

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 18, 2010

**SUBJECT: Westside Farmers Market Special Exception Use Approval
2501 Jackson Road (Project No. SEU10-001)**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions) and hereby approves the Westside Farmers Market Special Exception Use, subject to receiving written approval from the Fire Marshal each year for emergency response access.

STAFF RECOMMENDATION

Staff recommends that the special exception use be **approved** because the proposed use is compatible with the zoning district; will not be hazardous or inconvenient to the neighborhood nor unduly conflict with normal traffic; and does not encroach into a required open space or occupy required off-street parking spaces.

LOCATION

This site is located in the parking lot adjacent to the Zingerman's Roadhouse Restaurant within the Westgate Shopping Center at the southwest corner of Jackson Road and South Maple Road, and is in the Allen Creek watershed.

DESCRIPTION OF PETITION

The petitioner requests permission to host a farmers market in a portion of the Westgate Shopping Center parking lot in the immediate vicinity of the Zingerman's Roadhouse Restaurant. The market would have approximately 34 stalls and occupy 28 parking spaces and the adjacent aisle. It would operate from 3:00 p.m. to 7:00 p.m. on Thursdays in June, July, August and September.

The Westgate Shopping Center is zoned C3 (Fringe Commercial District) and has 40 existing parking spaces above the minimum off-street parking requirement (966 required, 1066 existing). The proposed farmers market will not occupy required parking spaces and will maintain adequate vehicular circulation as well as the barrier-free spaces near the restaurant entrance.

Special exception use approval is required because no fresh produce is currently sold from within a principal building on the property. (If fresh produce was currently sold from within a principal building, temporary outdoor sales would be permitted within certain size, placement and duration limitations.)

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Commercial	C3 (Fringe Commercial District)
EAST	Commercial	C3
SOUTH	Commercial	C3
WEST	Highway	C3

PLANNING BACKGROUND

The site is located in the West planning area. The Master Plan Land Use Element recommends continued commercial use for this site and the surrounding area.

The use restrictions for the C3 (Fringe Commercial District) zoning district were amended in 2009 to allow special exception use approval of temporary outdoor sales or display of goods and services not normally sold from within the principal building on the lot. No fresh produce is currently sold from within the principal buildings on the lot; therefore the proposed use requires special exception use approval.

SPECIAL EXCEPTION USE STANDARDS

The City Planning Commission, in arriving at its decision relative to any application for a special exception use, shall apply the following standards:

Use and Specific Standards

The applicant requests special exception use approval to permit the following use(s):

A farmers market on Thursdays from 3:00 p.m. to 7:00 p.m., June through September, in the Zingerman's Roadhouse Restaurant parking lot.

The proposed use is allowed in accordance with:

Chapter 55, Section 5:10.23(3).

General Standards

The proposed use(s) shall be of such location, size and character as to be compatible with the appropriate and orderly development of the zoning district and adjacent zoning districts in which the site is situated. In applying this standard, the Planning Commission shall consider whether the proposed use: (Petitioner responses in regular type. *Staff comments are in italic type.*)

1. Will be consistent with the general objectives of the City Master Plan.

The selling of produce at the farmer's market is compatible with the commercial zoning in the plan for that location.

2. Will be designed, constructed, operated and maintained in a manner that is compatible with the existing and planned character of the general vicinity.

It will be set up and taken down in the same day. There will be booths set up for vendors selling local products. The character will be similar to commercial businesses surrounding the area.

3. Will be consistent with the general character of the neighborhood considering population density, design, scale and bulk; and the intensity and character of activity.

The area is commercial on all sides. The farmer's market will add to this character one day a week.

4. Will not be detrimental to the use, peaceful enjoyment, economic value or development of neighborhood property, or the neighborhood area in general.

The neighboring properties are commercial, so it will simply blend with the normal enjoyment.

5. Will not have a detrimental effect on the natural environment.

The market will not affect the natural environment around it.

6. The location and access to off-street parking and the safe provision for pedestrian traffic.

The market will be located in the parking lot of Zingerman's Roadhouse [Restaurant]. There is ample parking located in the adjoining Westgate Shopping Center parking lot.

The proposed location is part of the Westgate Shopping Center, which also includes the free-standing Zingerman's Roadhouse Restaurant. There are currently 40 excess parking spaces above the minimum required for this site. The proposed farmers market will not impact any required off-street parking. The proposed location of the farmers market will also not impact existing pedestrian circulation within and around the shopping center.

7. The relationship of the proposed use to main traffic thoroughfares and to streets and road intersections.

It will not affect them. This will only increase traffic to the Westgate Shopping Center. It was already designed to handle a large volume of traffic.

8. Vehicular turning movements in relation to traffic flow routes.

It will not affect this. Traffic will flow as normal.

9. The intensity and character of traffic and parking conditions on the site and in the general area.

It will be in a parking lot next to an even larger parking lot. It will not harm the traffic or parking conditions.

10. The requirements for additional public services and facilities, which will be created by the proposed use, will not be detrimental to the social and economic welfare of the community.

No additional public services or facilities will be needed.

SERVICE UNIT COMMENTS

Fire Marshal – A layout of the market should be submitted each year for review and approval to ensure adequate access for emergency responses to the restaurant as well as vendors and patrons of the market.

Planning – The proposed farmers market area does not encroach into the required front open space for the lot and does not take up any required off-street parking. It appears to be a good fit for the shopping center and the general area and will supplement the farmers market currently held on Saturdays and Wednesdays in the Kerrytown neighborhood of downtown. This private farmers market will be an asset to the community and staff supports its approval.

Prepared by Alexis DiLeo
Reviewed by Wendy Rampson
jsj/5/13/10

Attachments: Parcel/Zoning Map
Aerial Photo
Plot Plan

c: Petitioner: Corinna Parker, Westside Farmers Market Manager
c/o Zingerman's Deli
422 Detroit Street
Ann Arbor, MI 48104

Owner: Westgate Enterprises, LLC
2440 W Stadium Blvd
Ann Arbor, MI 48103

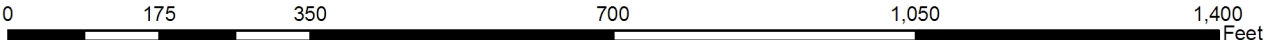
Fire Marshal
Systems Planning
Project No. SEU10-001

**2009 Aerial Photo:
Westside Farmers
Market (at
Zingerman's
Roadhouse
Restaurant),
2501 Jackson Rd.**



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Plot Plan for Westside Farmers Market Special Exception Use Petition

At Zingerman's Roadhouse Restaurant, 2501 Jackson Road

(Base plan originally prepared for Zingerman's Roadhouse Administrative Amendment, file no. 8251E120.5, approved May 21, 2007, by Carl O. Hueter, AIA, 1321 Franklin Blvd, Ann Arbor, MI 48103)

Westgate Shopping Center:

Required parking – 966 spaces (variance of 55 spaces granted 12/86)

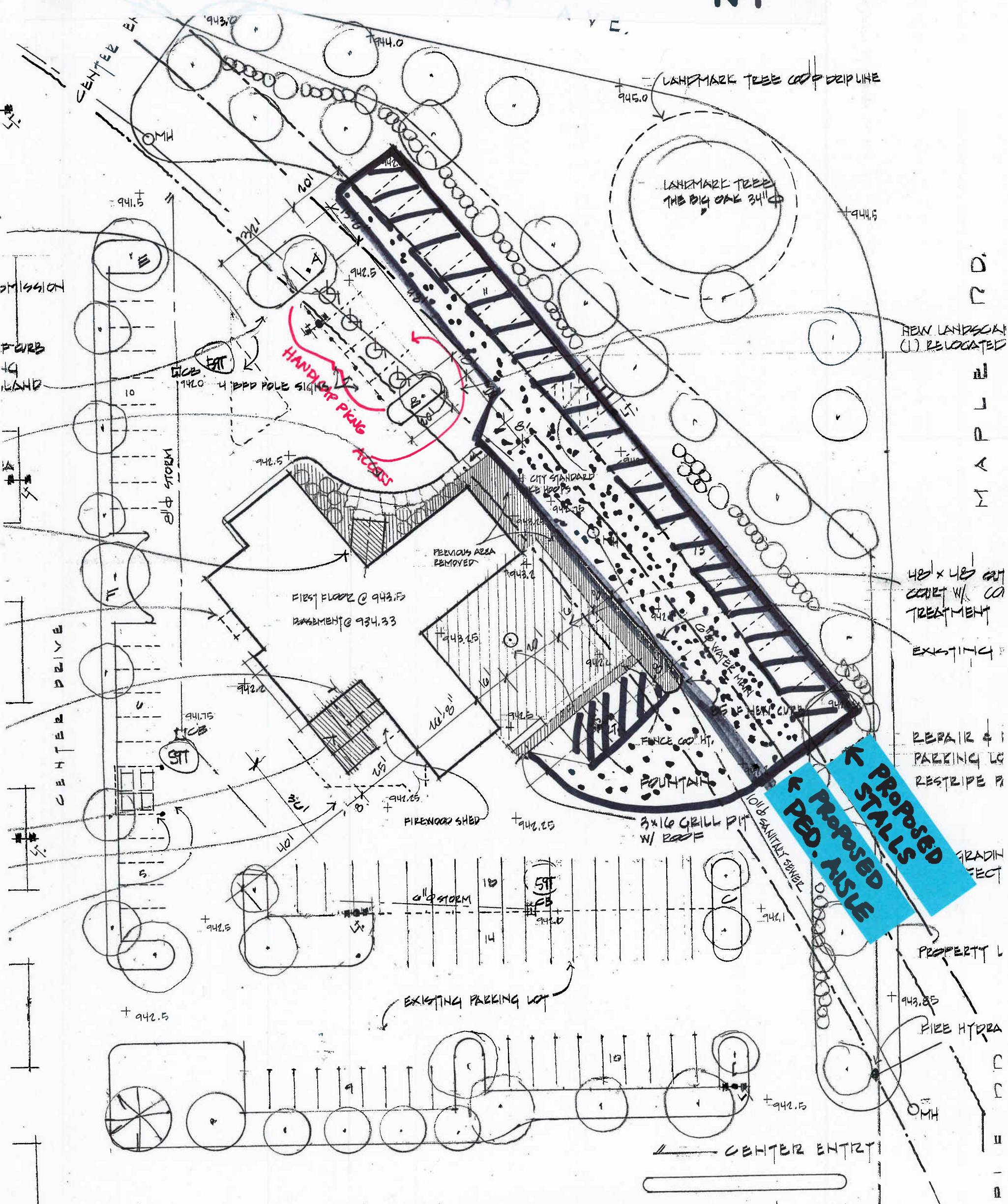
Existing parking – 1066 spaces

Excess parking – 40 spaces

Westside Farmers Market to occupy 24 parking spaces

28

NT



PROPOSED STALLS
PROPOSED PED. AISLE

NEW LANDSCAPE (1) RELOCATED

48\"/>

EXISTING

REPAIR & PARKING TO RESTRIPE

GRADIN

PROPERTY

FIRE HYDR

MH

CENTER ENTRY

EXIT