

**Village of Pinckney  
Planning Commission  
Virtual Meeting using Microsoft Teams  
Monday, June 7, 2021  
7:00 P.M.**

**CALL TO ORDER:**

The meeting was called to order by Chairman Pais at 7:00 p.m.

Present: Joseph Hartman, joining from Village of Pinckney, Michigan  
Ted Kinczkowski, joining from Village of Pinckney, Michigan  
Richard Mayernik, joining from Village of Pinckney, Michigan  
Andrea McCall, joining from Village of Pinckney, Michigan  
Christine Oliver, joining from Village of Pinckney, Michigan  
Donald Oliver, joining from Village of Pinckney, Michigan  
Tom Pais, joining from Village of Pinckney, Michigan

Also Present: Rebecca Foster (Village President), Lucie Fortin (Village Planner) & Julie Durkin (Zoning Administrator)

**PLEDGE TO THE FLAG:** Chairman Pais led those present in the Pledge to the Flag.

**APPROVAL OF PROPOSED AGENDA:**

Motion by Mayernik, supported by Kinczkowski

To approve the agenda as presented

Voice Vote: Ayes: 7                      Nays: 0                                      MOTION CARRIED

**APPROVAL OF MAY 2021 MINUTES:**

Two minor corrections were made, the misspelling of Councilman Kinczkowski's name and on page 3 "cannabis".

Motion by Kinczkowski, supported by Mayernik

To approve the minutes of the May 3, 2021 meeting as corrected

Voice Vote: Ayes: 7                      Nays: 0                                      MOTION CARRIED

**REPORTS:**

1. Chair: None
2. Secretary/Vice-Chairperson: None
3. Council Report: None
4. Zoning Administrator: None

## **PUBLIC FORUM:**

Chairman Pais explained the purpose of the public forum is to discuss any topic. There will be time for public comment during each public hearing. He explained that there is a 5 minute time limit. He opened the public forum at 7:05 p.m. Hearing no comment, the forum was closed at 7:05 p.m.

## **AGENDA:**

1. Special Land Use Request - Marihuana Retail Facility  
Location: 1201 E. Main Street  
Parcel ID: 4714-23-400-031

- a. Public Hearing

Chairman Pais opened the public hearing at 7:06 p.m. Hearing no comment, the public hearing was closed at 7:07 p.m.

- b. Recommend to Council Approval/Denial of Special Use Request

Lucie Fortin, Village Planner, explained that we need to consider whether this is a good use for this location. They have provided a preliminary site plan with detail, but we should focus on the use and whether the Commission feels that there are additional items you wish to impose above and beyond what the ordinance requires. She discussed the general and specific criteria for the use. This is a property within the DDA and in accordance with the Master Plan goals and objectives, there is the idea that a shared parking arrangement would be an asset to this area of the Village. She discussed the pedestrian connections and she feels that there could be more connections in that area. This is strictly a retail facility, therefore the impact on services are not much greater than what is currently available. She discussed traffic as a major concern. She discussed parking and traffic backing into the roadway.

Mr. Chris Enright, Architect representing Lume who is the applicant, presented the project proposed at 1201 E. Main Street. He gave a brief history of Lume as a company. Lume operates and maintains all of their properties and facilities. They are owned and operated privately. He discussed their facilities, operations, and products. He discussed security and regulations. He discussed their plans for the facility including the removal of the rear portion of the building and renovation of the front portion of the building and relocating the ATI Rehabilitation facility back into the same facility. He discussed the retention, storm water and landscaping beyond current zoning ordinance requirements. He discussed the purchase of the car wash property to supplement the parking at their location. He stated that they feel that they meet all of the requirements of the Special Use requirements and ask for approval.

The question was asked if the applicant has talked to the other neighbors about the possibility of shared parking. Mr. Enright stated that the parking from the car wash is going to supply them with enough parking, however if there is a mutually beneficial way of doing it, then they would be happy to do it. They like to have approximately 40 spaces for both employees and customers based on the size of the business. With ATI in the location as well, they feel that 40-50 spaces would be ideal.

Discussion was held on the detention pond. Mr. Enright stated that they have designed the system. Their plan is to put everything underground and upgrade the stormwater system in general.

Discussion was held on the Lume logo.

Motion by Mayernick, supported by Kinczkowski

Finding that the application for a marihuana establishment – Marihuana Retail Facility to be located at 1201 E. Main Street has met the Zoning Ordinance general requirements of Section 152.242 and the specific requirements of Section 152.243(S), I move to recommend that Village Council approve the application contingent upon the following:

- The extension of the sidewalk along all adjacent driveways.
- Development of an alternative parking layout that would limit cars from backing onto Pirates Cove Drive.
- Design development of a shared parking arrangement to service the adjacent businesses located along the back side of the property to improve circulation and access of this area

Roll Call Vote: Ayes: Hartman, Kinczkowski, Mayernik, McCall, C. Oliver, D. Oliver, Pais Nays: None  
MOTION CARRIED

2. Special Land Use Request - Marihuana Retail facility  
Location: 1066 E. Main Street  
Parcel ID: 4714-23-400-021

Chairman Pais stated that he owns the property immediately to the west of this property and share a common boundary. He will not withdraw from voting on the issue unless the Commission or the applicant wishes that he abstain. He does not see that he would be in any way prejudiced. The consensus of the Commission was to allow Chairman Pais to participate in the discussion and voting.

a. Public Hearing

Chairman Pais opened the public hearing at 7:27 p.m. Hearing no public comment, the public hearing was closed at 7:28 p.m.

b. Recommend to Council Approval/Denial of Special Use Request

Lucie Fortin, Village Planner, explained that the Master Plan calls for some green infrastructure, meaning that certain innovative methods should take place. For example, when paving the area which is now gravel, some innovative storm water management feature would bring it into compliance with the Master Plan. This request is similar to the previous request as it is in the DDA district, therefore particular attention to pedestrian movement and traffic is important. We see no issues with compliance with the zoning district. There could be more landscape improvements. The buffering could be improved with the residence next door. She discussed the traffic and the direct access to M-36. They do not feel that this is

a safe situation to have parking with no circulation with an in and out and feel that there should only be parking in the back. It would also require MDOT approval. There are natural features at the back of the property, and they would like to see some management of that. She further discussed the native plants and trees and the need to maintain regularly as part of normal maintenance. They are proposing to keep the architecture of the building much the same with some improvements. There could be more description of materials or color changes or anything that would change the appearance outside. These are the conditions they feel should be attached to any recommendation of approval to Village Council.

Mr. Ankur Rungta, on behalf of the applicant, gave an overview of their proposal. He gave a description of C3 Industries based in Ann Arbor including cultivation, processing and retail. He further explained their experience in the cannabis industry. He discussed the proposed site, its potential and character.

The question was asked if there is a mural being proposed on the east side facing the car wash. Mr. Rungta stated that this is signage they are proposing with their logo. They would make sure that it is in compliance with the local codes.

Mr. Landon Bartley also representing the applicant, discussed the front parking spaces proposed. He discussed the two-story building and the lower floor not being proposed for a use at this time. The ground level would be the retail store and the parking in front would be for wheelchair access. They are willing to make changes based on the Planning Commission wishes. Further discussion was held on pedestrian connection. He discussed the buffering and drainage pond to the rear and additional plantings that can be added.

Discussion was held on the main entrance in the front and the need for additional features.

Discussion was held on adding the elimination of the small parking area as a contingency. Discussion was held on leaving that item for site plan review. Further discussion was held on the elimination of those spaces and leaving it as a contingency.

Motion by Mayernik, supported by Kinczkowski

Finding that the application for a marihuana establishment – Marihuana Retail Facility to be located at 1066 E. Main Street has met the Zoning Ordinance general requirements of Section 152.242 and the specific requirements of Section 152.243(S), I move to recommend that Village Council approve the application contingent upon the following:

- Incorporation of innovative stormwater management techniques meeting the green infrastructure Master Plan goal for the property.
- Provision of increased landscaping and pedestrian amenities above the minimum requirements of the Village Zoning Ordinance to soften the appearance of the building and the site, and to accommodate outside seating and waiting areas.
- Elimination of the east drive approach and small parking area from the building front yard.
- Preparation and implementation of a management plan for the site's natural features.

- Additional information provided for Planning Commission review and approval on the proposed building demonstrating attention to the existing character of both the Village center and edge with compatible materials, colors, and detailing

Roll Call Vote: Ayes: Hartman, Kinczkowski, Mayernik, McCall, C. Oliver, D. Oliver, Pais Nays: None  
MOTION CARRIED

**PUBLIC FORUM:**

Chairman Pais opened the public forum at 7:54 p.m.

Discussion was held on the next steps for the Marihuana licensing including approval by Council and the scoring procedure.

Hearing no further comment, the forum was closed at 7:55 p.m.

**MEMBER DISCUSSION:**

Discussion was held on meeting in person after July 1<sup>st</sup>. President Foster explained that the local State of Emergency is written that it will expire when all of the restrictions are lifted by the State. She further explained that we are working on having hybrid meetings so that members of the public can participate without having to come to the Village Council Chambers. She further discussed the few special accommodations that can be made.

**ADJOURNMENT:**

Motion by Hartman, supported by C. Oliver

To adjourn the regular Planning Commission meeting at 8:01 p.m.

Voice Vote: Ayes: 7                      Nays: 0                      MOTION CARRIED



June 2, 2021

Village of Pinckney  
**Planning Commission**  
220 S. Howell  
Pinckney, Michigan 48169

|                        |   |
|------------------------|---|
| <b>Subject:</b>        | <b>Special Land Use Request</b><br>For a Marihuana Establishment - Retailer |
| <b>Applicant:</b>      | Ankur Rungta, on behalf of QPS Michigan Holdings, LLC                       |
| <b>Owner:</b>          | Carney enterprises of Michigan, LLC   |
| <b>Location:</b>       | 1066 East Main Street / M-36 (Parcels No. 4714-23-400-021)                  |
| <b>Current Zoning:</b> | SBD, Secondary Business District  |
| <b>Project No.:</b>    | P1040019  |

Dear Commission Members:

We have reviewed the proposed request for a Special Land Use to allow an adult-use marihuana retailer establishment, C3 Provisioning, in the SBD, Secondary Business District as outlined in Sections 152.240 through 152.243 of the Village Zoning Ordinance.

**1. PROJECT BACKGROUND AND SITE DESCRIPTION**

This property is the location of the former Fire Hall located on E Main Street/M-36, which has been vacant for a number of years. It contains approximately 1.65 acres of land and includes an existing non-conforming structure including approximately 4,000 square feet with a lean-to carport in the back. It is accessible from Main Street/M-36 with two drive approaches, one directly to the front of the building and extending the width of the four garage doors, and the other along the west side, sloping down to the back of the building. The existing building is a two level structure with the lower level including various rooms and an open upper level floor plan, which used to house the fire trucks. A 2-story side building attachment includes other rooms.

The proposed re-development plan is to remove the lean-to carport and rehabilitate the upper level or 1st floor of the building for the marihuana retail establishment. The new use would include approximately 4,200 square feet of retail space on the first floor. The lower level would be reserved for future undefined use.

The applicant is applying for a Village of Pinckney adult-use marihuana license, which first calls for Village approval of a Special Land Use request. The applicant has submitted an application for a special use permit, which includes a letter addressing the special use criteria, property owner authorization, and preliminary site plan drawings dated May 19, 2021.



## 2. ADJACENT EXISTING LAND USES, ZONING DISTRICTS, AND PLANNED LAND USES

Table 1: Adjacent Property Existing Land Uses, Zoning Districts, and Future Land Uses

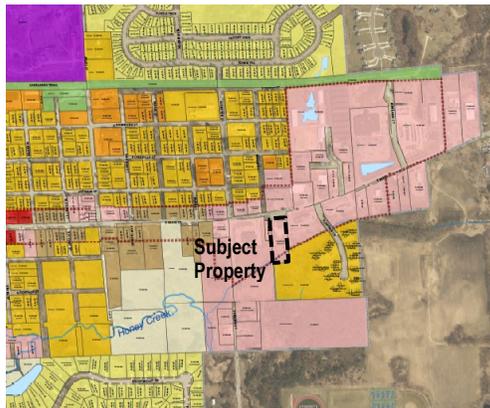
|              | Existing Land Use  | Zoning District                  | Future Land Use                                    |
|--------------|--------------------|----------------------------------|--|
| <b>North</b> | Huntington Bank    | SBD, Secondary Business District | Commercial   |
| <b>East</b>  | Pinckney Auto Wash | SBD, Secondary Business District | Commercial with Green Infrastructure               |
|              | Residential        | R-3, High Density Residential    | High Density Residential with Green Infrastructure |
| <b>South</b> | Residential        | R-3, High Density Residential    | High Density Residential with Green Infrastructure |
| <b>West</b>  | Single Family Home | SBD, Secondary Business District | Commercial   |

Figure 1: Map of Existing Land Uses, Zoning Districts, and Future Land Uses



### Existing Land Uses

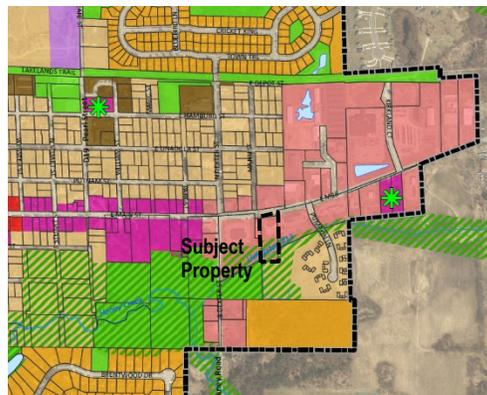
Subject Property  
Current Land Use:  
Vacant



### Zoning Districts

- R1, Low Density Residential District
- R2, Medium Density Residential District
- R3, High Density Residential District
- R4, Multiple-Family Residential District
- ROB, Residential-Office Business District
- CBD, Central Business District
- SBD, Secondary Business District
- RTO, Research-Technology-Office District
- O, Office District
- PL, Public Lands District
- DDA Boundary

Subject Property  
Existing Zoning:  
SBD



### Future Land Uses

- Low Density Residential  
21,780 to 43,560 Sq. Ft. Min. Lots
- Medium Density Residential  
10,890 to 21,780 Sq. Ft. Min. Lots
- High Density Residential  
7,260 to 10,890 Sq. Ft. Min. Lots
- Multiple Family  
4,356 to 7,260 Sq. Ft. Min. Lots
- Central Business District
- Green Infrastructure
- Commercial
- Mixed Use
- Public/Semi-Public
- Recreation/Conservation
- Research/Technology/Office
- Sub Areas

Subject Property  
Future Land Use:  
Commercial with  
Green Infrastructure

June 2020

### **3. SPECIAL LAND USE REVIEW**

The procedures for granting a special land use request for adult-use marihuana establishments are outlined in Section 152.241 of the Village Zoning Ordinance. The Planning Commission conducts a public hearing, reviews the application, and makes a recommendation to the Village Council to approve, approve with conditions or deny the special use request.

As stated in Section 152.240 of the Village Zoning Ordinance, the purpose of the special land use approval process is “to provide an opportunity for the Planning commission to impose the conditions as are necessary to ensure that the special land use will be compatible with surrounding uses and consistent with the purpose of the district in which it will be located. If it is determined that one or more negative impacts will be generated by the special land use and that these impacts cannot be reasonably mitigated, the Planning Commission may recommend denial of the special land use to protect the health, safety, welfare, and quality of life of Village residents.”

#### **A. General Approval Criteria**

According to Section 152.242 of the Village Zoning Ordinance, the Planning Commission needs to consider the following general criteria in making its findings and decision.

**(1) *Compliance with Comprehensive Plan. The special land use shall be consistent with the general goals, objectives and policies of the adopted Village of Pinckney Comprehensive Plan.***

The Village Future Land Use Map designates this property for future Secondary Commercial land uses. This future land use category is intended to include the most intensive variety of retail and service businesses in the Village.

Specific objectives of the Village Master Plan guiding future commercial development in Pinckney, which would be met by the proposed use and development plan include:

- Objective 2.2: Discourage strip style commercial development in favor of developments with multiple buildings, shared drives and parking, and abundant landscaping;
- Objective 2.7: Promote the reuse of existing buildings as an alternative to new construction; and
- Objective 2.8: Encourage redevelopment of vacant properties and obsolete buildings in commercial areas.

A portion of the property is also designated in the Master Plan as green infrastructure, a land use category which identifies an interconnected open space or greenway system along Honey Creek and other drains preserving significant natural features and environmentally sensitive land. Although ideally intended to serve as interconnected wildlife corridors, other uses compatible with this green infrastructure designation include preserves and recreation facilities. Development within properties identified with this land use designation offers an opportunity to utilize innovative stormwater management techniques such as bio-swales, rain gardens, to alleviate the negative impact of impervious surfaces.

**With the addition of innovative stormwater management techniques for the proposed parking lot, the proposed marihuana retail use and site development would be consistent with the goals, objectives, and planned future land uses of the adopted Village of Pinckney Master Plan as outlined above.**

**(2) Compliance with Zoning District.**

- (a) Special land uses permitted within any district shall be only those listed within the district.**
- (b) The special land use shall be consistent with the purpose of the zoning district in which it will be located.**
- (c) Unless otherwise specified in this chapter, the special land use shall comply with the lot, access, yard, setback and other site design requirements of the zoning district in which it is located.**

- (a) An adult-use marihuana retailer is a use listed as a special land use in the SBD, Secondary Business District.
- (b) The proposed adult-use marihuana retail facility is consistent with the purpose of the SBD District, as opposed to the central business district, because parcels are typically larger, the business activities may generate greater traffic, and require a greater number of off-street parking spaces on site.
- (c) As depicted on the preliminary site plan drawings submitted, while the building is non-conforming because of the reduced front setback, the layout of the site generally complies with the minimum lot size, other building yard/setbacks, and lot coverage of the SBD District. Specific site design and development regulations will be reviewed during the site plan review process to ensure they meet the requirements of the SBD District.

**(3) Compatibility. The special land use shall be designed, constructed, operated and maintained in a manner that is compatible with the essential character, permitted use, enjoyment and value of surrounding property and shall enhance the community as a whole.**

The property will be developed using the same existing building footprint with improvements of the building interior, exterior appearance, and new parking areas. Appropriate screening and softening of the parking area will be required to meet the current landscaping regulations. The landscape plan will be reviewed more specifically during the site plan review process to ensure appropriate buffers are installed along adjacent residential land uses. **Increased landscape improvements will need to be provided** for the proposed use to be compatible with the character, enjoyment, and value of the surrounding properties and enhance the community.

**(4) Infrastructure and Services. The special land use shall be adequately served by essential public services and other infrastructures such as roads, emergency services, drainage structures and water and sewer facilities. The proposed use shall not create a need for additional public facilities or services at public cost.**

The property has access to Main Street/M-36 and ready access to the Village water and sewer services. The building will maintain the existing connections to the Village water and sewer services. The proposed retail use is not likely to burden the capacity of the Village infrastructure and services. Stormwater run-off is proposed to be captured on site in a detention pond. As noted, this will be reviewed by the Livingston County Drain Commissioner's Office and the Village Engineer.

The Village Engineer will conduct an in-depth review of the proposed drainage structures and utility connections during the site plan review process. The Village Police Department and the Putnam Township Fire Marshal will also be consulted for any issues or concerns the proposed use may generate in terms of emergency services and public safety.

- (5) ***Traffic. The special land use shall minimize traffic impacts. In determining whether this requirement is met, consideration shall be given to anticipated traffic generation, automobile circulation, access to public roads, relationship to intersections, sight distances, access to off-street parking and pedestrian traffic. Access drives connected to roads under state and county jurisdiction shall comply with applicable road agency standards.***

Access to the property is proposed to remain through the two existing drive approaches directly from Main Street/M-36. While the specific layout of the parking area and sidewalks will be reviewed during the site plan review process, we have some concerns regarding site access, circulation and potential traffic congestion. **The existing east approach from Main Street and the front parking area need to be eliminated to increase safety and comply with the Village parking regulations. In addition, pedestrian circulation could be improved with the addition of pedestrian connections from the Village sidewalk system to the front of the building, better pedestrian connections in the rear of the building, and the addition of site amenities to accommodate outside seating and waiting areas.**

A parking analysis will be requested during site plan review to understand the parking needs for this type of use along with the potential future needs of the unoccupied lower building level.

- (6) ***Environmental Performance. The special land use shall not involve uses, activities, processes, materials, equipment or conditions of operation that may be detrimental to any person or property, or to public health, safety and welfare. In determining whether this requirement is met, consideration shall be given to the production of runoff, traffic, noise, vibration, smoke, fumes, odors, dust, glare and light.***

Activities, equipment, and conditions of operation related to the proposed retail marijuana establishment will take place within a secure building. They are not likely to result in issues that would be detrimental to public health, safety, or welfare. The preliminary plans and narrative exhibit consideration for stormwater management, traffic and circulation, and glare. As mentioned earlier, the stormwater management will be reviewed by both the Village Engineer and the Livingston County Drain Commissioner's Office. In addition, a lighting plan including a photometric plan and details of the light fixtures will be required and reviewed during the site plan review process.

- (7) ***Natural Resources. The special land use shall minimize impacts on the natural environment. In determining whether this requirement is met, consideration shall be given to scenic views, floodplains, surface waters, wetlands, groundwater recharge areas, woodlands, wildlife habitat and steep slopes.***

The property slopes down to Livingston Drain #13 and is characterized by flood prone areas and environmentally sensitive land. The low lying areas of the property include a vegetative buffer. The preliminary site plan will need to identify the natural features of the site, which include mature vegetation, a wooded area, steep slope, flood prone areas, and possibly wetland areas associated with the County Drain and the low-lying areas.

**While proposed to be preserved, these environmentally sensitive areas could be enhanced and managed with removal of invasive non-native plant species, selective clearing, and supplemented with native plantings. Natural feature preservation could also incorporate the development's drainage as an added natural green infrastructure feature of the site with the use of bio-swale or other green infrastructure elements in addition to the proposed detention pond. This feature would meet the goal of using innovative stormwater management for this site.**

- (8) Architecture.** *The architectural design of all structures, including buildings and signs, shall be compatible with the design and character of structures in the surrounding area. As part of the application, the Planning Commission may require detailed drawings of proposed signs and architectural facades, including full construction elevations and information on exterior materials, colors and detailing.*

Preliminary building floor plans and elevations were provided with the drawing submittal. While the current building footprint will remain the same, the exterior building facade appearances will be painted. The building elevations illustrate two wall signs placed on the east and west building facades.

**The applicant will need to provide more details and information on the exterior material finishes, colors and the building architectural detailing for Planning Commission review to determine compatibility with the design and character of the structures in the surrounding area.** While the narrative provided for the signs show the intent of complying with the Village ordinance, sign details will need to be submitted for review prior to approval.

- (9) Compliance Required.** *Uses and structures shall comply with all other provisions of this chapter, including Section 152.240 through Section 152.415 and all other applicable federal, state and local codes and ordinances.*

As mentioned throughout this review, compliance with other provisions of the Village Zoning Ordinance, Sections 152.240 through 152.415 will be required. This will include General Provisions, Off-Street Parking and Loading, Signs, Landscaping and Screening, and Site Plan Review. A detailed review of these regulations will be part of the site plan review process.

#### **B. Specific Approval Criteria**

According to Section 152.243 (S) of the Village Zoning Ordinance, the Planning Commission needs to consider the following specific criteria in making its findings and decision.

- (1) Prohibited Uses.** *Any marihuana establishment or marihuana event not specifically listed as a permitted business or event in Sections 152.045, 152.182, and 152.202 shall be prohibited within the Village of Pinckney.*

The proposed marihuana establishment retail use is a permitted business listed under special land use approval in the SBD district.

- (2) State License.** *An application for a marihuana establishment special use permit and site plan approval shall not be accepted by the Village unless the applicant has received pre-qualification approval from the Michigan Regulatory Agency. The appropriate State License to conduct the business shall be provided to the Village prior to a certificate of occupancy being issued.*

A letter from the Michigan Department of Licensing and Regulatory Affairs was submitted which documents the applicant's prequalification status pursuant to the licensing provisions of the Michigan Regulation and Taxation of Marihuana Act (MRTMA).

- (3) Co-Location and Stacked Licenses.** *Co-location of marihuana establishments on one property is permitted subject to all applicable state laws, rules, and regulations concerning co-location and all uses are permitted within the property.*

Co-location and stacked licenses are not proposed for this site.

- (4) **Hours of Operations.** Business hours for marihuana retailers shall be no earlier than 9:00 a.m. to no later than 9:00 p.m.

The proposed hours of operation for the marihuana retail business are between 10:00 am to 9:00 pm, daily.

- (5) **Security.** All marihuana or marihuana infused products shall be contained within an enclosed, secure area. The establishment shall be open to any representative of the Village to inspect and examine all premises of the establishment. A Security Plan shall be submitted to the Village for review.

A security plan was submitted with the application, which indicates a comprehensive security system using restricted areas with access control through key access, key-cards, and keypad PIN entry, auto-lock commercial-grade door locks, exterior and interior video surveillance, alarm system, and more. A log of surveillance recordings will be maintained to monitor the video surveillance system. The building floor plan drawing (Sheet 1 – Main Level Plan) illustrates the location and different levels of the restricted areas.

- (6) **Road Frontage and Access.** All vehicular access for marihuana establishments located in the SBD District shall be directly from M-36/Main Street.

Vehicular access is directly from Main Street/M-36.

- (7) **Separation Distances.** The following separation distances from sensitive land uses shall apply to properties where the proposed marihuana establishment is to be located. Distance measurements shall be made between the closest property lines of the sensitive land use to the improved portion of the proposed land use.

- (a) At least 1000 feet from a pre-existing public or private school, including preschools.  
(b) At least 500 feet from a religious institution, licensed day-care facility, public parks, and trails.

As documented, the proposed marihuana retail establishment meets the minimum separation distances from sensitive land uses in the Village.

- (8) **Enclosure and Screening.** All uses shall be completely enclosed within a building and comply with §§ 152.385 *et. seq.* for landscaping and screening.

The proposed retail operations will be completely enclosed within the building. The preliminary landscape plan shows proposed landscaping along the roadway, parking lot landscaping, and foundation plantings along the building. While further review will be conducted during the site plan review process, **we note the need for additional buffering from adjacent residential land use and for increased landscaping to improve the overall property appearance.**

- (9) **Environmental Performance.** No activities or uses shall result in the emission of glare, noise, vibration, odor, dust, pollution or any other negative impact, as regulated by §§ 152.370 *et. seq.* An Odor Control Plan shall be submitted to the Village for review.

Activities and uses related to the proposed marihuana retail establishment will take place within the secured building. They are not likely to result in negative impacts on environmental performance factors or issues that would be detrimental to public health, safety, or welfare. Compliance with the exterior lighting requirements of the Village will be required.

As stated in the application documentation, there will be no marihuana odor that emanates from the facility.

- (10) *Water Supply and Sanitary Sewerage Facilities.* Waste disposal and water supply and disposal for the facility shall not produce contamination or create other hazards that may negatively impact the structure and/or surrounding properties.**

Waste disposal and water supply/disposal needs will be similar to a standard office use. Curb side trash collection will be used for the proposed development. Garbage/refuse will be stored in wheeled trashcans and placed out for pickup on the assigned day.

- (11) *Off-Street Parking and Loading.* The requirements for off-street parking and loading shall comply with the provisions of §§ 152.280 *et. seq.***

Compliance with off-street parking and loading regulations (Section 152.280) will be required and reviewed during the site plan review process. A parking analysis will be requested during site plan review to demonstrate the parking space needs.

- (12) *Signs.* Signs may not depict or reference marihuana or marihuana-related paraphernalia and shall comply with the provisions of §§ 152.300 *et. seq.***

The renderings submitted show two wall signs that do not depict or reference marihuana or marihuana-related paraphernalia. Compliance with the sign regulations (Section 152.300) will be required for this site and reviewed during the site plan review process.

- (13) *All other site development standards related to lot area, minimum lot width, yards and setbacks, lot coverage, and structure height shall comply with the zoning district in which the marihuana establishment is located.***

As mentioned throughout this review, compliance with other provisions of the Village Zoning Ordinance, Sections 152.240 through 152.415 will be required. This will include General Provisions, Off-Street Parking and Loading, Signs, Landscaping and Screening, and Site Plan Review. A detail review of these regulations will be part of the site plan review process.

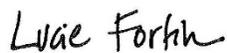
#### **4. SPECIAL LAND USE REQUEST RECOMMENDATION**

We suggest the Planning Commission recommends Village Council approval of the retailer marihuana establishment special land use request for the development proposed on parcel number 4714-23-400-021, with the following conditions:

- Incorporation of innovative stormwater management techniques meeting the green infrastructure Master Plan goal for the property.
- Provision of increased landscaping and pedestrian amenities above the minimum requirements of the Village Zoning Ordinance to soften the appearance of the building and the site, and to accommodate outside seating and waiting areas and.
- Elimination of the east drive approach and small parking area from the building front yard.
- Preparation and implementation of a management plan for the site's natural features.
- Additional information provided for Planning Commission review and approval on the proposed building demonstrating attention to the existing character of both the Village center and edge with compatible materials, colors, and detailing.

Please do not hesitate to contact us if you have any questions.

Sincerely,



Lucie Fortin, AICP, PLA  
Community Planner/Landscape Architect

c: Ankur Rungta, ankur@c3industries.com



High Profile Cannabis Shop



High Profile Cannabis Shop

HZ  
UH