

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 1, 2018

**SUBJECT: Liv Café Special Exception Use and Site Plan (603 E. William Street)
File No. SEU18-002**

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 (Zoning Ordinance), Section 5:104 (Special Exceptions) and Section 5:50.1 (Regulations Concerning Medical Use of Marijuana), and therefore approves the Liv Café, 603 E. William Street, Special Exception Use for a medical marijuana Provisioning Center. This approval is subject to receiving applicable City permits for bicycle parking and is based on the following findings:

1. The proposed use will be consistent with the D1, Downtown Core District, which provides for commercial activities including retail establishments, offices, and personal services.
2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. This site is near both UM and AAATA transit centers and bus stops. The intersection of E. William and Maynard 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 special exception use may occupy no more than 1,600 square feet of the entire building.

4. The petitioner will install one bicycle parking space location determined by the City. The parking spaces must be installed by June 30, 2018.

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 **approved with conditions** subject to Planning Commission consideration because the proposed special exception use is of such location, size and character as to be compatible with the zoning district in which the site is situated; and the location and size of the proposed use, its nature and intensity, the site layout and access, and effect of the proposed use on public services would not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood.

STAFF REPORT

On March 20, 2018, the City Planning Commission postponed this petition to allow the petitioner an opportunity to address security concerns at this site. At this time, it was brought to staff's attention an incident between owners required police presence. The petitioner indicates the dispute between the owners has been resolved and no further action will be taken by the police or courts. The AAPD confirms no additional incidents have occurred at this site.

Planning staff requested the Articles of Incorporation from the petitioner to document ownership of this business. This information has been submitted and is attached.

Prepared by Chris Cheng
Reviewed by Brett Lenart

Attachments: [3/20/18 Staff Report](#)
[Articles of Incorporation](#)
[Survey](#)

City Attorney
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