

## **PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of September 8, 2011**

**SUBJECT: Hofmann Zoning (1643 & 1645 South State Street)  
File No. Z11-002**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Hofmann Zoning to C3 (Fringe Commercial District).

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council waive the area plan requirement for the Hofmann Zoning petition because no new construction is proposed and a survey of the improvements has been provided.

### **STAFF RECOMMENDATION**

Staff recommends **denial** of the proposed C3 zoning because the proposed district is not consistent with adopted Master Plan: Land Use Element recommendations as they relate to these parcels.

Planning staff would support the waiver of the area plan requirement because no new construction is proposed, and a survey of the existing conditions on the site has been provided.

### **STAFF REPORT**

On August 16, 2011, the Planning Commission approved the annexation of these two parcels and postponed the zoning and area plan waiver to allow the petitioner and staff additional time to address outstanding issues.

Since this meeting, Ann Arbor Township issued a Certificate of Occupancy for the manufacture of products on site and incidental retail sales of these products (attached). The current use of sausage and jerky manufacturing and retail sales of products produced on the site would be considered an existing non-conforming use if this site is zoned M1, Limited Industrial District. The M1 district allows the same manufacturing use, but limits the retail sale of products produced on the site to 10% of the floor area.

Staff contacted the petitioners after the Certificate of Occupancy was received and asked if the M1 zoning would be acceptable, as they could operate in the City as an existing non-conforming use. The petitioners indicated they would like to pursue the commercial zoning, whether it is

C3, Fringe Commercial District, or C2B, Business Service District, to allow them to sell products that are not produced on the premises.

### **STAFF COMMENTS**

Planning - As noted in the previous staff report, staff recommends these two parcels be zoned M1, Light Industrial, per the Master Plan: Land Use Element. These two parcels are not adjacent to either Stimson Street or South Industrial Highway. Staff recommends M1 zoning as it most closely matches the current Township zoning and existing light industrial uses on site. Staff would be open to a revised zoning recommendation in the future when the South State Street Corridor study is complete with updated future land use recommendations.

The petitioners worked with Ann Arbor Township and obtained a Certificate of Occupancy. This allows their business to continue to operate in the City of Ann Arbor as an existing non-conforming use if this site is zoned M1. Although the petitioner indicates only Michigan-made products would be sold from this site if zoned commercial, this zoning designation would allow for any products not produced on site to be sold. It should be noted if this current use ceases to exist, any subsequent use of the building would require compliance with the City zoning designation.

1643 S. State Street has the minimum number of required parking spaces (14) for the existing and proposed uses on site. If this site is zoned commercial and a new retail type of business moves into the retail or industrial buildings, a re-occupancy permit would be required and may be denied until adequate parking is shown on site. Site plan approval for additional parking would then be required.

Prepared by Christopher Cheng  
Reviewed by Wendy Rampson  
mg/8/31/11

Attachments: Certificate of Occupancy  
8/16/11 Staff Report

# Ann Arbor Charter Township

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[www.aatwp.org](http://www.aatwp.org)

Michael Moran, Supervisor  
Rena Basch, Clerk  
Della DiPietro, Treasurer

John Allison, Trustee  
Richard Dieterle, Trustee  
Randolph S. Perry, Trustee  
Claudia Sedmak, Trustee

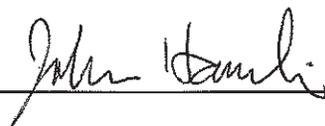
August 26, 2011

Biercamp  
Walter Hansen and Hannah Cheadle  
1643 S. State St.  
Located on parcel I-09-33-370-006  
Ann Arbor, MI 48104  
I-1 Limited Industrial

## Certificate of Occupancy

For the manufacture, processing or assembly of food products and the incidental retail sales of these products at 1643 S. State St. Ann Arbor, MI

Permit # FRF108302  
Michigan Department of Agriculture  
Food and Dairy Division  
Expires 4-30-2012

 8-26-11

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John Hamlin  
Ann Arbor Township Building and Zoning Official