



DEPARTMENT OF DEVELOPMENT SERVICES – PLANNING DIVISION
REPORT: Special Permit for a Cannabis Hybrid Retailer at 92 Weston Street, Unit #16, for consideration on Tuesday February 14, 2023

STAFF REPORT

TO: Planning & Zoning Commission

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

PROJECT: Proposed Cannabis Hybrid Retailer
92 Weston Street, Unit #16
PARCEL ID: 286-173-007
PZ-SPUSE-22-000013

ZONE: ID-1, Industrial District

TYPE: Special Permit for the Cannabis Hybrid Retailer Use in the ID-1, Industrial district per Section 3.3.10.C and Section 1.3.4.

APPLICANT: Arrow Alternative Care Inc. c/o Meaghan Miles, Carmody Law

OWNER: Freeport Realty V LLC

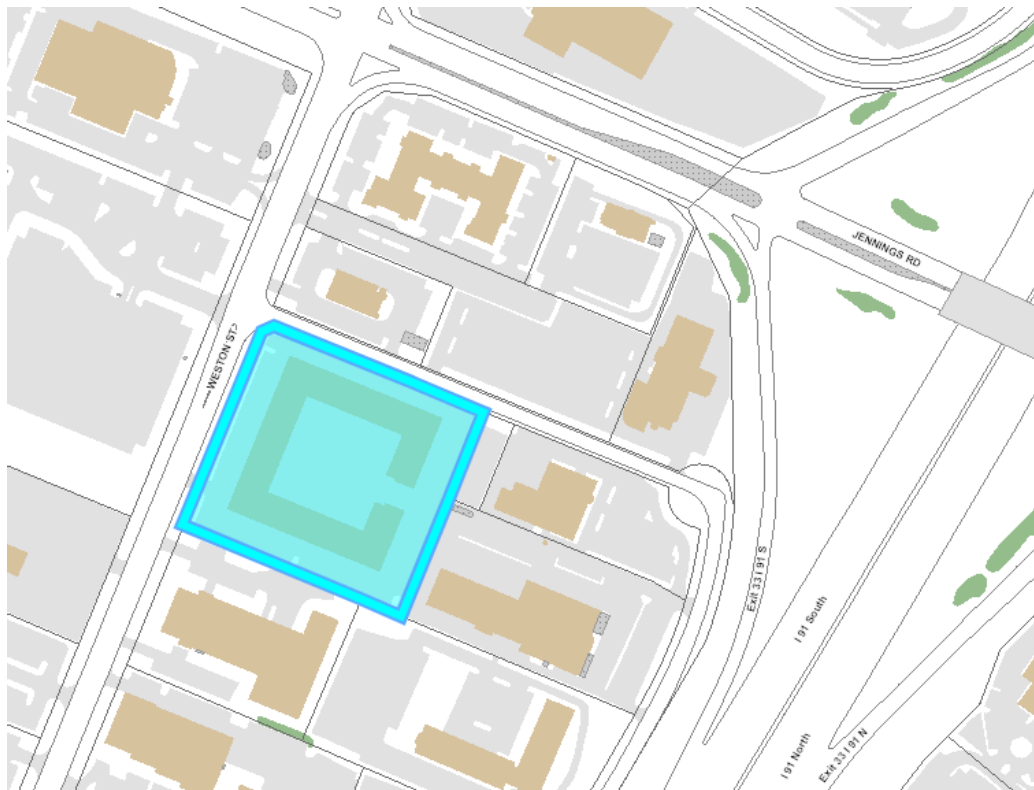


Figure 1. Subject property at 92 Weston Street (Hartford GIS, 2023)

BACKGROUND INFORMATION

This application is a request for a special permit for a Cannabis Hybrid Retailer at 92 Weston Street, Unit #16, which is zoned ID-1, Industrial district. This location is currently used as a medical marijuana dispensary operated by Curaleaf.

Note that 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 be approved by the Planning & Zoning Commission, the applicant would be required to comply with all state regulations regarding products, operations, security, signage, staff, etc.

KEY APPLICATION TIMELINES

- Application Submission Date: December 29, 2022.
- Date Application Accepted as Complete: December 29, 2022.
- Application Date of Receipt: Tuesday January 10, 2023 (sooner of either: date of next regularly scheduled meeting, or 35 days after acceptance of complete application.)
- Public Hearing scheduled to open: Tuesday February 14, 2023; Open Hearing Deadline: March 16, 2023.
- Close Hearing Deadline (if opens Tuesday February 14, 2023) (35 days after opening): Tuesday, March 21, 2023.
- 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. Cannabis Hybrid Retailer use is permitted subject to the approval of a special permit in the ID-1.

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 4.7 Commercial Center Building Type

Section 4.7.2.C. Permitted Uses on Ground story: Retail, service, and adult use cannabis uses permitted by district.

Plan of Conservation & Development (POCD)

Grow400, Make Hartford's economy more prosperous

- **Entrepreneurship:** 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.

FINDING OF FACTS

Subject property:

- This parcel is a 4.5-acre lot at the southeast intersection of Weston Street and West Service Road, zoned ID-1 with no historic designation.
- The lot is occupied by a one-story building, which is most similar to the Commercial Center Building Type per the Zoning Regulations. This is a multi-tenant commercial building with a mix of uses including a tattoo parlor, a sign manufacturing company, a pet daycare facility, and office uses. The building is surrounded by surface parking, with a total of 172 parking spaces shared between all commercial tenants. The building is U-shaped with an interior courtyard that has loading docks and a telecommunications tower.
- Unit #16, the subject of this application, is an existing Medical Marijuana Dispensary operated by Arrow Alternative Care, a wholly-owned subsidiary of Curaleaf. This space is about 3,500 square feet and is located in the front portion of the building fronting onto Weston Street. A zoning permit for this use was approved on January 27, 2014 (refer to Zoning Permit #2014011-92 Weston, included as Attachment 1). Under current operations, the dispensary serves about 125 to 150 patients per day.
 - Note that the unit numbers listed on the entrance doors of the dispensary are Unit #16, 17, and 18, but the space will be referred to as Unit #16 throughout the report.
- The subject property is located in the North Meadows, an industrial area bounded by I-91 and the railroad tracks. This area is zoned almost exclusively industrial, and is generally more car-oriented and cut-off from surrounding residential neighborhoods. Abutting properties include fast-food restaurants, hotels, several car dealerships, a USPS vehicle maintenance facility, and a manufacturing company.

Proposed application:

- The request is a change of use from Medical Marijuana Dispensary to Cannabis Hybrid Retailer. This would allow the operator to sell both medical marijuana and recreational cannabis products. The proposed use would operate within the same 3,500-sf commercial space described above. No expansion is proposed. The applicant is not proposing any sitework or building façade work. No signage is proposed at this time.
- The applicant, Curaleaf, operates medical marijuana dispensaries in Groton, Stamford, Milford, and Hartford (at the subject location) as well as a recently approved Hybrid Retailer facility in Manchester. Beyond Connecticut, Curaleaf operates 145 storefronts in 16 states.
- **General operations:** The applicant stated that the change of use “is not expected to change operations from that of a Dispensary. The only difference will be that there will be a dedicated expedited line for medical patients and medical-only points of service stations to prioritize medical patients.” The applicant also stated that “operations will continue to prioritize medical marijuana patients. Per law, patients will have first access to product via the state’s current producers, ensuring an ample supply of medication. Medical patients will also have access to higher-potency products that will not be available to adult-use customers. Medical patients will have dedicated check-out lines and registers, ensuring they are serviced first and quickly.”
- **Proposed hours of operation:** Monday through Saturday from 10am to 8pm; and Sunday, 10am to 7pm.

- **Daily customer volume:** The applicant anticipates the customer volume to roughly double with the addition of retail sales, to about 250-300 patients/patrons per day, with peak times to remain the same.
- **Pre-ordering:** Curaleaf will offer pre-ordering at this facility, which the applicant anticipates will represent a significant share of sales. Across their other CT locations, 90% of Curaleaf's sales are pre-ordered online.
- **Queuing plan:** Customers will be directed to wait in the designated indoor waiting area. Should the indoor waiting areas be at capacity, customers will be directed to wait on the existing sidewalks outside against the building, as shown in Figure 8. The applicant stated that "there is ample sidewalk space along the building to support queuing of customers, if needed. This sidewalk along the building is ADA accessible, distanced from the parking spaces, and safely elevated from vehicular circulation areas. On-site security will monitor the outside queuing to ensure it operates safely and in an organized manner."
- **Security plan:** A detailed security plan was submitted by the applicant (refer to the application package). Many of these security measures are already undertaken by Curaleaf at their existing facility. Key elements include:
 - Scanning of patient/patron IDs to verify age.
 - Restrictive ID/badge system and personal safety training for employees.
 - Perimeter/interior security cameras and alarms.
 - Limited access area partitioning.
- **Parking and traffic study:** A traffic and parking impact study was submitted as part of the application. Refer to the application package.
- **Ventilation and odor control:** As required by state law, no on-site consumption is permitted on premises. The applicant also plans to "upgrade their ventilation system through installation of a new Plasma Pure 600 system". The ventilation system spec is included in the application package.
- **Hiring:** With the conversion to a Hybrid Retailer, the number of on-site employees would increase from 9 to 23. The applicant stated that "Curaleaf consistently hires Connecticut residents from the local community for its storefronts."
- **Deliveries:** Deliveries of marijuana products to the facility would occur 1 hour prior to store opening hours, with one delivery per day and deliveries occurring 3-5 times per week.
- **Coordination with the City:** The applicant has agreed to notify the Planning & Zoning Division 30 days prior to opening in order to allow coordination with the Hartford Police Department (HPD) and the Department of Public Works (DPW). This has been requested of other recent cannabis-related applications that have come before the Planning & Zoning Commission. Furthermore, SB 1201 authorizes the City to charge new 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."

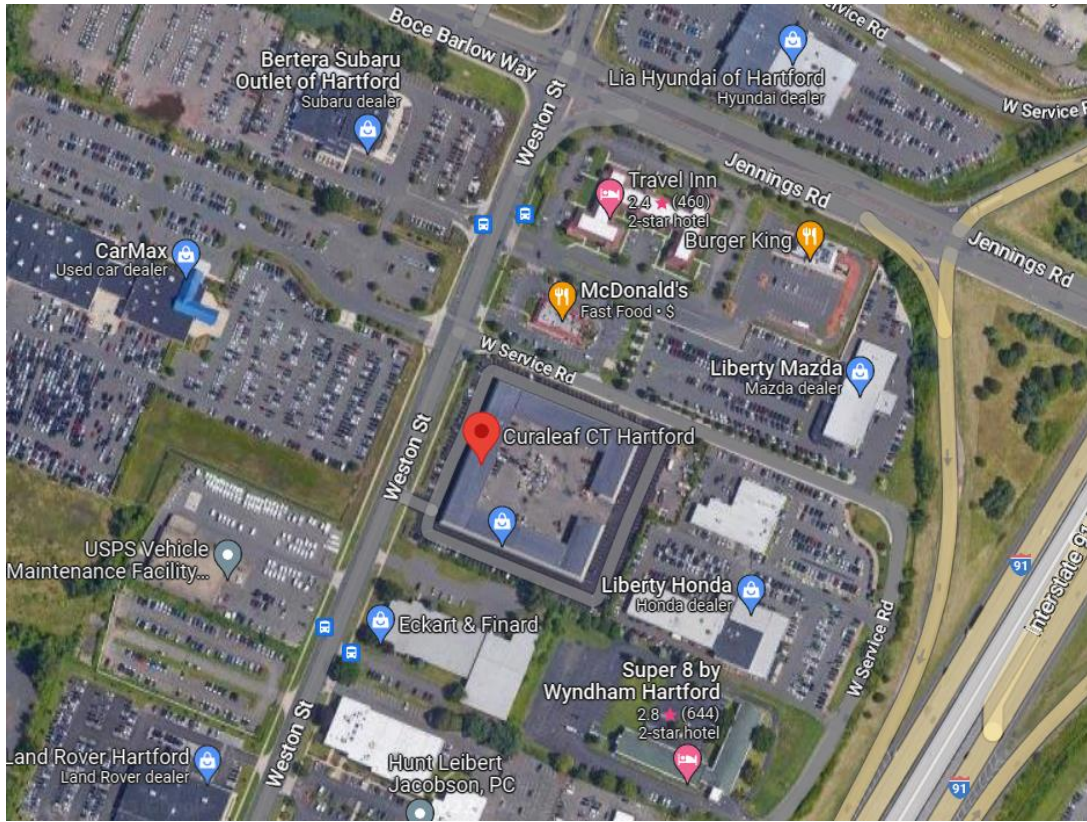


Figure 2. Subject property at 92 Weston Street and surrounding area (Google, 2023).



Figure 3. Satellite imagery of the subject property, 92 Weston (Google, 2023).



Figure 4. Google Streetview imagery of the subject property at 92 Weston (Google, 2022).



Figure 5. Photograph of Unit #16 at 92 Weston Street, where Curaleaf currently operates a medical marijuana dispensary (photo submitted by applicant).

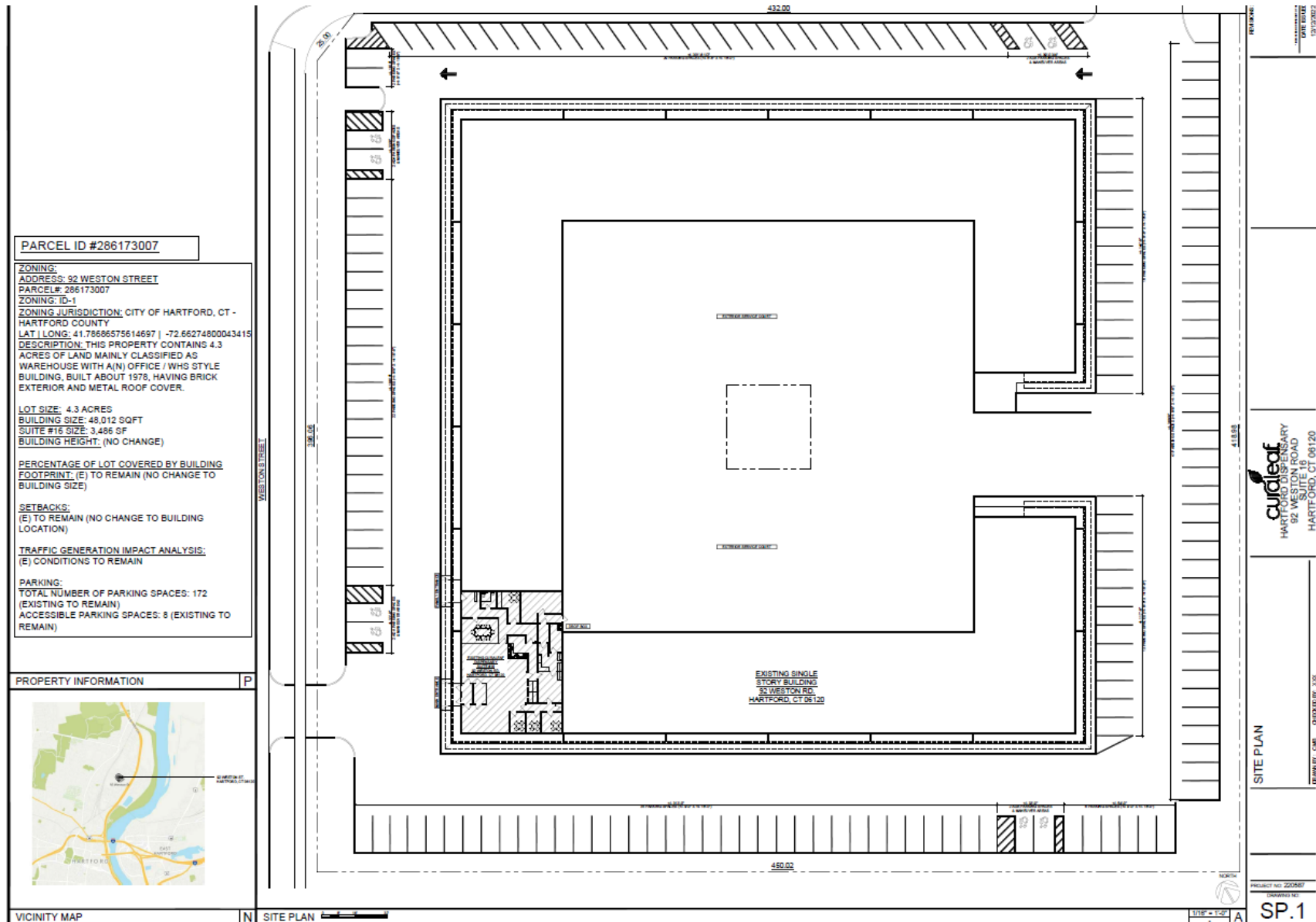


Figure 6. Existing site plan, indicating the tenant space where Curaleaf is currently located (submitted by applicant).

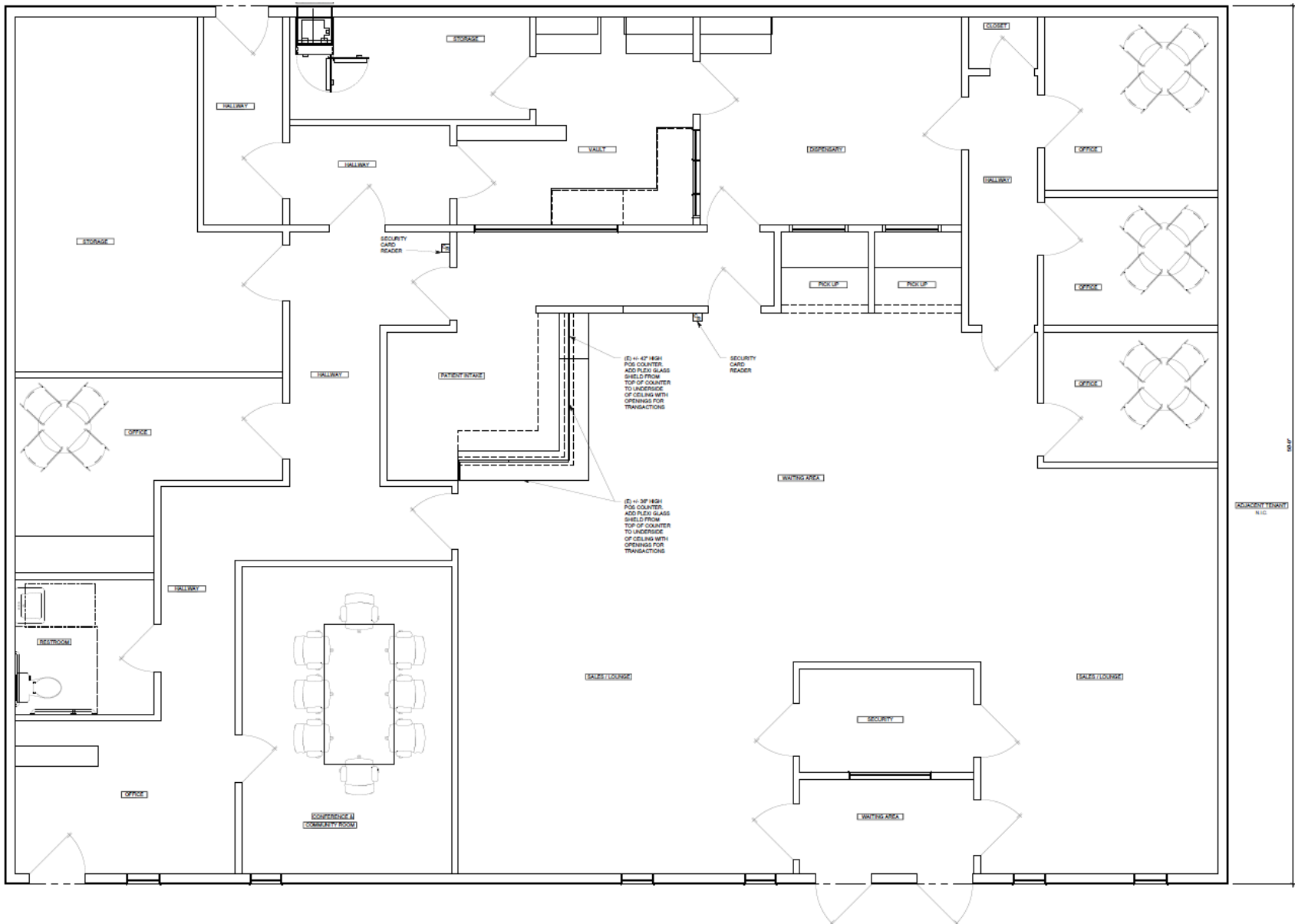
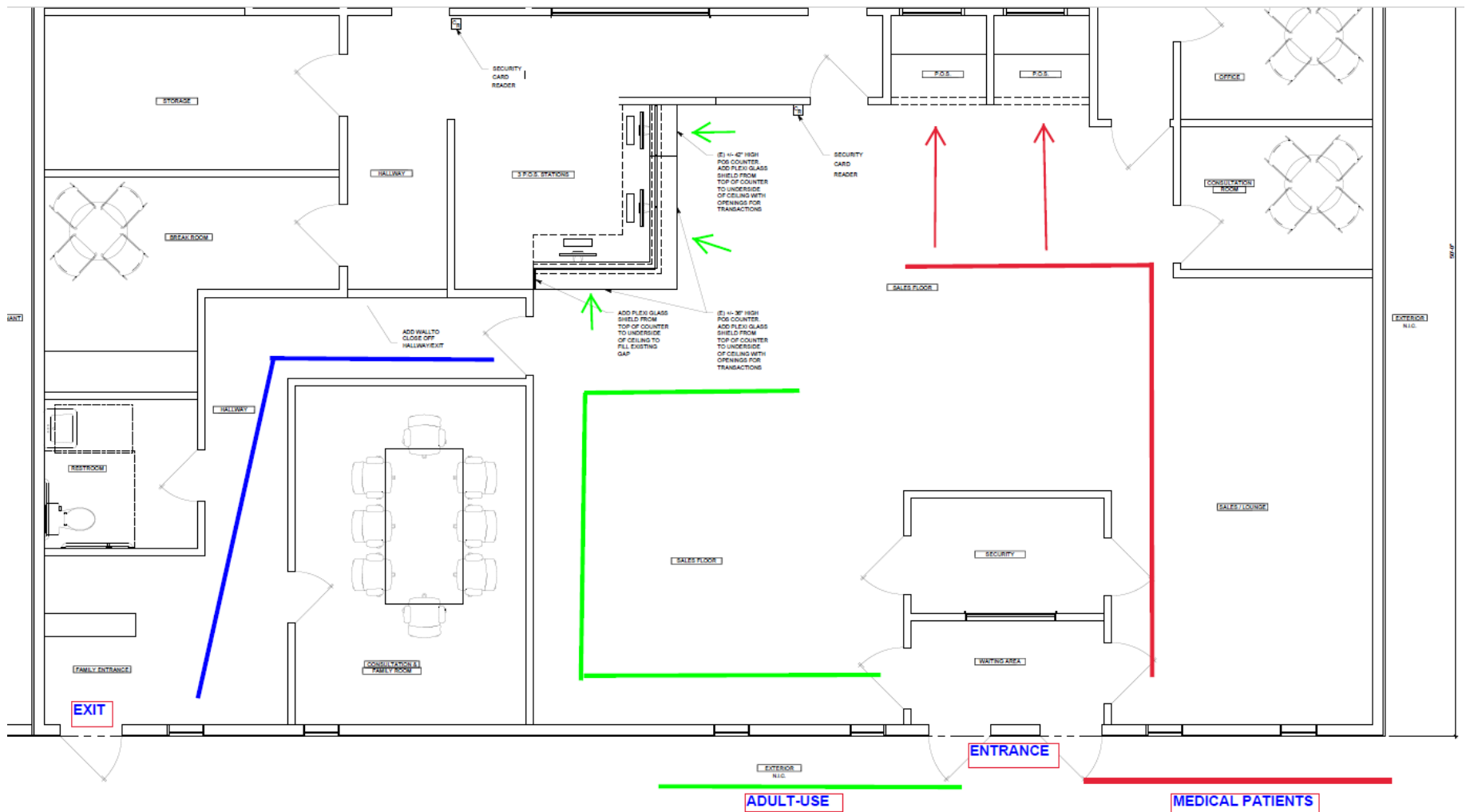


Figure 7. Annotated floorplan of Curaleaf's tenant space (submitted by applicant).



LOOR PLAN

31

- Red:** Queuing and dedicated points of service for medical patients.
- Green:** Queuing and dedicated points of service for adult use customers.
- Blue:** Exit path for both patients and adult use customers.

Figure 8. Proposed queuing plan (submitted by applicant).

COMMENTS RECEIVED (DEPARTMENTS, AGENCIES, NRZs, PUBLIC)

There is no NRZ associated with the North Meadows area. The two nearest NRZs – the Northeast and Clay Arsenal NRZs – were notified of the application on January 13, 2023. As of the time of writing, no comments have been received from members of the public regarding this application.

Staff reached out to DPW for comment on January 23 and February 3, 2023. As of the time of writing, no comments were received from DPW. Staff received the following comments from Sergeant Freeman and Sergeant Jobes of HPD:

From: [Freeman, Daniel](#)
To: [Evelyne St-Louis](#)
Cc: [Jobes, Michael](#)
Subject: 92 Weston Street
Date: Monday, January 30, 2023 7:07:49 AM

Good morning,

I reviewed the Police Department’s call for service history, along with cases associated with Curaleaf at 92 Weston Street for 2022. It appears there were 5 total calls for service with 2 cases investigated. The first case investigated was a breach of peace complaint made by staff at Curaleaf in regards to a person pushing a staff member; the second was a larceny complaint, also reported by staff. The other calls were security alarm calls (all false alarms).

I will say as the former Community Service Officer that covered the area Curaleaf is located, I had minimal interaction with Curaleaf. None of the interactions I had with them were negative. I am not aware of any current issues with 92 Weston Street or Curaleaf. Ill forward this e-mail to Sergeant Jobes, the supervisor of the Northeast Community Service Zone, incase there is additional information.

Respectfully,
Sergeant Freeman
Patrol Supervisor C-Squad, Unit 420
Hartford Police Department
253 High Street, Hartford, CT
860-734-7766

From: [Jobes, Michael](#)
To: [Evelyne St-Louis](#); [Freeman, Daniel](#)
Cc: [Hartford Planning Division](#)
Subject: Re: 92 Weston Street
Date: Tuesday, January 31, 2023 12:34:01 PM

Good Afternoon,

It looks like Sergeant Freeman obtained the pertinent information already. I personally have nothing to add in regards to this information, however if you have any further questions or concerns, please feel free to reach out and I will assist.

Sergeant Michael Jobes

ANALYSIS

This request should be evaluated based on the proposal’s compliance with the Zoning Regulations and based on consistency with the criteria listed in Section 1.3.4. Should the special permit be approved, the establishment would be required to comply with all applicable state regulations.

Compliance with the Zoning Regulations

The request is found to be in compliance with the Zoning Regulations, as described below:

- The use is permitted in ID-1, and it is a permitted use for the subject building type.
- The subject property meets the 1,500-ft dispersion requirement from similar uses and the 500-ft dispersion requirement from school and civic assembly uses.
- The applicant’s proposed hours of operation comply with those listed in the Regulations.

Additional Considerations for Special Permit Applications

Compatibility with zoning designation and adjacent uses

The ID-1 district is intended for “medium to heavy industry characterized by a minimum of noise, odor, glare, and pollution, and by moderate traffic upon the public streets. It is the purpose of this district to encourage the continuance and expansion of industry of this kind and its creation, and to develop a more compatible relationship between such industry and surrounding residential areas.” Although this description does not specifically mention retail uses, Staff is supportive of the reutilization and intensification of an existing commercial building in the ID-1, as it will revitalize and make better use of a building that already includes some scattered retail and service uses.

Furthermore, surrounding properties are not expected to be negatively impacted by the requested use given that (1) noise, odor, glare, and pollution impacts associated with the use are expected to be limited, and (2) abutting properties consist of large-scale industrial and/or car-oriented uses. Finally, there are no residential properties in proximity to the subject property, so no direct impacts on residential neighborhoods are anticipated.

Pedestrian access and safety

The initial opening of cannabis retail stores can be accompanied by a high level of interest from patrons. The applicant’s queuing plan, which proposes to utilize a dedicated indoor waiting area and the raised/covered sidewalks for overflow outdoor queuing, seems sufficient to address these concerns. Furthermore, pre-ordering will continue to be part of Curaleaf’s operations, thereby also mitigating the possibility of a high initial influx of customers.

Traffic & parking

Key findings from the traffic and parking study, prepared by SLR Consulting, are provided below:

- *Traffic capacity analysis:* The study found that the requested change of use would have minimal impacts to the surrounding roadway network as measured by Level of Service (LOS) scores, and concluded that no traffic mitigation would be necessary.
- *On-site parking analysis:* The parking counts conducted by SLR during different days/times of the week suggest that the businesses at 92 Weston Street only utilize between 35 to 44 parking spaces, with the peak period being weekday afternoons after 6pm. This leaves over 125 parking spaces available at most times of the day/week. SLR estimates that a Cannabis Hybrid Retailer generates an average parking demand of about 26 spaces. As such, even during peak times, SLR concludes that there is sufficient parking on-site to accommodate future demand. The study does note, however, that “some novelty peaks may materialize in the early weeks of operations, and proper planning for potential overflow should be done.”

If any traffic issues were to arise, SB 1201 does allow the City to charge the applicant up to \$50,000 to compensate for any impact on City services. The applicant has also agreed to notify Staff at least 30 days prior to the official commencement of their operations as a Hybrid Retailer.

Other impact on City services

Staff find that the security plan submitted by the applicant was adequate and comprehensive. Furthermore, HPD did not express any concerns with the proposed request or with Curaleaf, the current operator. According to HPD, there were five calls for service generated from 92 Weston Street in 2022. Two of these calls were complaints made by Curaleaf staff – one in regard to a person pushing a staff member, and the second in regard to a larceny complaint. The other three calls were false alarm security calls.

Consistency with the POCD

Staff find that the request is generally consistent with the POCD. The entrepreneurship goal of the Grow400 chapter discuss encouraging innovative industries in Hartford. With the passage of SB 1201, the cannabis industry has generally been seen as a growing and innovative industry in Connecticut. If Curaleaf does follow-through on their commitment to local hiring, then the expansion of this use could allow local Hartford residents to benefit from this employment opportunity. The Adult-Use Cannabis retail component could also drive some outside tourism to Hartford, consistent with the POCD's Play400 tourism goals.

STAFF RECOMMENDATION

Staff recommends approval of the requested special permit for Cannabis Hybrid Retailer, with the following conditions of approval:

1. The applicant shall provide the City a minimum 30-day notice prior to the facility's official conversion to a Hybrid Retailer. Such notice shall be provided to the Planning & Zoning Division Staff, who will then coordinate with the Hartford Police Department, the Department of Public Works, and other departments as needed.
2. If at any time in the future it is determined that pedestrian queuing has become a safety concern as a result of the conversion to a Cannabis Hybrid Retailer use, then the operator and property owner shall work with the city to address the issue, including possible sitework.

A draft resolution follows.

ATTACHMENTS

Attachment 1. Approved zoning permit for Medical Marijuana Dispensary at 92 Weston Street (Zoning Permit Application #20140114-92 Weston).

REVIEWED AND EDITED BY,

 2/10/2023

Erin Howard, Acting Planning Director



CITY OF HARTFORD
PLANNING & ZONING COMMISSION RESOLUTION
92 WESTON STREET, UNIT #16
SPECIAL PERMIT FOR CANNABIS HYBRID RETAILER

- Whereas,** The City of Hartford Planning & Zoning Commission reviewed the application for a Special Permit for a proposed Cannabis Hybrid Retailer at 92 Weston Street, Unit #16, (parcel ID: 286-173-007), per Section 3.3.10.C and Section 1.3.4 of the Hartford Zoning Regulations; and
- Whereas,** The subject property is zoned ID-1, Industrial District, and does not have any historic designation; and
- Whereas,** The subject property is a one-story, U-shaped, multi-tenant commercial building that is occupied by a mix of uses, with an existing surface parking lot that surrounds the building, offering a total of about 170 parking spaces; and
- Whereas,** Unit #16 within the building at 92 Weston Street is a 3,500-square foot tenant space currently occupied by an existing Medical Marijuana Dispensary, operated by Curaleaf; this use was originally approved on January 27, 2014 (refer to Zoning Permit Application #20140114 – 92 Weston); this Medical Marijuana Dispensary use has been active at this location since the time of approval; and
- Whereas,** The operator is now seeking a Special Permit in order to operate as a Cannabis Hybrid Retailer, to be located within the same 3,500-square foot tenant space as described above, with no expansion proposed; and
- Whereas,** The subject request does not propose any sitework, building façade work, or signage; separate permit approvals would be required for any of these additional requests; and
- Whereas,** The Zoning Regulations define a Cannabis “Hybrid Retailer” as “a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products” per Section 3.3.10.C; and
- Whereas,** Per Figure 3.2-A of the Zoning Regulations, the Cannabis Hybrid Retailer use is permitted in the ID-1 district upon approval of a special permit and subject to use-specific

conditions; and

Whereas, The proposed location at 92 Weston Street is in compliance with the minimum distance/dispersion requirements of Section 3.3.10.C; and

Whereas, The applicant's proposed hours of operation comply with the requirements of Section 3.3.10.C.(3) regarding limited hours of operation; and

Whereas, Per Section 4.7.2 of the Zoning Regulations, adult use cannabis uses are permitted on the ground floor of the Commercial Center Building Type; and

Whereas, The queuing plan, security plan, and traffic & parking study submitted by the applicant were found to adequately address the criteria of Section 1.3.4 regarding special permits; 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 as contributing to the encouraging entrepreneurship, particularly in new and innovative industries, and possibly increasing tourism to Hartford; 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 Cannabis Hybrid Retailer at 92 Weston Street, Unit #16 (parcel ID: 286-173-007), 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 facility's official conversion to a Hybrid Retailer. 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. If at any time in the future it is determined that pedestrian queuing has become a safety concern as a result of the conversion to a Cannabis Hybrid Retailer use, then the operator and property owner shall work with the city to address the issue, including possible sitework.

Be It Further,

Resolved, This 14th day of February, 2023.

Attachment 1. Zoning Permit for the existing Medical Marijuana Dispensary at 92 Weston, approved on January 27, 2014



PEDRO E. SEGARRA
MAYOR

CITY OF HARTFORD

DEPARTMENT OF DEVELOPMENT SERVICES
250 Constitution Plaza, 4th floor
Hartford, Connecticut 06103-1822

Telephone: (860) 757- 9040
Fax: (860)-722-6402
www.hartford.gov



THOMAS E. DELLER, AICP
DIRECTOR

KHARA C. DODDS, AICP
PLANNING DIVISION DIRECTOR

January 27, 2014

Mr. Angelo DeFazio, RPh.,P.D.
Arrow Pharmacy
500 Farmington Ave.
Hartford, CT 06105

RE: Zoning Permit Application #20140114 – 92 Weston

Dear Mr.DeFazio,

On November 12th, 2013 the City of Hartford Planning and Zoning Commission passed a new zoning regulation conditionally permitting the operation of medical marijuana dispensaries in the I2 zoning district. The new regulation was subject to a 15 day appeal period in accordance with Section 8-7 of the Connecticut General Statutes and there were no comments.

We have received the application you submitted for the operation of a medical marijuana dispensary at 92 Weston in Hartford. The materials submitted show that the site is in the zone where dispensaries may be located, and parking is adequate for the new use. The requirements listed in Section 875 of the new regulation are satisfied with the exception that the dispensary will have only one sign that is consistent with the requirements of Section 875 of the new regulation and there shall exist only one medical marijuana distribution facility in the City of Hartford.

Based on the City's new regulations and our review of your application materials, your application with the above referenced conditions, satisfies the criteria contained in Section 875 of the City of Hartford Zoning Regulations. However, please be advised per Section 875 (a) of our zoning regulations only one medical marijuana dispensary facility may be located in the City of Hartford at any given time. Therefore a final zoning certificate will be issued to the first application approved by the State of Connecticut.

Sincerely,

Khara Dodds, AICP
Planning Division Director