulations and the general waste will be disposed of in the trash receptacle behind the building. The Applicant shall provide testimony on the general waste's trash receptacle's location, container for storage, and if it is public or private pick up. The architectural floor plans shall be revised to depict the cannabis waste and general waste areas. Are the trash receptacles stored on site or within the ROW? Please note that the trash receptacle is not permitted to be stored or placed within the City's ROW.
5. The Applicant shall provide testimony on the odor mitigation involving the two (2) independent air-filtration technologies.

B. PARKING & LOADING

1. As per N.J.A.C. 19:66-5.8(b), for warehouses uses, the closest applicable use to cannabis cultivation and manufacturing, one (1) parking space is required per 500 square feet of floor area. The +/- 4,237.5 sf cannabis facility will require at most nine (9) parking spaces, whereas no parking spaces are proposed, and the existing site contains no parking facilities and never did. As the existing use was office space, the proposed cannabis facility will require less of a parking demand. The Applicant has requested a variance for the insufficient off-street parking. The Applicant shall provide testimony on the parking for the site and where employees and customers will park.
2. The Applicant shall provide testimony on the status of the approval of the proposed loading zone in front of the site on Atlantic Avenue from Atlantic City. Does this loading zone eliminate existing parking spaces, or is parking prohibited at certain hours on certain days to allow for loading operations? Testimony shall be provided on the nature and frequency of loading operations for the site.

C. LIGHTING & SIGNAGE

1. The Applicant states egress lighting is to be in conformance with the UCC. The Applicant shall clarify if any external site lighting such as wall mounted lights are proposed. If so, they shall be provided on the site plan and on building elevations on the architectural plan. The Applicant shall provide testimony on the existing lighting for the site.
2. The Applicant indicates no signage or modifications to the building exterior is proposed with this subject application.

IV. COFONE CONSULTING PLANNING REVIEW

Zoning Compliance

The property is located within the Green Zone Redevelopment Area, encompassing the CBD Central Business Zone District.

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.

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

In regard to the “c” variances, 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 shall provide such statutorily required testimony through a New Jersey licensed professional planner.
- 2) The Applicant’s professional planner should discuss the required variance relief in the context of the site and the immediate area.
- 3) The Applicant has stipulated the parking spaces for the existing and previous uses remain and are sufficient to accommodate the proposed use. The Applicant's engineer shall provide brief testimony.
- 4) We note that there are ample parking options available throughout the area, as well as a well-defined pedestrian circulation network along with the availability of public transit and ride-sharing.
- 5) The Applicant shall provide testimony on the operation of the business, with a specific focus on product storage, patron access, growing process, security, noise and odor control, etc.
- 6) There are no changes to the building proposed other than interior renovations. The Applicant has stipulated that the building improvements will comply with Section 5.1.2.d of the Green Zone Redevelopment Plan.
- 7) While the CRDA had previously approved the existing Legal Distribution, LLC dispensary on the ground floor, given the nature of the proposed use, the Applicant shall provide testimony on refuse storage and collection.

- 8) The Applicant shall discuss how the application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan, the Green Zone Redevelopment Area, and the Tourism District.
- 9) The Applicant shall comply with the conditions of all previous approvals received for the site.
- 10) The Applicant shall furnish prior approvals from, and agreements with, the City of Atlantic City that involved the site, if any.

V. 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.**

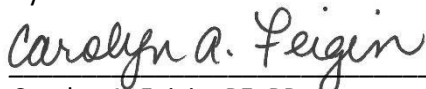
Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. To facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

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Respectfully Submitted,

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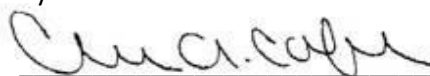
By



Carolyn A. Feigin, PE, PP
CRDA Consulting Engineer

COFONE CONSULTING GROUP

By



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

cc: Robert L. Reid, AICP, NJPP
Christine A. Nazzaro-Cofone, AICP, PP
Scott Collins, Esq.
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