

Application Type: Concurrent Request for Zone Change and Site Plan for a Cannabis Retail Establishment
Subject Property: 53 McDermott Avenue
Unique ID: 15766
Tax Map/ Block/ Lot: 119/006/012
Zone: LB

Torrington Planning and Zoning Commissioners,

On June 22, 2021, Public Act 21-1 was signed into law, permitting recreational adult-use cannabis, along with retail sales, cultivation, and microcultivation under State of Connecticut regulations. In July, 2022, Torrington enacted language into its zoning code which facilitates the use of property within the City of Torrington for such uses. Please accept the following narrative in consideration of this Request for a Zone Change to add the Alternate Incarceration, Medical Marijuana Dispensary Overlay Zone (AM Zone) and to concurrently review for Site Plan Compliance for a Cannabis Retail Establishment in accordance with Section 3.1 sub-section 22.03 of the Zoning Regulations.

The Applicant, Patrik Jonsson, on behalf of Curaleaf's Joint Venture initiatives, has 9 years of cannabis experience in developing and managing Adult Use Cannabis retail sites.

Suitability as Zoned

The property, PID: 15766, commonly known as 53 McDermott Avenue, is presently zoned LB (local business). The primary structure of 5,500sf that will be used for the cannabis retail establishment occupies the north side of the lot, with a smaller separate 676sf building occupying the east side of the lot along McDermott Ave. The parcel in question is 2.41 acres, and has a front lot wide of ~162' along McDermott Ave.

Per the City of Torrington Zoning Regulations, an application for a Zone Change must be made to initiate siting a Cannabis Retail Establishment within city limits. Section 4.16.2 of the regulations, the LB zone is allowed the AM zone. Together with a Social Equity Applicant, Mr. Jonsson and team intend on developing a high quality facility in compliance with all State and Local Regulations. An application has been submitted to the State of Connecticut Office of Consumer Protection for the Cannabis Retail license, and a provisional license was awarded by the state on 11/1/22, certificate number ACRE.0015662.

A review of surrounding uses confirms that there are no public parks, schools, playgrounds, child care centers, recreational centers, or libraries within a 500' radius of the site.

Alignment with the Plan of Conservation and Development (POCD)

According to the POCD, "Torrington has been designated a Micropolitan Statistical Area because the community is an economic hub that draws workers and shoppers from Litchfield County towns and miles around". Adult-Use Cannabis Retail is a burgeoning sector that will support the City's designation as an economic hub and, in its implementation, aims to right the negative impacts imposed on individuals and families as the result of the war on drugs.

The establishment of the floating overlay zone supports the economic development goals in the POCD to "enhance the City's tax base, while maintaining a balance between jobs and housing". The AM zone

provides for a certain flexibility to establish the use whilst allowing the Commission additional discretion around its proliferation.

The POCD goes on to state that “economic development efforts within the City of Torrington will be in accordance with accepted smart growth measures. These efforts include revitalizing the urban center, reusing vacant industrial buildings.” The property is currently considered an Automotive use, namely a Service Garage. This application includes a change of use from the former more industrial use of the building to a high-end retail establishment.

The parcel is located in a business zone close to the corner of Main Street and N Elm Street. The area is accessed via McDermott Ave or Farley Place, and already supports several large big-box stores, a fitness center and a movie theater.

Site Renovations

No changes are proposed to the building elevations. However, the following site improvements are proposed to comply with guidance from the City following a 2/2/23 technical review meeting:

- Applicant is prepared to stripe and provide signage so that the two access points into the parking lot from McDermott Ave show that..
 - The parking lot entrance closest to Farley Place will be Entry only, to help reduce traffic exiting close to the new proposed crosswalk.
 - The 2nd parking lot entrance, closer to N Elm St. will be used for both entry from and exit to McDermott Avenue.
- Adding additional landscaping as applicable for the parking lot area to comply with current regulations.

These changes are reflected in the site plan also being submitted.

Lighting and Signage

Exterior lighting shall be in accordance with Section 5.17 of the Zoning Regulations.

No signage is proposed with this Application. The Applicant team will propose signage at a later date in line with the State of Connecticut requirements for Adult Use Cannabis establishments and any additional provisions within the Local Code, but initial discussions have focused on repurposing the existing approved signage from the prior operator.

Parking Plan

The assessor shows the site as being one parcel, currently supporting 80 parking spots, more than enough for what is required.

Operations Plan

The operations of the site will include dedicated security stationed by the front door. This individual would be responsible for checking IDs and managing the line of people waiting to enter the facility.

The team projects an average of 250 customers a day, or an average of 25 per hour, with a potential increase in daily customers during the first few weeks. A 30% increase in the first 30 days, would result in 325 customers a day or 33 an hour. This means that a new customer would visit roughly every two minutes and, at an average on-site time of 6 minutes, the team projects to average less than four customers inside at any given time. At peak times, forecasting four times that volume; the subject property would only have 16 customers inside at a time. Given the size of the building, and a sales floor area of over 3,000sf, this site should support queuing inside the building. Stanchions and signage would be utilized to make this process efficient. If needed, outdoor overflow queuing will be managed by a dedicated security guard and/or dispensary team member. Further, outdoor queuing would be set up using stanchions outside the front façade of the building so as to shield pedestrians from on-site traffic flow.

The interior design will support eight traditional point-of-sale registers, with a portion being dedicated pre-order registers, which will be dynamically staffed based on the day of the week and time of day. It is important to note that, given the number of possible registers, the staff will be well equipped to service customers quickly, thereby reducing wait times and preventing lines from forming.

Customers will enter and exit the site through the entrance which faces the main parking lot), with a separate emergency exit facing McDermott Avenue. This design will also support keeping a flow onsite that effectively manages and mitigates crowds.

The proposed hours of operation are as follows:

9AM – 8PM Monday through Saturday

10AM – 5PM Sunday

These hours will maintain quiet enjoyment and quality of life for nearby residents while bringing a new market along a main road.

Deliveries will be made via the back door facing away from McDermott Avenue. A full Security Plan is attached.

Odor monitoring and mitigation

All products to be sold at this location would be pre-packaged and delivered to customers in the original packaging. Further, the proposed use would not permit on-site consumption. In this regard, odor concerns from the product are not anticipated.

Sanitary Waste Disposal Plan

No expired or faulty product would be disposed of in the unit's primary dumpster. It would instead be picked up through controlled access similar to deliveries.

A 4-yard dumpster will be kept on site for general waste generated by the use.

Summary

With the facts laid before you, the Applicant and team believe that this is a request at a location that will be successful in business and that substantially meets the requirements set forth within the Regulations.

The Applicant team respectfully requests that you look favorably upon the request in furtherance of economic development activities in the City of Torrington.

In addition to these facts, the following documents are attached for your review:

With Regard to the Zone Change Request

- Application Form
- Existing Zone Map
- Proposed Zone Map
- A Location Map showing a 500' buffer and sensitive uses within said buffer
- A survey map of the properties and legal descriptions

With Regard to the Site Plan Review

- Application Form
- Environmental Compliance Certification
- Security Plan
- Site Plan showing Proposed Improvements
- Property Record Cards
- Site photos (building elevation and aerial)
- Existing Floorplan
- Proposed Floorplan

The team will be happy to answer any questions or concerns raised in the public hearing. Thank you for the opportunity to make this application.