

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of September 5, 2018

**SUBJECT: 617 Packard Street Special Exception Use and Site Plan (617 Packard Street)
File No. SEU18-033**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, including an accompanying site plan, finds the petition substantially meet the standards in Chapter 55 (Ann Arbor Unified Development Code), Section 5.29.5 (Special Exception Use) and Section 5.16.3.G (Medical Marijuana Facility), and therefore approves the 617 Packard Street Special Exception Use for a Medical Marijuana Provisioning Center. This approval is based on the following findings:

1. The proposed use will be consistent with the C1A Campus Business District, which provides neighborhood shopping for the University-oriented population and includes retail establishments, offices, personal services, theaters, and pinball parlors.
2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. Packard Street provides access to the site, and the proposed use is consistent with other surrounding uses' traffic impact.
3. Through documentation submitted by the petitioner regarding waste disposal, inventory tracking, security, and other methods of operation of the facility, the provisioning center will be operated in a manner that will not have an adverse impact on the neighboring properties or area, and will not have a detrimental impact on natural features.

This Special Exception Use approval is based on the following conditions:

1. The petitioner obtaining and maintaining both a State of Michigan Medical Marijuana License and a City of Ann Arbor Medical Marijuana Permit, and providing documentation to Planning Services within three years of the City Planning Commission approval date of this petition.
2. The petitioner operating a medical marijuana business at this address within three years of the City Planning Commission approval date of this petition.
3. The petitioner will install bicycle parking spaces on the site as shown on Sheet 4 Site Plan of the plan set by October 31, 2018.

4. The special exception use may occupy no more than 2,112 square feet of the entire building.
5. The petitioner will maintain the operating hours of 10:00 am to 9:00 pm Monday thru Saturday and 12:00 pm to 7:00 pm Sunday.

And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards as no physical development of the property is proposed.

STAFF RECOMMENDATION

Staff recommends that the special exception use be **postponed** to allow the petitioner to address city staff comments.

LOCATION

The site is located on the north side of Packard Street, between Hill Street and Arbor Street, and is in the Allen Creek subwatershed, Ward 4.

DESCRIPTION OF PETITION

The petitioner seeks special exception use approval to operate a medical marijuana provisioning center in an existing building zoned C1A Campus Business District. Per the Unified Development Code, Chapter 55, C1A zoning allows medical marijuana provisioning centers with special exception use approval.

This 1,879 square foot site contains one two-unit building with 2,112 square feet of floor area. The provisioning center proposes to use the entire building. One class B bicycle parking space is proposed along the northwest side of the building, under an awning. No other changes to the site are proposed by the petitioner.

PLANNING BACKGROUND

The C1A Campus Business District encourages a variety of uses. Medical Marijuana Provisioning Centers are a Special Exception Use in the District. The site is more than 600 feet from any other provisioning center, and more than 1000 feet from any K-12 school.

SPECIAL EXCEPTION USE STANDARDS

The Planning Commission, in arriving at its decision relative to any application for a special exception, shall apply the standards shown on the attached petition.

In addition, the following information is required to be submitted for provisioning centers per 5:50.1(8) Special exception use regulations for medical marijuana facilities:

- 1) an operations statement that describes the life cycle of marijuana on site, and general business operations;

- 2) a safety and security plan that addresses marijuana, customers, employees, and the neighborhood;
- 3) a description of methods to be used to contain all odors within the building;
- 4) a waste disposal plan for marijuana; and
- 5) hours of operation.

This required information is found in the [Special Exception Use petition application](#).

PLANNING STAFF COMMENTS

The special exception use requirements as they are applied to this petition are broken down into general categories below.

Master Plan: The *Master Plan Land Use Element* recommends a future land use of *Commercial - Office* for this site in the Central Area.

Compatibility with the general vicinity: The site is in the center of the Packard/Hill/State triangle, and is surrounded by retail businesses and restaurants. Within the triangle are at least three former houses now buried in commercial additions that have been present for at least 50 years. Across Packard, flanking Mary Street, are four large multi-family houses. These houses are master planned as Commercial – Office. Behind them is a residential neighborhood.

Consistent with the neighborhood and not detrimental: Planning staff believes the intensity and character of the business is compatible with the block and surroundings.

Parking: There is no parking on the site. Metered parking is available on Packard, Hill, and State.

Pedestrian Safety: Private sidewalks, in good condition, are present in front of the building.

Vehicular movement and traffic: See Transportation Engineering comments below.

Natural Features: No natural features exist on the site.

Facility Type: This special exception use petition is for a medical marijuana provisioning center only. Growing, processing, and/or testing of marijuana is not allowed in the C1A Campus Business zoning district.

Citizen Participation – Staff has not received concerns from surrounding neighbors at the time this staff report was written.

Additional required Medical Marijuana SEU information:

Operations Plan: The referenced operation statement describes marijuana handling, deliveries, storage, cash handling, etc.

Safety & Security: It should be noted that the state licensing process requires an extremely detailed and comprehensive security system. Staff does not ask for the particulars of provisioning centers' security plan since our documents are all public, unlike the state license permit application which is not. The applicant has provided a security plan that describes an alarm and surveillance system, facility security, employee training, and lighting.

Odor Control: Lack of odor control is the most frequent complaint heard by staff about provisioning centers. The applicant has stated that medical marijuana will be stored in containers designed to minimize odor release, and that the entire building will be equipped with an industrial air filtration system.

Waste Disposal: The applicant states that any marijuana waste will be stored securely, rendered unusable, and picked up by weekly by a licensed waste disposal company.

Hours of Operations: Normal hours of operation will be 10:00am to 9:00pm, Monday through Saturday and 12:00pm to 7:00 pm Sunday.

DEPARTMENT COMMENTS

Transportation Engineering – Transportation notes that this area is targeted for safety special consideration. The area bounded by State, Packard, and Hill has recurring high numbers of crashes, including serious injury crashes. MDOT awarded the City a safety grant to conduct a formal Road Safety Audit of this area in federal fiscal year 2019.

Transportation has requested documentation from the applicant on operational and safety impacts for the special exception use since trip generation numbers indicate that this is a vehicle-centric business. Of particular concern are potential impacts to non-motorized travel. This information is requested before City Planning Commission action on the petition.

Prepared by Jill Thacher

Reviewed by Brett D. Lenart

Attachments: Zoning/Parcel Maps
Aerial Photo

eTrakit Links: [SEU Petition Application](#)
[Site Plan set](#)
[Citizen Participation Report](#)

c: Petitioner: QPS Michigan Holdings LLC
41672 Sudbury Court
Novi, MI 48375

Petitioner's Agent: Midwestern Consulting
3815 Plaza Drive
Ann Arbor, MI 48108

Property Owner: Dennis Loy and Diane Loy
200 East Main Street
Milan, MI 48160


617 Packard St


Hill St


S State St

Mary St

Packard St

 Railroads

 Huron River




 Tax Parcels



Map date 5/14/2018
Any aerial imagery is circa 2015
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617 Packard St

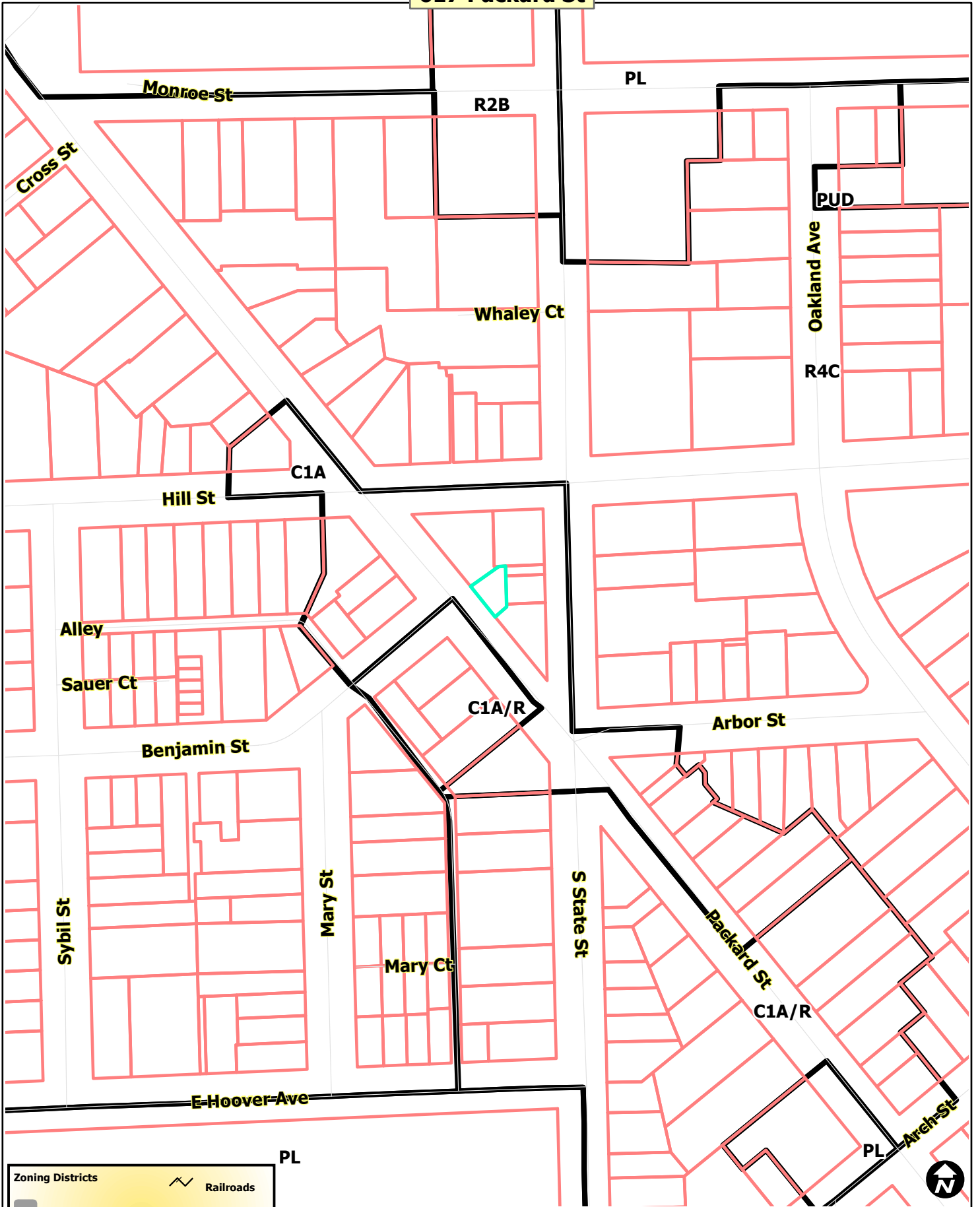


-  Railroads
-  Huron River
-  Tax Parcels



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Zoning Districts	Railroads
Township Islands	Huron River
City Zoning Districts	Tax Parcels



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