

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

**For Planning Commission Meeting of September 5, 2018**

**SUBJECT: 2019 W. Stadium Provisioning Center Special Exception Use and Site Plan  
File No. SEU18-015**

### **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 (Unified Development Code), Section 5.29.5.D (Special Exceptions) and Section 5.16.3.G (Medical Marijuana Facility), and therefore approves the 2019 W. Stadium Special Exception Use for a medical marijuana Provisioning Center.

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.

This approval is based on the following findings:

1. The proposed use will be consistent with the C3 (Fringe Local Business District) and C2B (Business Service 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. West Stadium 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 6 Class B and 5 Class C bicycle parking hoops as shown on sheet 4. The parking spaces must be installed before Certificate of Occupancy is issued.
4. The special exception use may occupy no more than 2,200 square feet of the entire building.
5. Hydrant(s) shall be located such that all buildings and structures on site will be included in a 250-foot radius drawn around each hydrant before issuance of a Certificate of Occupancy.
6. The petitioner will maintain the operating hours of 9:00 am to 8:00 pm Monday thru Sunday.

And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards.

### **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**

This petition was postponed at the August 21<sup>st</sup> Planning Commission meeting in order for the petitioner to complete revisions to the site plan and address Planning Commission concerns.

### **UPDATE**

Parking: The 42,168 square foot, one-story building requires a minimum 136 and a maximum of 159 parking spaces as a retail center. The revised site plan shows 56 parking spaces due to the proposed installation of the fire hydrant and dumpster relocation. While this site is short 80 spaces, it should be noted previous retail uses have existing at this site and future retail uses could move in without special exception use and site plan approval.

The provisioning center has been reduced from 6,000 square feet to 2,200 square feet and requires a minimum of 7 and a maximum of 9 parking spaces. The provisioning center's hours (proposed to be 9:00 am to 8:00 pm M-Sunday) has some overlap with the micro-brewery in the afternoon hours (M-Thur 4:00-12:00am; Fri./Sat. noon -1:00 am and Sun. noon-10:00 pm) but not during the early morning peak hours. The provisioning center is located on the eastern side of the site away from the micro-brewery and provides 9 spaces near the eastern front entrance. It appears from site visits the bulk of parking for the micro-brewery occurs at the rear of the site separate from the proposed provisioning center location.

Operations Plan: The previous staff report attached an Operations Plan that referenced basement storage for the provisioning center. An updated Operations Plan eliminating any mention of a basement at this site is attached.

**DEPARTMENT COMMENTS:**

Traffic – The revised reduced floor plan does not require a Traffic Impact Statement as the number of pm peak trips falls below the threshold.

Engineering/Fire - Required off-site easements must be executed prior to the issuance of any Certificate of Occupancy. Structures are not permitted within utility easements. Verification that structures will not be located in the easement is required, as it appears a field survey was not completed.

The proposed on-site fire hydrant must be adequately protected from vehicles by curbing or other approved methods.

Planning – This building was constructed in the early 1960's as a mixed-use building and was not site planned. Additional spaces can only be added to this site if portions of the building are removed.

The petitioner indicates the vacant warehouse space is currently being used as storage (baseball equipment, cages, and miscellaneous sporting goods) . This space was vacant when the building was purchased 2014. The plan is to keep this area as storage but Wolverine Brewing has expressed an interest in renting it out in the near future as additional warehouse space.

Prepared by Chris Cheng  
Reviewed by Brett Lenart

Attachments: [Zoning/Parcel Maps](#)  
[Aerial Photo](#)  
[SEU Petition Application](#)  
[SEU Application Attachments](#)  
[Revised Site Plan](#)  
[Revised Floor Plan](#)  
[Revised Operations Plan](#)  
[February 14<sup>th</sup> Neighborhood Meeting Summary](#)

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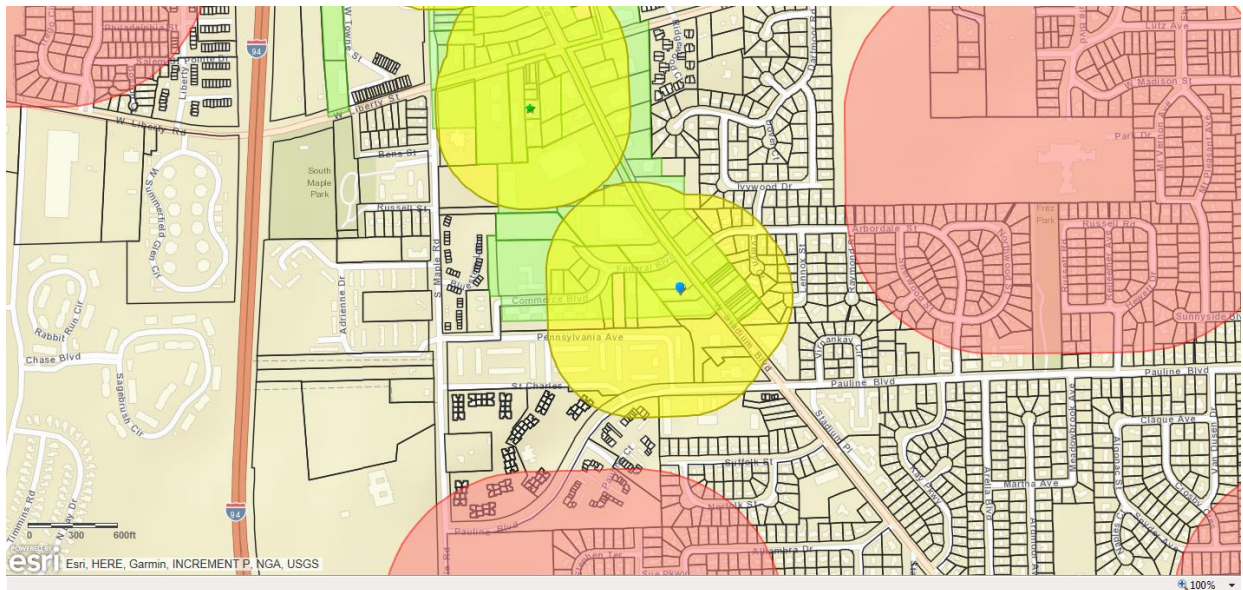
City Attorney's Office




Systems Planning  
File No. SEU18-015

Front of 2019 W. Stadium Blvd., August 2017 (google)



Medical Marijuana Location Map



-  600 foot buffer from provisioning center
-  1,000 foot buffer from public school
-  Allows provisioning centers