



DEPARTMENT OF DEVELOPMENT SERVICES – PLANNING DIVISION
REPORT: Special Permit for an Adult Use Cannabis Retailer at 1396 Park Street for consideration Tuesday July 26, 2022

STAFF REPORT

TO: Planning & Zoning Commission

PREPARED BY: Evelyne St-Louis, Senior Planner (evelyne.st-louis@hartford.gov)

PROJECT: Adult Use Cannabis Retailer
 1396 Park Street (1390-1400 Park Street per assessor’s database)
PARCEL ID: 158-403-077
P&Z-COMM-2022-0634

ZONE: CX-2, Commercial Industrial Mix District, with the Transit-Oriented Development Overlay
 Parkville National Historic District

TYPE: Request for a Special Permit for a proposed Adult Use Cannabis Retailer in the CX-2 district with the Transit-Oriented Development Overlay per Section 3.3.10.C and Section 1.3.4.

APPLICANT: Kevin Henry

OWNER: 1390-1400 Park Street LLC (Managing member: Carlos Mouta)



Figure 1. Subject property at 1390-1400 Park Street (Hartford GIS, 2022)

BACKGROUND INFORMATION

This application is a request for a special permit for adult use cannabis retail within a building known as 1396 Park Street. This building is located on a parcel commonly known as Parkville Market, or 1390-1400 Park Street per the assessor's database. The property is zoned CX-2 with the Transit-Oriented Development (TOD) Overlay and is located in the National Parkville Historic District.

Adult use cannabis is regulated at the state level by SB 1201, an Act Concerning the Responsible and Equitable Regulation of Adult-Use Cannabis, passed in 2021. Should this special permit request be approved by the Planning & Zoning Commission, the applicant will be required to obtain a license from the State and confirm that all operating conditions meet the standards described in SB 1201 regarding products, operations, security, signage, staff, etc. prior to opening.

For reference, two related applications are scheduled for the August 9th Planning & Zoning Commission meeting:

- An application at 1390 Park Street, one of the other buildings located on the Parkville Market property, includes a special permit and site plan request for the Entertainment Assembly & Drinking Place use and a special permit request for an Accessory Outdoor Café associated with a Drinking Place (P&Z-COMM-2022-0633).
- An application for the adjacent property, 1420 Park Street, includes a site plan for the Craftsman Industrial use (relocation of Hog River Brewing Company) and a special permit for Accessory Outdoor Café associated with a Drinking Place (P&Z-COMM-2022-0624).

KEY APPLICATION TIMELINES

- Application Submission Date: Tuesday May 24, 2022.
- Date Application Accepted as Complete: Tuesday May 24, 2022.
- Application Date of Receipt: Tuesday June 14, 2022 (sooner of either: date of next regularly scheduled meeting, or 35 days after acceptance of complete application.)
- Public Hearing scheduled to open: Tuesday July 26, 2022; Open Hearing Deadline: Thursday August 18, 2022.
- Close Hearing Deadline (if opens Tuesday July 26, 2022) (35 days after opening): Tuesday, August 30, 2022.
- CT General Statutes Sec.8-7D allow that the applicant consent to one or more extensions of time, provided the total extension of all time periods shall not be for longer than 65 days.

LEGAL STANDARD

Standard for Application Type:

The Commission reviews special permits in accordance with Zoning Regulations Section 1.3.4. Special permits may be approved, approved with conditions, or denied. Considerations the Commission may weigh in special permit review include: harmony with the plan of conservation & development; compliance with the purposes of the district; effect on existing development; creation of safety hazards in vehicular and pedestrian circulation; effects on traffic; compatibility with adjacent properties; suitability of arrangement of buildings, open space, and provision of light and air; impact on essential services; impact on stormwater runoff; impact on city services and infrastructure; tree and landscape provision; and pedestrian amenities. The Commission may deviate from the minimum requirements for

building siting, height, street facades, accessory structures dimensions, tree installation, landscape installation, buffers, fencing, lighting, parking, signage, and street design by up to 15% upon certain findings.

STANDARD SPECIFIC TO THE USE

City of Hartford Zoning Regulations

Figure 3.2-A. Table of Principal Uses. Adult Use Cannabis Use Retail is permitted subject to the approval of a special permit in the DT districts. It is not permitted in the CX-2 district.

Section 3.3.10. Cannabis Uses. A category of uses involving the cultivation, propagation, processing, extraction, creation, packaging, labeling and retail of cannabis, cannabis products and medical marijuana. Such cannabis and medical marijuana establishments are subject to the requirements of state law and regulations as established by the State of Connecticut Department of Consumer Protection.

When a use requires a special permit as noted in Figure 3.2-A, the zoning administrator may request, in addition to the special permit requirements of Section 1.3.4, additional information to ensure proper evaluation of such application. Such information may include without limitation, documentation from the State Department of Consumer Protection, signage plans, ventilation plans, material characteristics, drainage plans, waste disposal plans, chemical disposition plans, and odor control plans.

All advertising, displays, signage, and visibility requirements must comply with state law and the regulations as established by the State Department of Consumer Protection.

C. Cannabis Retailers. A Retailer, defined as a person, excluding a medical marijuana dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs, or a Hybrid Retailer, defined as a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

- (1) **Proximity to Other Cannabis Retailers.** No cannabis retailer shall be located within a 1,500-foot radius in any direction of any parcel where cannabis retail sales are located, except that these dispersion requirements shall not apply to prohibit new cannabis retail in the DT districts.
- (2) **Proximity to Certain Uses.** No cannabis retailer shall be located within a 500-foot radius of parcel used or reserved to be used for the purpose of a school or civic assembly, except that these dispersion requirements shall not apply to prohibit new cannabis retail in the DT districts.
- (3) **Hours of Operation.** Cannabis retailers are permitted to be open to the public for sales between the hours of 8:00am and 10:00pm on Monday through Saturday, and between the hours of 10:00am and 10:00pm on Sunday.

Section 4.9 Workshop Warehouse Building

Section 4.9.2.C. Permitted Uses on Ground story: All uses permitted by district; any showroom shall be located on the ground story; **Upper stories:** all uses permitted by district (see Note 3).

Note 3. Any Eating Places or Adult Use Cannabis Uses open to the public, but within the interior of the building, shall be located only on the first or second stories and shall be directly accessible from a public right of way. If located on the second story, "directly accessible" shall include being accessible through a small ground-story lobby containing an elevator and stairs. Allowed signage marking the entrance of the Eating Place shall be provided on the exterior of the building.

Section 5.3 Transit Oriented Development (TOD) Overlay

C. Buildings. Permitted buildings shall include the following:

- (1) Downtown Storefront Building Type.
- (2) Downtown General Building Type.
- (3) Apartment Building Type.
- (4) Row Building Type.
- (5) Workshop/Warehouse Building Type. Workshop/Warehouse Buildings shall be permitted, in accordance with the requirements in the underlying zoning district.

D. Uses. The uses shall be any of the uses allowed in the DT districts, but not uses allowed in the underlying zoning district which are not also allowed in the DT districts. Such uses are either permitted, permitted with conditions, or special permitted, in the same manner as in the DT districts.

Plan of Conservation & Development (POCD)

Grow400: Make Hartford's economy more prosperous

- **Build the transformative projects: Parkville Arts & Innovation District.** Let's build on Parkville's manufacturing roots and recent emergence as a hub for makers and creators, and build a distinctive transit-oriented destination that will be known for arts and innovation.
- **Entrepreneurship goals:** Hartford has a diverse business ecosystem filled with large anchor institutions, small businesses, and start-ups. Meeting the needs of these diverse enterprises and cultivating an innovation atmosphere will expand economic opportunities and connect Hartford to the region and the world.

Play400: Make Hartford's culture more vibrant

- **Tourism:** Hartford has architecture, history, parks, arts, culture, sports, and museums that would be the envy of any similarly-sized city. Creating a coherent tourism strategy that highlights our diverse assets will draw people, drive investment, create service jobs, and foster a love of our great city.
- **Recast Parkville as an arts and innovation hub.** Building on organic development in Bartholomew Avenue to return the area to its creative and manufacturing roots will attract artists and others.

FINDING OF FACTS

Subject property and context:

- The lot is zoned CX-2 with the TOD Overlay and is located in the Parkville National Historic District. It is a 3-acre lot bounded by I-84 to the east, railroad tracks to the northwest, and Park Street to the south.

- The subject lot is occupied by three buildings and surface parking. A site plan for the Parkville Market was approved administratively in 2019 and amended in 2020 (P&Z-ASPREV-2018-0188). The approved site plan lists the primary use as General Retail (Public Market). Special use permits for Drinking Place & Entertainment Assembly are pending.
- The subject building, 1396 Park Street, is 2-story brick structure located in the rear yard. The building measures about 4,400 gsf and has a fenced-in outdoor area to the rear of the building. The façade has low transparency and does not face a public ROW. Of the building types permitted in the TOD Overlay, the structure is most similar to the Workshop/Warehouse Building type. The building was last used as a child day care center.
- Neighboring properties are described below:
 - Parcels to the east include Pope Commons shopping plaza and Pope Park. These parcels are separated from the subject property by I-84.
 - Parcels to the north include 56 Arbor and 30 Arbor Street, which are home to a mix of uses such as Real Artways as well as studios and offices. These parcels are separated from the subject property by railroad tracks.
 - Parcels to the south include a mix of uses, such as apartments, offices, storage uses, and a few eating, drinking, and service establishments.
 - The abutting parcel to the west, 1420 Park Street, is commonly owned. A site plan review application for the relocation of Hog River Brewing Co. to this building is currently pending. Beyond this parcel and the railroad tracks, there are a mix of residential uses west.
- The site is within a 1/2-mile from the CTfastrak Parkville station and is located in the Parkville Arts & Innovation District, one of the POCD’s transformative project areas. This area is envisioned to become a transit-oriented destination, known for innovation, arts, and creativity. According to the Parkville Innovation Hub’s website, “creative enterprises and destinations such as the Parkville Market, Real Artways and Hog River Brewing have [recently] revitalized the community and created opportunities for continued growth.”¹
- The property is located in a Disproportionally Impacted Area, as defined in SB 1201.²

Proposed application:

- Proposed use: adult-use cannabis retail.
- General operations:
 - The proposed use would operate only within the walls of the existing building. The outdoor fenced area would only be used by staff for breaks and for receiving secure deliveries. A dumpster would also be installed in the fenced-in area.
 - Proposed store hours of operation:
 - Monday-Thursday: 9:00am-8:00pm
 - Friday-Saturday: 9:00am-10:00pm

¹ See Parkville Arts & Innovation District, available at: <https://www.parkvilleartsinnovation.org/parkville-district/>

² SB 1201 “established a Social Equity Council [to] promote and encourage the full participation in the cannabis industry by people from communities disproportionately harmed by cannabis prohibition. The bill targets its equity measures at “disproportionately impacted areas” (or DIAs), census tracts in the state that have either a historical conviction rate for drug-related offenses greater than one-tenth, or an unemployment rate greater than ten percent, as determined annually by the Social Equity Council.” Available at: <https://data.ct.gov/stories/s/Disproportionately-Impacted-Areas-Identified-for-P/8nin-pkqb/>.

- Sunday: 10:00am-7:00pm
 - The applicant anticipates that the store will have an average of 150 customers per day, with an initial opening rush of up to 300 customers per day. For a typical 10-hour business day, the applicant estimates about 30 customers per hour, with customers spending about 5-10 minutes in the store.
 - The applicant aims to have pre-orders represent one-third of all orders. Customers will receive a notification via text or email when orders are ready for pick-up.
 - The applicant anticipates hiring 35 employees (20 full-time, 15 part-time), with an emphasis on local hiring.
- The applicant submitted a draft conceptual site plan with the following proposed work:
 - The plan proposes to re-organize the parking lot in front of the building. The median island closest to the front facade (which is currently painted) would be upgraded to a curbed median and would be flipped and moved further north to avoid cars backing in/out of parking spaces and to prevent traffic circulation directly in front of the building. Large planters would be installed along the existing walkway to fully block off traffic and create a pedestrian-only zone in front of the building. A new awning (for outdoor queuing as needed) and a new stripped walkway are also proposed along the building's front façade. Overflow queuing would snake around the front of the building in this area.
 - The plan proposes a new 8' by 10' entrance/lobby addition on the front of the building. The applicant intends to renovate the building's front façade and to use tinted windows to meet the State's requirements. Because the building does not face a public right-of-way, Staff do not believe this would conflict with the Regulations.
 - Should the special permit be approved by the Commission, the applicant would be required to submit a formal site plan review application for the aforementioned improvements.
- Parking and traffic flow:
 - The lot currently has ~155 parking spaces. The property owner also currently leases the area under the highway from the State of Connecticut for overflow parking. The property owner intends to make improvements to this area, which would add an additional 132 spaces, available to all Parkville Market patrons.
 - The owner has agreed to allow the Applicant to use two nearby, commonly owned, lots for additional overflow parking, 1477 and 1200 Park Street.
 - The applicant has stated that they will work closely with the Hartford Police Department (HPD) in the first 30 days after opening on traffic and safety concerns.
 - The applicant has agreed to deploy three staff members at the locations shown in Figure 10 to direct visitors arriving by car. This will be done for the first few weeks or until deemed no longer necessary by HPD and by Parkville Market management.
- Ventilation and odor control:
 - The applicant has stated that there will be no outside odors since the intended use is strictly as retail for off-site consumption. All products will be pre-packaged.
- Staff requested that the applicant notify the Planning & Zoning Division 30 days prior to opening to allow coordination with HPD and DPW. The applicant has stated that they would prefer a 14-day period but are amenable to 30 days.

- Note that SB 1201 specifically authorizes the City to charge the new Adult-Use Cannabis Retailer up to \$50,000 during the first 30 days of operation to cover the cost of any impacts to city services. These funds can be used for “...any necessary and reasonable costs incurred by the municipality for provision of public safety services in relation to such opening, including, but not limited to, public safety costs incurred to direct traffic, not to exceed fifty thousand dollars.”
- No signage is proposed as part of this application. Should the special permit be approved, the applicant would be required to apply for a separate sign permit.

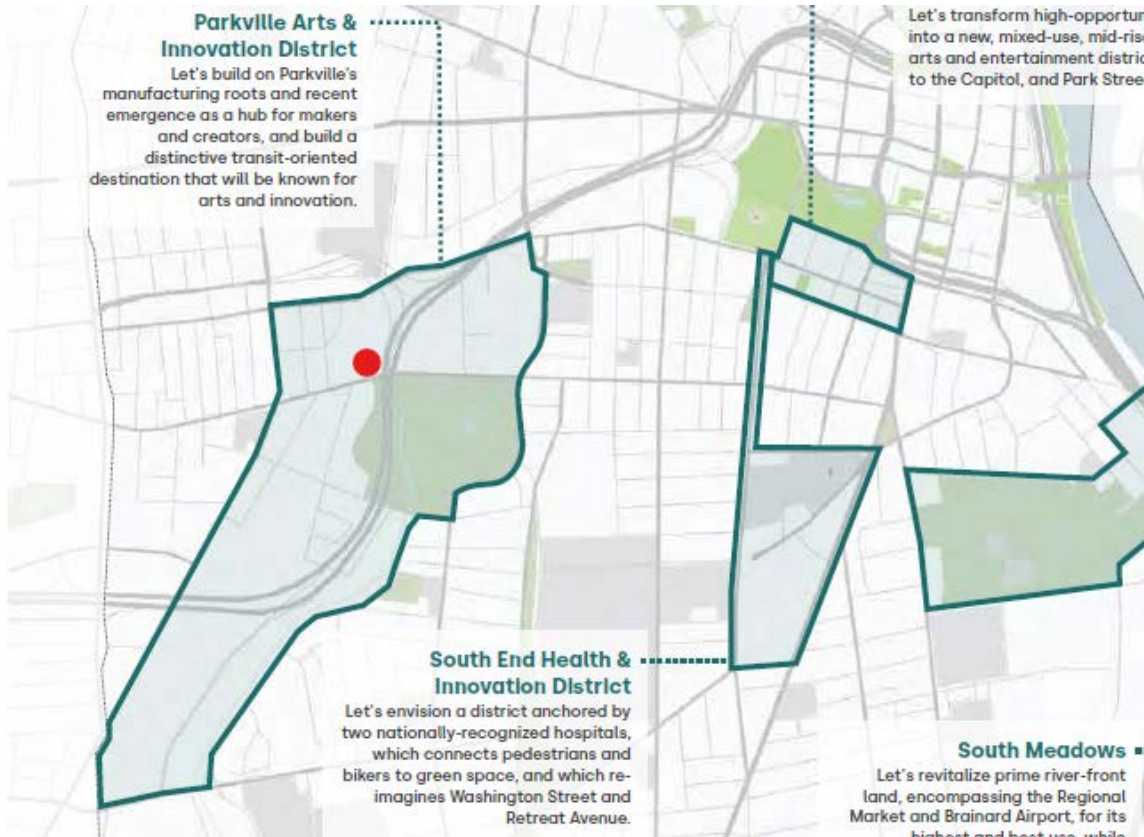


Figure 2. City of Hartford POCD Parkville Arts & Innovation District, with subject property location highlighted with the red dot.

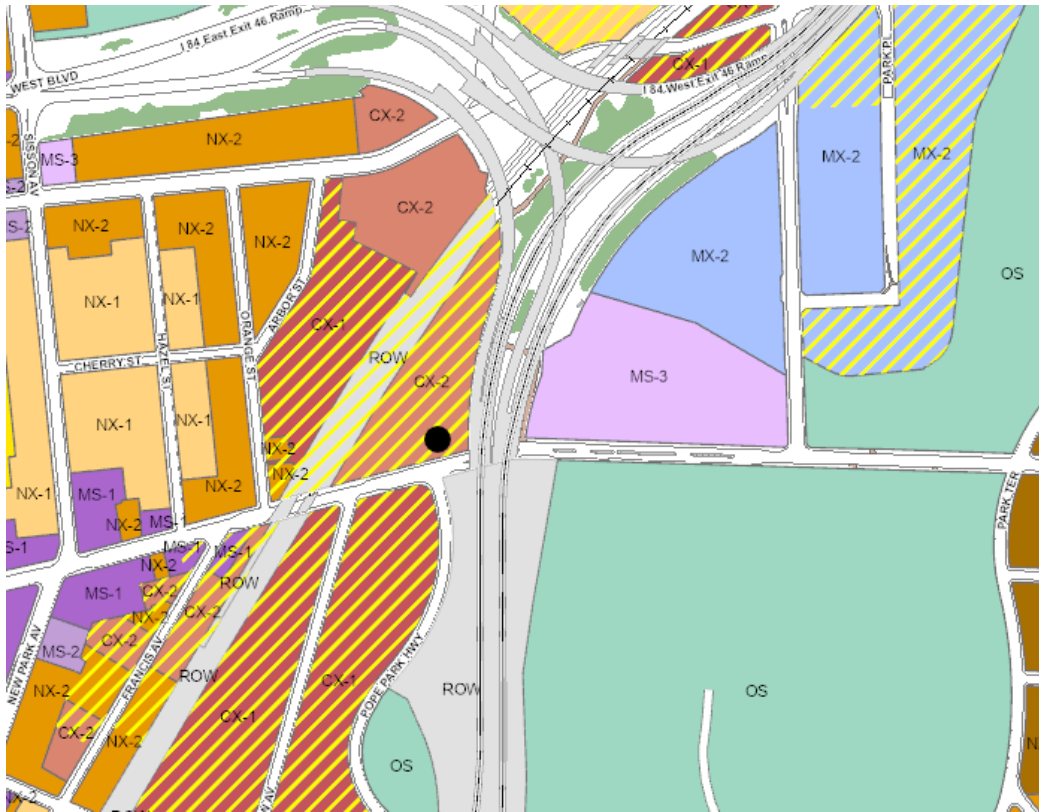


Figure 3. Zoning map of the subject property and surrounding uses (City of Hartford GIS Viewer)

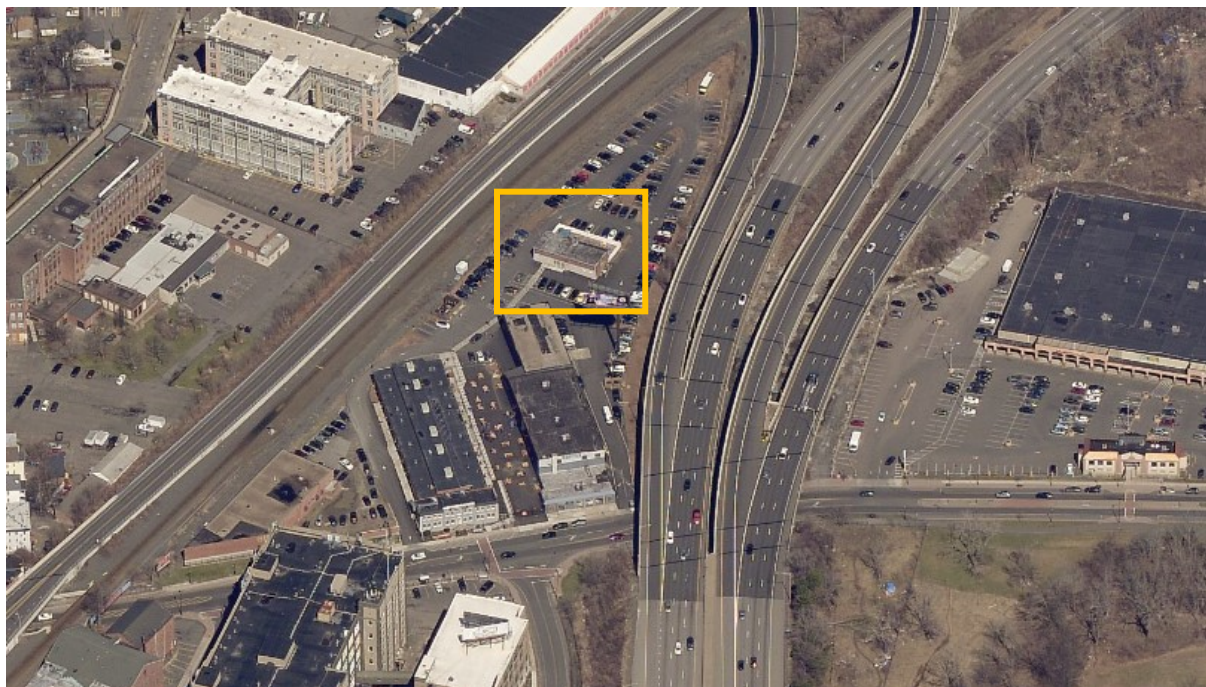


Figure 4. Satellite imagery of subject property, with subject building highlighted in yellow (City of Hartford GIS Planning Viewer).



Figure 5. Photographs of subject building's front façade (dated June 20, 2022; photograph taken by Planning Staff)



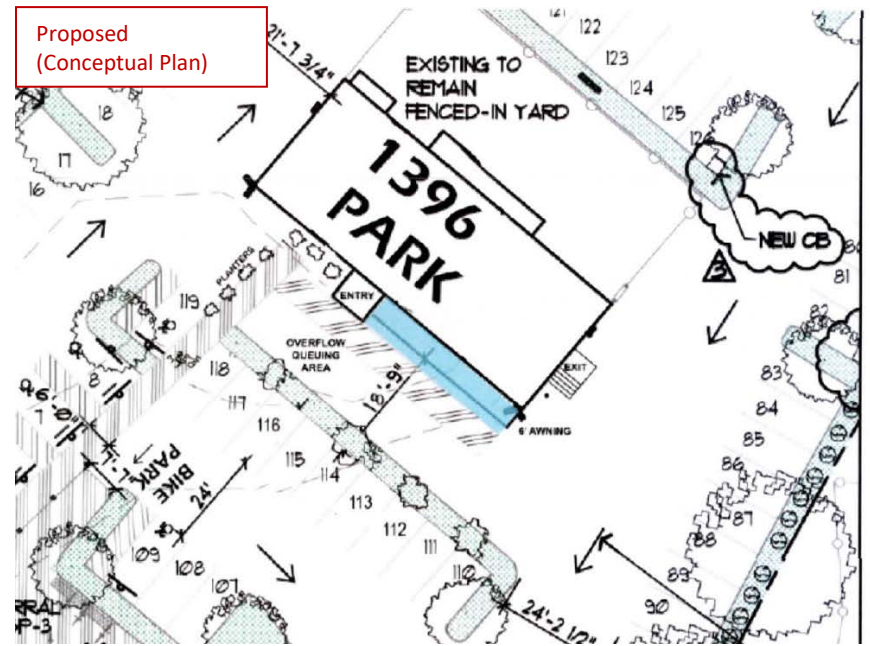
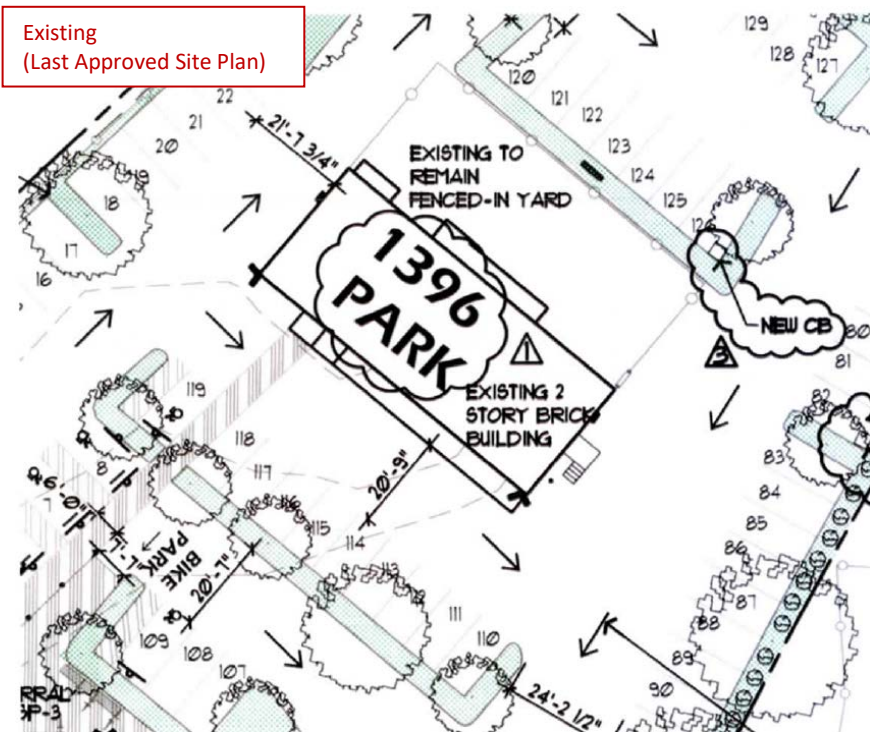
Figure 6. Photographs of subject building's front façade (dated June 20, 2022; photograph taken by Planning Staff)



Figure 7. Photograph of subject building's rear façade and fence (dated June 20, 2022; photograph taken by Planning Staff)



Figure 8. Photographs of pedestrian pathway leading to subject building from the 1390 Park Street building (dated June 20, 2022; photograph taken by Planning Staff)



Changes

- Adding a 8'x12' bump-out for entry
- 6' awning (in blue) over main queuing area
- Parking spots 110 - 118 flipped, to eliminate cars right in front of building
- Striped walkway extended along building
- Designated overflow queuing area
- Planters used to block cars cutting thru
- Flow of traffic now all goes up and around the building in question.
- The median island by spots 110-118 will be curbed and planted (is currently only painted).
- Additional large planters will be used to further protect customers using walkways.
- Fenced-in area in the back to remain, and will only be used for secure deliveries, storing of dumpster and employee break time.

Figure 9. Above: last approved site plan; below: illustrative conceptual site plan, below. Submitted by Kevin Henry dated July 18, 2022.

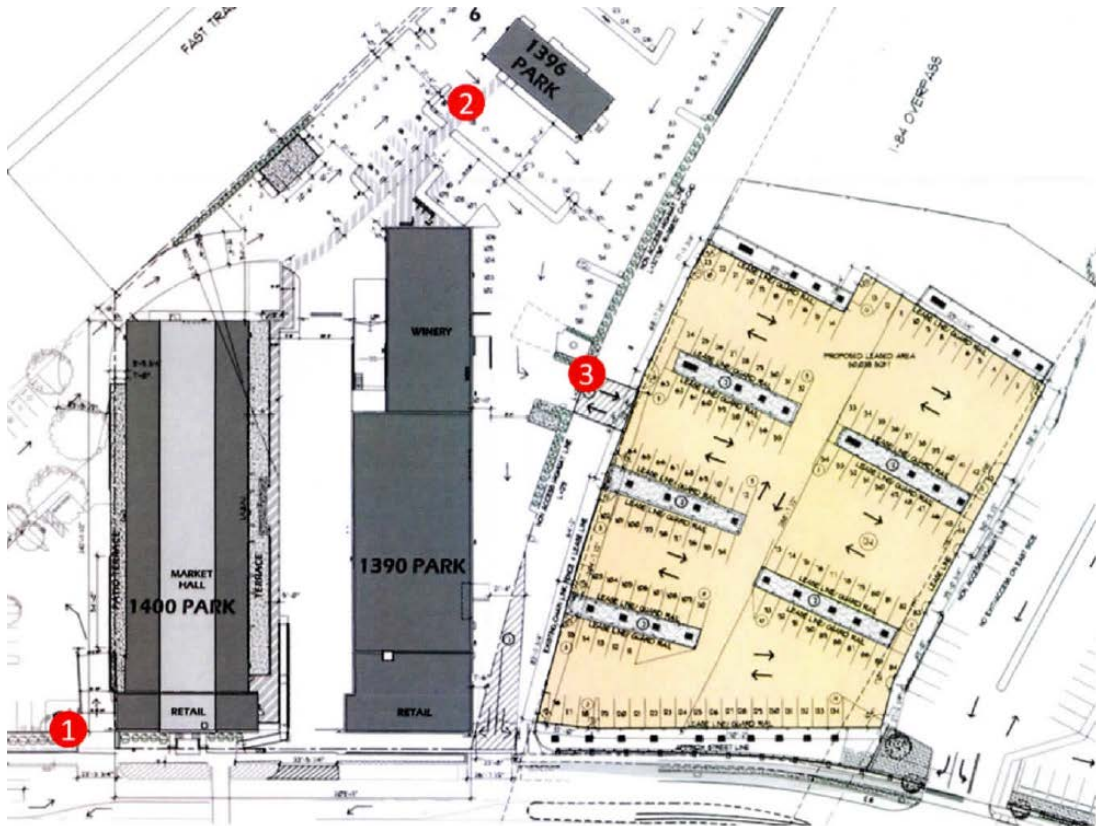


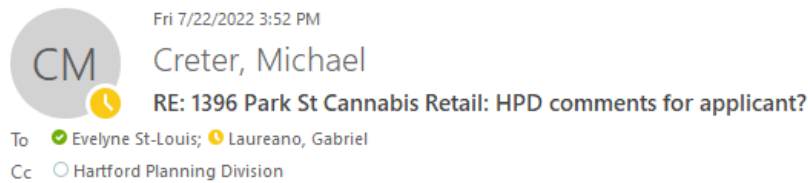
Figure 10. Proposed locations of team members to help direct traffic for the first few weeks of operation. Submitted by Kevin Henry dated July 18, 2022.

COMMENTS RECEIVED (DEPARTMENTS, AGENCIES, NRZs, PUBLIC)

A summary of outreach and comments received to-date is provided below:

- The applicant attended two Parkville NRZ meetings, on June 20 and July 13, 2022. The NRZ has submitted a letter of support, dated July 22, 2022 (see Attachment 1).
- The applicant attended two Parkville Business Association (PBA) meetings, after which the PBA submitted a letter of support (see Attachment 2).
- Attachment 3 is a letter of support from Majority Leader Thomas J. Clarke II and Councilwoman Shirley Surgeon.
- Attachment 4 is a letter from Council President Rosado, expressing some concerns and requesting that the PZC withhold voting on cannabis applications.
- Attachment 5 is a letter of support from Hands-on Hartford, a social services nonprofit organization located in the Parkville neighborhood.
- The applicant team prepared a “template” letter to facilitate their outreach process. The applicant obtained 92 letters signed-off by Hartford residents and 93 letters signed-off by Connecticut residents outside of Hartford in support of the application (posted in the “Public Comment” document on MeetingInfo).

Staff reached out to DPW for comment on July 15 and July 21, but no comments were provided. Staff also reached out to HPD for written comment and received the following response from Lieutenant Creter, Commander of the Southwest District:



Evelyne,

Good afternoon. I met with the applicant and his team at the Parkville Business Meeting and at the Parkville NRZ. They are every professional and have communicate a strong safety plan for their business. There will need to be many more conversations with them when and if they receive their permits. However, they want and welcome police input on how to make their business as safe and secure as possible. They have already relayed to me that they would be willing to allow Hartford Police Crime Center to have access to their camera system.

My one security recommendation I gave to them, I believe will be included on their site plan, is new fence on the east side of the new parking lot they are creating. The applicant and his team were receptive to this suggestion.

Please let me know if you need anything else from me.

Lt. Michael R. Creter

Commander, Southwest District
Hartford Police Department
860-757-4427 (Office)
959-282-5182 (Cell)

Figure 11. Comments received from Hartford Police Department, dated July 22, 2022.

ANALYSIS

SB 1201 includes specific regulations regarding products, operations, security, signage, staffing requirements, and many other facets of cannabis-related businesses. The applicant will be required to receive a license from the State and confirm that operating conditions meet all State standards prior to opening. This special permit application should be evaluated based on the proposal's compliance with the City of Hartford's Zoning Regulations, consistency with the POCD, and consistency with the criteria listed in Section 1.3.4 of the Regulations.

Compliance with the Zoning Regulations

The applicant's request fully complies with the Zoning Regulations, as follows:

- Uses permitted in the TOD Overlay include "any of the uses allowed in the DT districts, but not uses allowed in the underlying zoning district which are not also allowed in the DT districts". Adult-use Cannabis Retail is permitted subject to special permit approval in the DT districts. As such, this use is permitted on the subject property.
- The subject building is a Workshop/Warehouse Building type. Cannabis uses are allowed to occupy 100% of the ground floor and second floor of this building type per Section 4.9.2.

- Section 3.3.10.C requires separation from similar uses and a distance requirement from school or civic assembly uses except in the DT districts. These dispersion requirements do not apply to the subject property given its TOD Overlay designation.
- The applicant’s proposed hours of operation comply with those listed in the Regulations.
- The proposed use will operate completely within the walls of the existing building. The outdoor fenced area will not be used for retail and will not be accessible to customers.

Consistency with the POCD

Staff find that the application is generally consistent with the POCD. The Grow400 chapter identifies the Parkville Arts & Innovation District as a transformative project area meant to foster innovation, arts, and creativity. The area already has several retail, eating/drinking, and entertainment destinations and would benefit from an additional retail destination. Concentrating these diverse types of businesses within an area can have a synergizing effect and help strength other nearby businesses. The Adult-Use Cannabis Industry could also drive some outside tourism to Hartford and to the Parkville area, consistent with the POCD’s Play400 tourism goals.

The entrepreneurship goals of the Grow400 chapter, as well as the Parkville transformative project area, specifically mention encouraging “innovation” and innovative industries in Hartford. With the passage of SB 1201, the cannabis industry has generally been seen as a growing and innovative industry. Allowing local residents and entrepreneurs to participate in, and benefit from, this growth appears to be in line with the POCD.

Additional Considerations for Special Permit Applications

Section 1.3.4 of the Zoning Regulations lists additional criteria to examine when evaluating a special permit. This section examines a few of the most relevant criteria.

Compatibility with Zoning Designation and Adjacent Uses

The Regulations describe the TOD Overlay as intended to allow for greater flexibility and greater density in proximity to public transportation. As such, the proposed use, which is considered a more intensive use that would fill a vacant building and draw in customers throughout the day – appears consistent with the goals of TOD Overlay.

Staff find that the proposed use is compatible with adjacent properties – for example, cannabis retail could become a retail destination in the area and complement the nearby arts, entertainment, and eating/drinking establishments. With the exception of loft apartments on the south side of Park Street and residential homes west of the railroad tracks, there are few residential properties in direct proximity to the subject property.

Transportation Impacts: Vehicular and Pedestrian Circulation and Pedestrian/Bike Safety

Other states with similar legislation report that the initial opening of a cannabis retail store is often accompanied by a high level of interest from patrons. The applicant has stated that pre-ordering will be encouraged to help address this initial rush. However, with the surge of visitors expected in the first few weeks combined with the baseline demand already generated by Parkville Market, Staff requested that the applicant also address on-site transportation issues, described below.

- **On-site pedestrian access and safety:** The applicant’s proposal to create a pedestrian-only zone in front of the subject building – with a new pedestrian walkway, a protected queuing

area, and space for overflow queuing – adequately addresses Staff’s concerns regarding pedestrian safety in the adjacent parking lot. Based on a site visit conducted on June 20, 2022, Staff found that cars were encroaching onto existing pedestrian walkways (see Figure 8). Therefore, Staff strongly recommends the installation of additional bollards and a curbed median, rather than the existing painted median. Staff recommends that these elements be included as conditions of approval.

- **Demand for parking:** The applicant is collaborating with the property owner and Parkville Market management to offer a total of four parking lots to accommodate the increase in patrons. Note that HPD recommended that a new fence be added on the east side of the parking lot under the highway; however, the site plan for proposed improvements to that parking lot are not the subject of this application.
- **On-site traffic flows:** Staff asked that the applicant to provide more information on how traffic flows within the site and between the parking lots would be managed. In response, the applicant is proposing to deploy three staff members throughout the site to help direct traffic and provide information on parking availability. Staff is supportive of this proposal. Staff recommend that the applicant continue to work with HPD on this aspect of the application, especially with regards to coordinating traffic flow at the site’s main driveway entrance on Park Street.

The Parkville Market site and the 1420 Park Street site, although not zoned with the Campus Overlay, essentially function as a campus, with various uses located in inter-connected buildings and outdoor spaces that utilize shared parking lots. While this cannabis retail application is limited in its scope to only one building, Staff note, for the Commission’s consideration, that additional off-site transportation questions that may become more relevant as additional uses are added to the site:

- **Off-site traffic impacts:** As new uses are added on these sites, the impact on Park Street’s traffic flows – especially cars entering and exiting the site – may be worth examining. Staff has requested that the applicant for the 1390 Park Street special permit application submit a transportation management analysis to explore these impacts.

Impact on City Services

SB 1201 allows the City to charge up to \$50,000 during the first 30 days of operation of the use to compensate for any impact on City services. To manage unexpected impacts on City services, the applicant has also accepted Staff’s request for a minimum 30-day notice prior to the use opening in order to coordinate any necessary public services ahead of the opening day. Staff recommend including the 30-day notification as a condition of approval.

Also, of note, the applicant has been in communication with HPD and is receptive to working with them on safety issues related to this use. The applicant has also communicated to HPD that they are willing to allow Hartford Police Crime Center to have access to their camera system.

STAFF RECOMMENDATION

Staff recommends approval with the following conditions of approval:

1. The applicant shall provide the City a minimum 30-day notice prior to the use opening to the public. Such notice shall be provided to the Planning & Zoning Division Staff, who will then coordinate with Hartford Police Department, Department of Public Works, and other departments as needed.

2. The applicant shall submit a site plan that will include, at a minimum, the following elements: (1) reorganization of the portion of the parking lot in front of the 1396 Park Street building, with the existing painted curbed to be flipped and moved further north, and upgraded to a curbed and landscaped island, to avoid cars backing in/out of parking spaces and preventing traffic circulation directly in front of the building; (2) installation of bollards or large planters to protect the pedestrian-only zone in front of the building, (3) installation of an awning along the building front façade to provide a protected and designated space for pedestrian queuing, and (4) a painting of a pedestrian walkway extending in front of the building. Alternative designs may be deemed acceptable by Planning Staff if pedestrian safety and access are adequately addressed.
3. The applicant shall deploy at least three team members during the initial weeks of operation to direct traffic flow at the following three locations: (1) at the site's primary driveway entrance on Park Street, (2) in front of the 1396 Park Street building, and (3) at the entrance to the overflow parking lot under the highway. Staff recommends that the applicant continue to work with the Hartford Police Department on this aspect of the application.

A draft resolution follows.

ATTACHMENTS

- Attachment 1. Letter of support from the Parkville NRZ, dated July 22, 2022.
- Attachment 2. Letter of support from Parkville Business Association, dated July 21, 2022.
- Attachment 3. Letter of support from Majority Leader Thomas J. Clarke II and Councilwoman Shirley Surgeon, sent via email on July 12, 2022.
- Attachment 4. Letter from Council President Rosado, sent via email on June 14, 2022.
- Attachment 5. Letter of support from Hands-on Hartford, submitted July 22, 2022.

REVIEWED AND EDITED BY,

Aimee Chambers, Director



CITY OF HARTFORD
PLANNING & ZONING COMMISSION RESOLUTION
1396 PARK STREET
SPECIAL PERMIT FOR ADULT-USE CANNABIS RETAILER

- Whereas,** The City of Hartford Planning & Zoning Commission reviewed the application for a Special Permit for a proposed Adult Use Cannabis Retailer within a building known as 1396 Park Street, located on a property known as 1390-1400 Park Street per the Assessor’s database (parcel ID: 158-403-077), per Section 3.3.10.C and Section 1.3.4 of the Hartford Zoning Regulations; and
- Whereas,** The subject property is zoned CX-2, Commercial Industrial Mix District, with the Transit-Oriented Development (TOD) Overlay; and
- Whereas,** Per Section 5.3.3.D, uses permitted in the TOD Overlay include any of the uses allowed in the DT districts, but not uses allowed in the underlying zoning district which are not also allowed in the DT districts, and per Figure 3.2-A, Adult Use Cannabis Retailer is permitted subject to approval of a special permit in the DT districts; as such, the proposed use is permitted on the subject property; and
- Whereas,** Section 3.3.10.C requires that all Adult Use Cannabis Retailers meet certain dispersion requirements unless they are in a DT Downtown district; and
- Whereas,** The subject property zoned CX-2 with the TOD Overlay, and is therefore exempt from the dispersion requirements per Section 5.3.3.D; and
- Whereas,** The applicant’s proposed hours of operation comply with the requirements of Section 3.3.10.C regarding limited hours of operation; and
- Whereas,** The subject building known as 1396 Park Street, a 2-story, 4,400 gsf brick structure with an outdoor fenced area, is considered a nonconforming Workshop/Warehouse Building type, which allows Cannabis Uses on the ground floor and second floors per Section 4.9.2 of the Zoning Regulations; and
- Whereas,** The proposed Adult Use Cannabis Retailer would fully occupy the building at 1396 Park Street and would be located on both the ground floor and second floor of the subject

building; the proposed use would operate completely within the walls of the existing building and the outdoor fenced area would not be used for retail and it will not be accessible to customers; and

Whereas, The subject property is located in the Parkville Arts & Innovation District, one of the ten transformative project areas defined in the City of Hartford Plan of Conservation and Development (POCD); and

Whereas, The request for a special permit is generally consistent with the POCD and will help achieve goals listed in the Grow400 and Play400 chapters, such contributing to the Parkville Arts & Innovation Hub, encouraging entrepreneurship, particularly in new and innovative industries, and possibly increasing tourism to Hartford and to the Parkville neighborhood; and

Now therefore Be It

Resolved, The City of Hartford Planning & Zoning Commission hereby **denies/approves** the request for a Special Permit for a proposed Adult Use Cannabis Retailer within a building known as 1396 Park Street, located on a property known as 1390-1400 Park Street per the assessor's database (parcel ID: 158-403-077), per Section 3.3.10.C and Section 1.3.4 of the Hartford Zoning Regulations, **with the following conditions of approval:**

1. The applicant shall provide the City a minimum 30-day notice prior to the use opening to the public. Such notice shall be provided to the Planning & Zoning Division Staff, who will coordinate with Hartford Police Department, the Department of Public Works, and other departments as needed.
2. The applicant shall submit a site plan that will include, at a minimum, the following elements: (1) reorganization of the portion of the parking lot in front of the 1396 Park Street building, with the existing painted curbed to be flipped and moved further north, and upgraded to a curbed and landscaped island, to avoid cars backing in/out of parking spaces and preventing traffic circulation directly in front of the building; (2) installation of bollards or large planters to protect the pedestrian-only zone in front of the building, (3) installation of an awning along the building front façade to provide a protected and designated space for pedestrian queuing, and (4) a painting of a pedestrian walkway extending in front of the building. Alternative designs may be deemed acceptable by Planning Staff if pedestrian safety and access are adequately addressed.
3. The applicant shall deploy at least three team members during the initial weeks of operation to direct traffic flow at the following three locations: (1) at the site's primary driveway entrance on Park Street, (2) in front of the 1396 Park Street building, and (3) at the entrance to the overflow parking lot under the highway. Staff recommends that the applicant continue to work with the

Hartford Police Department on this aspect of the application.

Be It Further,

Resolved, This 26th day of July, 2022.

Attachment 1. Letter of support from the Parkville NRZ, dated July 22, 2022.

Parkville N.R.Z.

Parkville Revitalization Association
11 New Park Avenue
Hartford, CT. 06106

Hartford Planning & Zoning Commission
Department Of Development Services
260 Constitution Plaza, 1st Floor
Hartford, CT. 06103

July 22, 2022

Subject: 1396 Park Street, Hartford, CT 06106
Special Permit Application for Approval of Use
Proposed Adult Use Cannabis Retailer in CX-2/TOD Zone destination

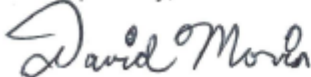
Dear Hartford Planning & Zoning Commission Members:

I am pleased to inform you that on July 13, 2022, the Parkville Revitalization Association ("N.R.Z.") at our regularly scheduled monthly meeting voted (9) Yes & (1) No with One Abstention to support and endorse the Adult Use Cannabis Retailer application that is being proposed at 1396 Park Street, Hartford, CT. We believe the applicant and his team demonstrated the knowledge, expertise, and compassion that is aligned with our Committees' vision for the future of our Parkville Neighborhood.

The majority of our Board of Directors were extremely pleased to learn that more than 50% percent of the jobs will be filled by Hartford Residents. We hope many will be from our Parkville Community. Overall, we believe that 1396 Park Street is the best location in Parkville & in Hartford for this Adult Cannabis Use facility because the property is in an enclosed area that is not visible from the street, consists of plenty of parking, has plenty of foot traffic already from the Parkville Market businesses & complements the other existing businesses located in this area of Parkville. The proposed plan is very comprehensive and well thought out on many levels for security, from flow and movement of customers, including overflow parking & marked walking paths to the facility, to concrete planters placed to protect patrons standing in queue & the myriad cameras placed around proposed facility.

Please look at this Special Permit Application to Approve an Adult Use Cannabis Retailer favorably.

Respectfully,



David Morin
President (N.R.Z.)
Parkville Revitalization Association
Cell Phone # (860) 830-5292
Email: barridoncorp@aol.com

Attachment 2. Letter of Support from Parkville Business Association, sent on July 21, 2022.

Parkville Business Association
11 New Park Avenue
Hartford, CT 06106

Hartford Planning & Zoning Commission
Department of Development Services
260 Constitution Plaza, 1st Floor
Hartford, CT 06103

RE: 1396 Park Street, Hartford, CT 06106
Special Permit Application for Approval of Use
Proposed Adult Use Cannabis Retailer in CX-2/TOD Zone destination

Dear Members of the Hartford Planning & Zoning Commission:

On July 13, 2022, Kevin Henry and members of his team gave a presentation to the Parkville Business Association ("PBA") regarding the Adult Use Cannabis Retailer application that is being proposed at 1396 Park Street, Hartford, CT. Based on that presentation, we strongly believe that the proposed use will complement the existing businesses that are located in the Parkville neighborhood as well as increase the economic growth that currently exists.

Parkville has a positive reputation of being innovative, diverse and inclusive of all types of business establishments. In our opinion, the proposed Adult Use Cannabis Retail location at 1396 Park Street is ideal and meets the standards that we have grown accustomed to for our newly formed businesses in the area.

Anytime a new business of this magnitude is coming into our community, we are very concerned with the number of jobs that are going to be created, and more importantly, whether Hartford residents will be hired. Therefore, we were very happy to hear that this proposed business will create 35 total new jobs with at least half of those going to Hartford residents.

The property is in a secure enclosed area and has more than adequate parking, therefore we believe that the location will be perfect for this use.

If you have any questions, please feel free to reach out anytime.

Sincerely,



Carlos Mouta
President (P.B.A.)
Cell: (860) 796-8174
Carlos@Parkvillemgmt.com

Attachment 3. Letter of Support submitted by Majority Leader Thomas J. Clarke II and Councilwoman Shirley Surgeon, sent via email on July 12, 2022

Court of Common Council



CITY OF
HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103

Maly D. Rosado, Council President
Thomas J. Clarke II, Majority Leader
Marilyn E. Rossetti, Assistant Majority Leader
John Q. Gale, Councilman

Tiana Hercules, Councilwoman
Nick Lebron, Councilman
Joshua Michtom, Councilman
James Sánchez, Councilman
Shirley Surgeon, Councilwoman

Noel F. McGregor, Jr, Town and City Clerk

Dear Commissioners,

We are writing to you in support of the two applications requesting permits to operate recreational marijuana dispensaries in Hartford on 89 Arch Street and 1396 Park Street. Thanks to your diligent work, the city now has a set of rules and regulations which have determined the best locations where these new businesses will be able to operate. The plan has outlined not only areas best suited for recreational marijuana dispensaries in Hartford, but takes into consideration the overarching plan to help revitalize the city through creating new businesses; particularly in areas of growing commerce and sections of the city where development will help stimulate the local economy.

There is an unfortunate history of disproportionately criminalizing Black and Latinx people for the usage of cannabis. According to research analyzing data from 2018, the ACLU stated, ... "In every state and in over 95% of counties with more than 30,000 people in which at least 1% of the residents are Black, Black people are arrested at higher rates than white people for marijuana possession." Furthermore, research from the ACLU states that in 2018, Connecticut ranked number #19 out of 50 in terms of racial disparities between individuals who are Black and white when it came to marijuana arrests." The Black arrest rate was 152.57 per 100,000 for individuals who are Black versus 37.91 per 100,000 for individuals who are white.

As recently as 2018, Connecticut ranked in the top half of states which disproportionately punished individuals of color for the non-violent offense of marijuana possession. Harsh punishments for minor infractions have fed into the prison industrial complex and caused many residents to not have

access to a variety of opportunities, which has stifled the economic development of the city. As elected officials, in the city of Hartford, we have an opportunity to support correcting a systemic injustice; a long history of disproportionately criminalizing people of color.

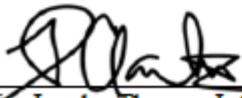
Currently, we have the opportunity to create more equitable opportunities for future generations. Hartford has the chance to be a leader in changing the way we help contribute the economic development of the city, which we cherish. According to 2018 research from the ACLU stated that, ... "On average, states that legalized marijuana through taxation and regulation had lower rates of racial disparities in marijuana possession arrests (1.7x) than states where marijuana has not been legalized (3.2x) ..." Connecticut and Hartford are heading in the right direction of making our state and our city a more equitable place for our friends, family, and neighbors. While there are studies which indicate even after the legalization of marijuana there are still disparities in arrests of individuals who are non-white, through further decriminalizing, we can continue to provide business opportunities for the residents of our city and turn a historical injustice into economic revitalization.

While there are fears that creating dispensaries in the city will lead to more crime, according to research from 2021 by the University of Hawaii analyzing data from the three largest cities in Washington state, "... Results show that dispensaries have no significant impact on the overall rate of local crime. Additionally, [they] provide evidence over a broad range of crime types to assess the effect on property, violent, and drug crime. [They] find no evidence of an overall increase or decrease in any aggregated crime type adjacent to dispensaries. However, robberies experience a small statistically significant rise around the lottery-winning dispensaries within a 100 meters radius." Research analyzing dispensaries in Los Angeles published in 2017, from the Journal of Urban Economics, also states... "Empirical evidence to support any link (positive or negative) between marijuana dispensaries and crime is quite limited." Therefore, we have the opportunity to start building opportunities for our residents instead of denying opportunities for job creation and the revitalizing downtown and disadvantage impact areas.

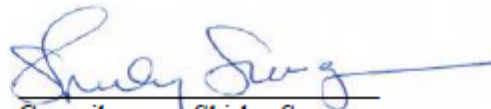
It is important for us to view the applications requesting permits to operate recreational marijuana dispensaries in Hartford on 89 Arch Street and 1396 Park Street not only an issue of equity and supporting local businesses and young entrepreneurs, but also as an opportunity to stimulate much needed economic development. While dispensaries and the sale of recreational adult use marijuana is a new frontier, studies from markets which have had the legal sale marijuana for a number of years suggests there are no negative effects on a community. Therefore, we would like to welcome young entrepreneurs and business owners to our city.

We would like to take the opportunity to thank this commission along with others who have worked diligently to look at ways in which we can spur economic development, address systemic inequality and create more equitable future for the residents for the city of Hartford.

Sincerely,



Majority Leader Thomas J. Clarke II



Councilwoman Shirley Surgeon

Attachment 4. Letter submitted by Council President Rosado, sent via email on June 14, 2022.

Maly D. Rosado

550 Main Street

Hartford, CT 06106

Dear Commissioners,

Before this commission are two applications requesting permits to operate adult use recreation marijuana dispensaries in the City of Hartford. The proposed address for these new retail venues are 89 Arch Street and 1396 Park Street, but I am certain there will be more in the future. I am writing this letter to express just some of the concerns shared with me by my constituents.

Before I begin, I must say that I was elected to represent the entire city and will support whatever decision this commission makes. However, I ultimately ask that each commissioner withhold a vote on these items until city leaders can develop a more robust plan on the sale of legal cannabis within Hartford. We have a responsibility to be respectful of our resident's diverse backgrounds and are stewards of the trust our parents have placed in us for the benefit of our city's youth. I have seen no long-term plan for how these businesses will be regulated or how tax revenue will benefit our most at risk residents. Until these plans are developed, I believe it would be irresponsible to allow these businesses to operate in Hartford.

The most common concern shared with me by residents focuses on safety. Not just the safety of the individuals who choose to visit these shops but also the safety of shop owners and the surrounding community. Will these businesses contract onsite safety officers? Will the operation of these businesses further strain our already strained police department? How will business owners ensure the surrounding communities will not be vandalized or become victims of theft? After reviewing statistical data from places in Colorado we also know that though some major crimes declined there was a sharp increase in

motor vehicle collisions. In a city like Hartford, many residents are concerned that we lack the physical infrastructure needed to support the operation of these types of businesses.

Taking this into consideration, it may be more prudent to launch a pilot program in the city. This will allow for one to two individuals to operate in a predetermined designated area so we might better manage some of the immediate and long-term impact of these businesses and the surrounding community. I am committed to working with the commission, the neighborhoods, and the administration on seeing this done and I also believe this is the most responsible action we can take in this moment.

In conclusion, please reflect on the needs of the community and the feedback being provided by our residents. There is no reason to rush through an application. Let's dedicate this time to developing a plan that works for Hartford now and in the future. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maly D. Rosado', with a stylized flourish at the end.

Maly D. Rosado

Court of Common Council President

Attachment 5. Letter of support from Hands-on Hartford, submitted July 22, 2022



July 22, 2022

Hartford Planning and Zoning Commission
Department of Development Services
260 Constitution Plaza, 1st Floor
Hartford, CT 06103

RE: 1396 Park Street, Hartford CT 06106
Special Permit Application for Approval of Use
Proposed Adult Use Cannabis Retailer in CX-2/TOD Zone destination

Dear Members of the Hartford Planning & Zoning Commission:

It is with confidence that I write this letter of support on behalf of Hands On Hartford, a 53-year-old Hartford focused non-profit, to urge the approval of the special permit application filed by applicant Kevin Henry for an adult use cannabis retail business to be located at 1396 Park Street.

In late 2014, Hands On Hartford invested in the former "Spaghetti Warehouse" property located at 45-55 Bartholomew Avenue and for the past six (6) years, we have had the pleasure of working closely with our Parkville neighbors on redeveloping and enhancing the neighborhood. We've had an opportunity to get to know Attorney Henry and associates and have witnessed their commitment to this community, and residents, many times over.

We believe that this retailer will not only add to the neighborhood's development, bringing additional folks to the area, but will also provide access to high-quality adult use cannabis for local residents. The attractive proposed design of the store, the top-level security, and community connectedness of the applicant are all appealing and would undoubtedly be positive additions to this vibrant neighborhood.

With warm regards,

A handwritten signature in blue ink, appearing to read "Barbara A. Shaw", is written over a horizontal line.

Barbara A. Shaw, LCSW
Executive Director

Board of Directors
Cyrtha Bates,
Chairperson
Harry Amadasun, Jr.
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Lisa Cameron
Christopher Collibee
Michele Frey
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Brian Neary
Jenn Plass@Puzey
Michael Tetreault
Ngoc Trang
LaToya Tyson
Dianna M. Wallquist
Sharon M. Ware

Barbara A. Shaw, LCSW,
Executive Director

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