

Law Office of Daniel J. Gallagher, Esquire

336 N. Annapolis Avenue
Atlantic City, New Jersey 08401

Tel: (609)541-4956

Fax: (609)541-4971

Email: dgallagher@dangallagheraclaw.com

○ Admitted in NJ and PA

○ LLM in Taxation

○ Licensed to Practice in US Tax Court
and Supreme Court

November 27th 2024

Robert L. Reid, AICP, NJPP
Land Use Regulation Enforcement Officer
NJ Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, New Jersey 08401

**RE: Zaza Dispensary LLP
12 S. Virginia Avenue – First Floor
Block 136 Lot 7**

Dear Rob:

Please accept this as a response to item 6 listed on page three of the ARH report. I worked for eighteen years at 26 South Pennsylvania Avenue and therefore I am extremely familiar with the above referenced neighborhood.


The subject property formerly operated as office space for the individuals who were operating owned the horses that formerly were permitted on Atlantic City beaches. Prior to that I believe it was used for various failed retail ventures. As the neighborhood began to decline businesses start moving out of the former area known as Gordon's Ally including the local favorite "Ally Deli".

The Gordon's Ally main building was converted to the offices for SOSH engineering but, most of the remaining businesses left and the buildings have been unoccupied for years. The above referenced facility has sat vacant for at least the last fifteen years.

The new facility and venture proposed by the applicant will be the start of the revitalization of this area . Certainly, bringing in a new sleek design and foot traffic back to this site will be welcomed by the entire neighborhood. Moreover, the increased foot traffic will spurn other businesses to this iconic location which currently remains vacant and in need of upgrades/revitalization. At the very minimum additional lighting, cameras and the presence of security will make this location safer than its current condition. The applicant will be ringing much more than the afore referenced improvements and amount of money the applicant anticipates inserting into this facility is significant. Lastly, if the business model meets the owners expectations, the end result will create the type of increased commercial "ratables" the city is trying to attract .

Although not requested as part of this overview, the Board members and others at the CRDA should know that the applicant is profoundly aware of the number of other facilities in Atlantic City and, that most of these facilities are not generating the type of revenue anticipated . The applicant has visited most of these facilities and discussed business models with the owners. Without divulging their business model to the competition, the applicant believes not one facility in Atlantic City has approached the marijuana dispensary business model the way it will. The site, located literally down the street from the Hard Rock is particularly well suited for the applicants business model. The applicant truly believes that although the some rules and regulations imposed by the State of New Jersey are contradictory and obscure, the applicant have a business model that works and will flourish in Atlantic City New Jersey .

If you should have any questions or need additional information, please do not hesitate to call.

Respectfully,

Daniel J. Gallagher Esq.

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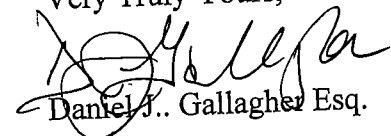
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Dear Rob:

Please find attached hereto the previous deficiency letter as well as the corrected plans etc requested . As always should you have any questions please do not hesitate to call.

Very Truly Yours,


Daniel J. Gallagher Esq.



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

September 17, 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: **COMPLETENESS REVIEW #1: CRDA # 2024-05-3646**
 Minor Site Plan w/ Variance Approval
 Zaza Dispensary LLP
 12 S. Virginia Avenue #1 (Block 136, Lot 4)
 Atlantic City, NJ 08401
 ARH # P2024.0606

Dear Mr. Landgraf:

ARH ASSOCIATES has reviewed the following information towards issuance of compliance with the required application items within the CRDA's Checklist(s) for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
CRDA Land Use Application	Owner / Applicant	08/27/2024	
Escrow Setup Information		Undated	
Four (4) Color Photographs of Site		05/15/2024	
Marketing Strategies		09/03/2024	
Security Plan		08/20/2024	
Commercial Lease	Arthur Ponzio Co.	08/15/2024	
Minor Site Plan Checklist (Form #5)	Daniel J. Gallagher, Esq.	06/12/2024	
Property Survey & Variance Plan	City of Atlantic City	04/17/2024	
Architectural Floor Plans		09/04/2024	
Resolution No, 441		07/16/2024	
Resolution No, 328		03/22/2024	
Letter of Support		08/22/2024	
200' Property List		Undated	
Certification of Taxes Paid	United Food and Commercial Workers International Union	08/22/2024	
Memorandum of Understanding	United Food and Commercial Workers Union	08/22/2024	
Letter of Support to CRC			
Labor Peace Agreement			

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Per this information, our office offers the following comments:

I. PROJECT INFORMATION & CONTACT INFORMATION

The 7,775 SF site is a through lot with frontage on Virginia Avenue and Gordon's Alley. The site is presently developed with a three-story building of unknown use(s) fully encompassing the lot. The Applicant seeks approval to construct a cannabis retail facility on a portion of the first floor. An internal vehicle loading area and entry improvements are proposed.

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

APPLICANT

Zaza Dispensary LLP
Tyrone & Dashnay Holmes
7 Equinox Lane
Freehold, NJ 07728
Phone: 215-880-5560
Email: dashnayholmes@gmail.com

OWNER

Dutchtown 7 LLC
Eyal Arev
1317 Edgewater Drive, Suite 388
Orlando, FL 32804
Phone: 609-876-9139
Email: al@izonamerica.com

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ENGINEER/PLANNER

Jon J. Barnhart, PE, PP, CME
Arthur Ponzio Co.
400 N. Dover Avenue,
Atlantic City, NJ 08401
Phone: 609-344-8194
Fax: 609-344-1594
Email: jbarnhart@ponzio.com

ARCHITECT

Brett Barshay, AIA,
Graphite Architecture & Interiors
239 Central Avenue
New Haven, CT 06515
Phone: 646-824-0866
Email: brett@graphitearch.com

ATTORNEY

Daniel Gallagher, Esq.
336 N Annapolis Avenue
Atlantic City, NJ 08401
Phone: 609-541-4956
Email: dgallagher@dangallagheraclaw.com

II. COMPLETENESS REVIEW

The following addresses conformance with the CRDA's Checklist(s) only and does not reflect adequacy of submissions for review purposes. The Applicant has requested waiver(s) from checklist(s) items as noted below. Furthermore, deficiencies from checklist(s) items that have not been requested a waiver from are also noted below:

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Minor Site Plan Checklist (Form #5)

ITEM	MINOR SITE PLAN CHECKLIST	Required	Waiver Requested by Applicant / Not Provided	Comments
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	A project narrative has not been provided and should be submitted explaining the existing use(s), proposed use, and the proposed variance(s), if any. If variances are proposed, a completed "c" Variance Checklist (Form #12) shall be provided.
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	The Applicant shall provide an analysis of the existing parking requirements for the existing use area on site which is to be renovated into the proposed retail dispensary. The architectural plans indicate 17 existing spaces are grandfathered but this is not mentioned on the site plan.
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	X	X	The Property Survey does not contain topography, the FF elevation of the building, or the FEMA Flood Zone. The Applicant is proposing pedestrian and vehicular access improvements with their submission with no topography provided. The FEMA flood zone shall be provided along with the FF elevation.

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ITEM	MINOR SITE PLAN CHECKLIST	Required	Waiver Requested by Applicant / Not Provided	Comments
	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	Stormwater management plans and drainage calculations. (19:66-7.5).	X	X	Our office accepts this waiver request as the Applicant is not considered a "major development" per N.J.A.C. 7:8 and thus no stormwater management measures are required.

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ITEM	MINOR SITE PLAN CHECKLIST	Required	Waiver Requested by Applicant / Not Provided	Comments
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	The site plan shall be revised to provide the proposed curb cut and driveway entrance into the site's loading area as demonstrated on the architectural plans. The architectural plan also portrays a ramp under the covered entry into the building which is not shown on the site plan. The Applicant has not provided any signage at this time. The Applicant shall confirm if no signage is proposed and as to why if not.
23	Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures.	X	X	The Applicant has requested a waiver from providing a grading plan, but it is not clear if this is necessary as no existing topography has been provided to demonstrate if the proposed vehicular and entry access improvements into the site can work.
24	Landscaping Plan, details, and plant schedule (19:66-7.6)	X	X	Our office accepts this waiver request from providing a landscaping plan as the site is fully impervious coverage and no landscaping is existing or proposed.

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25	Lighting Plan and details (19:66-7.10)	X	X	The Applicant has not provided a lighting plan or details. If wall mounted lights are proposed on the exterior façade, they shall be provided on the plans with a detail.
26	Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)	X	X	Our office accepts this waiver request as the site does not disturb soils in excess of 5,000 sf.
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	Proposed gas, telephone, cable, and electric utilities shall be provided on the site plan.
29	Solid and liquid waste management plan.	X	X	The interior refuse area for cannabis waste shall be provided on the architectural plans.
30	Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles	X	X	Our office accepts this waiver request as long as it is sprinter vans or vehicles of a equivalent size or smaller that are making pickups and deliveries to the site. If larger vehicles are anticipated, a vehicular circulation plan shall be provided.

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ITEM	MINOR SITE PLAN CHECKLIST	Required	Waiver Requested by Applicant / Not Provided	Comments
31	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X	X	Architectural floor plans have been provided but elevations have not been provided. Elevations shall be provided indicating the height of the building and show the exterior façade renovations. If the building is greater than 35' in height, this changes the required setbacks and the building's conformance from thereof.
34	Performance guarantee [19:66-3.4 (b)]	X	X	Our office does not accept this waiver request as there will be improvements in Gordon's Alley ROW for the proposed driveway which will require performance and maintenance guarantees as part of final approval.
35	Maintenance guarantee (19:66-16.3)	X	X	

The Applicant has requested relief from variance(s) on their application form but do not indicate the nature of the variance(s). If variance(s) are proposed, a completed "c" Variance Checklist (Form #12) shall be provided.

Per our review of the Checklist, the Applicant has satisfied all other submission requirements, and no additional waivers appear necessary.

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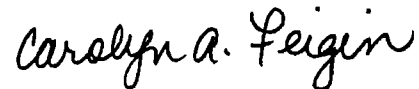
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III. RECOMMENDATIONS

The Applicant shall address the deficiencies referenced in the checklist item(s) not submitted. We recommend that this application be deemed **INCOMPLETE**. No technical review will be performed until the application is deemed Complete. Additional commentary will be provided during the technical review portion of this project.

If the Applicant should have any questions or comments, please do not hesitate to contact me at 609-561-0482 ext. 5005 or by email at cfeigin@arh-us.com.

Respectfully Submitted,
ARH ASSOCIATES
By



Carolyn A. Feigin, PE, PP
CRDA Consulting Engineer

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

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