

Planning & Zoning Department

CHANGE OF USE

July 25, 2023
Report by Justin Daymon

Application Number	PCR 23-016	Action Requested	Change of Use
Request	Change of Use to a Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer		
Project Name	Planet 59		
Proposed Use(s)	Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer		
Address	4641 Highland Rd		
Parcel Number	13-22-176-001		
Owner	Pure Green Crush LLC 2780 Wynclyff Commerce Twp, MI 48390	Applicant	D + R Investment Group 4641 Highland Rd Waterford, MI 48328
Property Information			
General Location	South/Southwest side of Highland Rd, East of Crescent Lake Rd		
Current Zoning	C-3, General Business		
Proposed Zoning	No change in zoning.		
Property Size	0.6 acres		
Master Plan Designation	Central Community		
Frontage	150 ft along Highland Rd		
Current Use	Licensed Medical Marihuana Provisioning Center		
Site Plan / SLU History	SP 0128 (1975) Pizza Hut Restaurant PSP 20-0128-A (11/2021) Change of Use – Restaurant to retail PZBA 21-043 (8/2021) Side yard setback PSP 22-1418 (2022) Medical Marihuana Provisioning Center PSP 23-1418-A (2023) Building addition to an existing Medical Marihuana Provisioning Center		
Surrounding Development			
North	(Across Highland) R-1A, Single-Family Residential		
South	M-1, Light Industrial		
East & West	C-3, General Business		

Project Summary

The applicant is proposing to change from a licensed Medical Marihuana Provisioning Center to a mixed use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer. This would allow them to offer retail sales of marihuana, marihuana products, and accessories to adults, 21 years of age or older, without requiring them to be registered medical marihuana patients.

Zoning District Compatibility

Per Section 3-705.3.R. & U., Medical Marihuana Provisioning Centers and Licensed Adult Use Marihuana Retailers that comply with the applicable regulations in Section 2-605 are a principle permitted uses within this district.

The approved site plan for the subject zoning lot possesses the parking capacity needed to serve the proposed change of use, and provides appropriate buffering and screening between the subject property and adjacent uses.

The site is in compliance with the requirements for landscaping, non-motorized pathways, lighting, parking, and protected property distance established by its site plan. These requirements were reviewed as part of the property's previous site plan review.

**MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. PCR 23-016,
Proposed Change of Use of 4641 Highland Rd from:
A Licensed Medical Marihuana Provisioning Center to a Mixed Use Medical Marihuana
Provisioning Center and Licensed Marihuana Retailer**

Motion:

I move to forward a favorable/unfavorable [**Strike One**] recommendation in Case No. PCR 23-016 on to the Township Board, to allow the subject parcel # 13-22-176-001 to change use from a Licensed Medical Marihuana Provisioning Center to a Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer based on the following findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

Findings:

- A.1. There is / is not a Township approved site plan for the zoning lot.
- A.2. Physical expansions or substantial improvements are not / are being proposed to the buildings, structures, or use areas on the zoning lot.
- A.3. Use of the zoning lot is / is not proposed to be changed from the permitted use classification identified in the approved site plan to another permitted use classification.

Conclusions:

- A.1. The subject zoning lot does / does not possess the parking capacity needed to serve the proposed change of use.
- A.2. The subject zoning lot does / does not provide the appropriate buffering and screening between the proposed change of use and adjacent uses.