1. 7:00 P.M. Planning Commission February 2020 Regular Meeting

Documents:

01-FEBRUARY 2020 AGENDA.PDF
02 - DECEMBER 2019 DRAFT MINUTES.PDF
03A - 1090 N. HURON RIVER STAFF REPORT.PDF
03B - 1090 N. HURON RIVER APPLICATION.PDF
04A - 539 S. HURON STAFF REPORT.PDF
04B - 539 S. HURON APPLICATION.PDF
05A - ADOPTED ORD 1354 - RECREATIONAL ZONING.PDF
05B - RECREATIONAL MARIJUANA ZONING CHART.PDF
06A - NMAC MINUTES.PDF
06B - NMAC 2019 ANNUAL REPORT.PDF
FEBRUARY 2020 FULL PACKET.PDF

Agenda
Planning Commission
Wednesday, 19 February 2020 – 7:00 P.M.
City Hall – Council Chambers, 1 S Huron St
Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P	A
Jared Talaga, Vice-Chair	P	A
Michael Borsellino	P	A
Mike Davis Jr.	P	A
Jessica Donnelly	P	A
Phil Hollifield	P	A
Heidi Jugenitz	P	A
Michael Simmons	P	A

III. Approval of Minutes

- December 18, 2019

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

V. Presentations and Public Hearing Items

- Special Use Permit & Limited Site Plan Review: Marihuana Retailer, 1090 N. Huron River Drive
- Special Use Permit & Limited Site Plan Review: Marihuana Retailer, 539 S. Huron St.

VI. Old Business

VII. New Business

VIII. Future Business Discussion / Updates

- Adopted Ordinance: Adult-Use (Recreational) Marijuana Zoning Ordinance

IX. Committee Reports

- Non-motorized Committee Report
- Master Plan: Housing Affordability and Access Committee report

X. Adjournment

MEETING MINUTES
Planning Commission
Wednesday, 18 December 2019 – 7:00 P.M.
City Hall – Council Chambers, 1 S Huron St
Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P
Jared Talaga, Vice-Chair	A
Mike Davis, Jr	P
Jessica Donnelly	P
Phil Hollifield	P
Heidi Jugenitz	P
Michael Simmons	A

Staff Present: Andy Aamodt- City Planner, Scott Slagor- Preservation Planner, Elize Jekabson- Acting Secretary, Joe Meyers- Economic Development Director

III. Approval of Minutes

- November 20, 2019
  Typing error. Votes in minutes do not reflect the amount of commissioner's present. All 5's need to be changed to 4's.
  Motion to approve as amended
  Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Donnelly
  Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

Motion to open Audience Participation:
Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Donnelly
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

Seeing none, Motion to close Audience Participation
Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

V. Presentations and Public Hearing Items

- Adult-Use (Recreational) Marijuana Ordinance
  Zoning Ordinance Text Amendment
  Staff presentation included a power point outlining language terms relating to marijuana licenses, purpose of this meeting, current buffers and zoning regulations.

Motion to open Public Comment:
Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Jugenitz
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

- *Jeff Ciphor 33-35 E. Cross St.* – Has been running a dispensary for ten years, and it's been hard to get to this point. Would like to see no buffers between provisioning and consumption facilities, so a shop like his could utilize the upstairs as a safe space to consume. This would be a win-win for everybody. He would like to see this whole process a little bit easier and expedient.
- *Jeff Guyton 18 S. Normal St.-* 1000-foot buffers limit options for people to get into the industry, are minorities, live in Ypsilanti and believe in the industry. Buffers limit suitable areas for this type of business.
- *Darryl Stavos 19 N. Hamilton-* Consumption lounges do not make money. The only reason for them is for people in rental homes to find a safe location to use their medicine. 1000-foot buffers would limit any consumption facilities in walkable areas of the city where they would make the most sense. Because we've slowed this process down this much, a lot of revenue is being sent to Ann Arbor. First week of sales was $1.2 million. If you limit the businesses that come in here, it limits the money coming to Ypsilanti.
- *Laura Kopp- 1807 Roosevelt* – Wanted clarification of item 4, designated consumption site, it says consumption is prohibited at a consumption site, which looks to be a typo. She spoke to this commission when Sticky Ypsi came to the planning commission for a special use because she thinks they could be a good neighbor, but she is more in favor for buffering as a way to balance the need with learning the process. Council meeting last night had a lot of confusion. She wonders why consumption sites within PMD zones as these don't seem like zones people should be consuming.
- *Rebecca Mackey- Precinct Delegate from Ypsilanti Precinct 19-* She is interested in opening a café that is attached to a designated consumption facility. She has been a medical patient for years, and was in a car accident as a child. Many people in her situation end up stuck at home and don't have community and can socialize together. This a very important thing for the healing process and would be valuable for the quality of life for Ypsilanti residents. Would like more information about social equity programs.
- *Peter Church- 1815 Witmire-* Asked commission to raise their hand if they want a provisioning center next to their house. *The commission declined to participate.* This commission approved a medical marijuana facility that could turn into a recreation facility right next to a residential house. Why are there not exclusions for a residential area? What is the logic for that? How do we arrive at 1000-foot buffers being safe for schools? There is a 57% graduating rate at Ypsi High, he thinks there should be bigger buffers from schools.
- *Annie Sommerville Ward 3-* Reminded the commission that City Council opted in with designated smoking sites, and voted against removing it from the opt-in later by 5-2. "Use of recreational marijuana in a designated consumption establishment" should be amended out. "No designated consumption establishment shall be located within a building that is commercial or residential". That diminishes the possibility for designated consumption facilities and should be amended out. There shouldn't be a buffer between different use types. All things that are getting handled at the state level we should not be making more complicated at the city level. Suggested considering the hurdles with special uses and buffers that are not required for liquor stores or bars. Revenue sharing depend on the buffers the City sets. Buffering will leave a lot of people out. There is no reason why a transport facility shouldn't be next to a safety compliance facility etc.
- *Will Boxberger-* Would you be equally worried if a CVS opened in your neighborhood? They sell drugs and alcohol. Him and his partner want to start a

business but cannot find a place to open. He encourages the commission to rethink buffers,

Motion to close Public Comment:

- **Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield**
- **Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)**

Commissioner Dunwoodie addressed questions and concerns brought up in the public hearing.

The commission worked through the all the license types and decided on buffers for each one as shown below.

PROPOSED Recreational Marijuana Zoning/Locational Chart		
License/ Facility Type	**Zoning District & Use**	**Distance Requirement***
Recreational Marihuana Retailer	*C* - Permitted *GC* - Special	500 ft. buffer from same type; No buffer from other types
Marihuana Microbusiness	*C* - Special *GC* - Special *PMD* - Special	1000 ft. buffer from same type; 500 ft. buffer from other types
Designated Consumption Establishment	*C* - Special *GC* - Special	500 ft. buffer from same type; No buffer from other types
Recreational Marihuana Growing and/or Processing Facility	*GC* - Special *PMD* - Special	500 ft. buffer from same or other types**
Marihuana Secure Transporter	*GC* - Special *PMD* - Special	500 ft. buffer from same type; No buffer from other types
Marihuana Safety Compliance Facility	*HHS* - Special *PMD* - Special	500 ft. buffer from same type; No buffer from other types
Excess Marihuana Grower	*PMD* - Special	No buffer from other types***

Motion for ***approval*** of the proposed text amendments to Chapter 122 Articles II, IV, and V, with the following findings:

(1) The proposed amendment is consistent with the guiding values of the Master Plan;
(2) The rezoning is consistent with description and purpose of the proposed district;
(3) The proposed amendment is consistent with the intent of this Zoning Ordinance;
(4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City;
(5) The proposed amendment will preserve the historic nature of the surrounding area and of the City;

(6) The proposed amendment will enhance the natural features and environmental sustainability of the City;
(7) The proposed amendment will protect the health, safety, and general welfare of the public;
(8) The proposed amendment will address a community need in physical or economic conditions or development practices;
(9) The proposed amendment will not result in the creation of significant nonconformities in the City;
(10) The proposed amendment is needed to align with recent changes in State law.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Hollifield
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

VI. Old Business n/a

VII. New Business

- Annual Report
  Staff presented the annual report.

Motion to adopt the Annual Report for transmittal
Offered By: Commissioner Jugenitz; Seconded By: Commissioner Hollifield
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

VIII. Future Business Discussion / Updates
n/a

IX. Committee Reports

- Non-motorized Committee Report
  Commissioner Davis Jr. updated the commission about the meeting. They discussed the road diet on West Cross, cross walk ordinances, and curb cuts.
- Master Plan: Housing Affordability and Access Committee report
  Commissioner Jugenitz is optimistic that they will finish drafting the final report by January. Will want to schedule a time to present to planning commission.

X. Adjournment

Motion to adjourn.
Offered By: Commissioner Hollifield; Seconded By: Commissioner Donnelly
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

DRAFT

City of Ypsilanti

Community & Economic Development Department

19 February 2020

Staff Review of Special Use & Limited Site Plan Application
Indica LLC (Sticky Ypsi) – *Marihuana Retailer* Use
1090 N. Huron River Dr.

GENERAL INFORMATION

Applicant:	Indica LLC 1090 N. Huron River Dr. Ypsilanti, MI 48197
Project:	Indica LLC (Sticky Ypsi) - *Marihuana Retailer* Use
Public Hearing Date:	19 February 2020
Location:	North of EMU campus, west of Leforge Rd. Parcel ID# 11-11-05-150-007.
Zoning:	"GC" General Corridor
Action Requested:	Approval
Staff Recommendation:	Approval, with conditions

PROJECT AND SITE DESCRIPTION

The applicant is applying for a Special Use permit as a marihuana retailer. The existing suite in the building is currently used as a medical marijuana provisioning center. Last month City Council amended the zoning ordinance to allow for recreational marijuana uses. This property is zoned "GC", therefore a marihuana retailer use needs a Special Use permit. If granted approvals, both medical marijuana and recreational marijuana may be sold from this facility, pursuant to state and local law.

Marihuana Retailers are what the State deems "equivalent" license types to *Medical Marijuana Provisioning Centers*. The license type is fairly straightforward- these facilities shall only sell marijuana. The major change is that marihuana retailer facilities may now accept customers- individuals over the age of 21- regardless if they are a registered medical patient or not.

The subject suite is approximately 1,192 square feet in a commercial plaza building of approximately 15,150 square feet. The lot is approximately 1.80 acres. There is currently parking in the large lot to the south, and there is vehicle access from N. Huron River Dr. The existing building is a legal nonconforming structure and may not be expanded regardless.

The applicant is currently applying to the City for its Marihuana Facility Permit. The facility will not be granted its Marihuana Facility Permit unless its Special Use permit is granted. City staff has determined

it is appropriate to allow for *existing* medical marijuana facilities to apply for their recreational marijuana Special Use permits for in the meantime, because there may be an inundation of Special Use permit applications for *new* recreational marijuana facilities in the upcoming months.

Figure 1: Subject Site Location (2015 Aerial)

Note: for clarity sake, the City's data recognizes the lot as 1072 N. Huron River. This suite however has the specific address of 1090 N. Huron River, so this report references it as 1090 N. Huron River throughout.

Figure 2: Photograph of Site (Google Street-View, July 2019)

Figure 3: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Railroad; Huron River	N/A
EAST	Vacant drive-through restaurant	GC
SOUTH	Eastern Michigan University Campus	EMU Campus
WEST	Apartment complex	GC

SPECIAL USE: CRITERIA AND REVIEW §122-324(b)

(1) The proposed use conforms with all the provisions and requirements of this chapter, including site plan or sketch plan review standards, as applicable, and the applicable site development standards for the specific use, as well as the spirit and intent of this chapter and the Master Plan. The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land. Height, location and size of buildings shall be compatible with uses and buildings on adjacent properties. The intensity of the proposed use, such as volume, frequency and times of operation, and its compatibility shall be considered. If nonconformities are present, all reasonable effort has been made to eliminate them.

COMMENTS: The applicant proposes to make recreational marihuana retailer use of the existing suite in the existing building. The "GC" zoned property makes this a Special Land Use, and the property, on this date, complies with locational standards pertaining to other marijuana facilities and schools.

(2) The proposed use shall promote the use of land in a socially and economically sustainable manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or

public welfare. Noise, odor, smoke and potential contamination of air, soil and water and its potential effect on neighboring uses, persons and property, as well as public welfare, shall be considered.
COMMENTS: There is some discussion locally, statewide, and federally as to the social and economic impact of marijuana in general. The City's voters strongly supported Proposal 1 to legalize adult-use marijuana by over 78%. However, offensive odor is a consideration, and must be taken into account.

(3) The proposed special land use shall be designed, constructed, operated and maintained to assure long-term compatibility with surrounding land uses. Consideration shall be given to the placement, bulk, and height of structures; materials used in construction; location and screening of parking areas, driveways, outdoor storage areas, outdoor activity areas, and mechanical equipment; nature of landscaping and fencing; and hours of operation.
COMMENTS: The retaining wall creating the parking terrace on the property to the east acts as a sufficient buffer from the multi-family residential property to the subject site. The property to the west currently sits vacant.

The business should take measures to protect its customers, and other pedestrians accessing the rest of the commercial plaza, in terms of accessibility and safety. The suite is relatively small; there may be queues forming on the outside of the suite which must be managed safely (i.e. line control bollard stanchions) to prevent conflicts with access to other businesses in the commercial plaza.

The business should also be aware of the other businesses and their need for parking; any singular business should not dominate the property's available parking spaces. This is addressed further in the Site Plan criteria and review below.

(4) The proposed special land use shall not present unreasonable adverse impacts on the transportation system. Consideration shall be given to the estimated pedestrian, bicycle and vehicular traffic generated by such use, access to transit, proximity to major thoroughfares, proximity to intersections, required vehicular turning movements, and provisions for pedestrian and bicycle traffic.
COMMENTS: This location has extensive access to transportation facilities. N. Huron River Drive is a four lane road and contains a shared-use path for bicyclists and pedestrians. Also, there are bus stops adjacent to the property.

(5) The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic sustainability of the community.
COMMENTS: None are anticipated.

CONDITIONS OF APPROVAL §122-326

"Reasonable conditions may be required in conjunction with an approval. The conditions may include conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed must do all of the following:

(1) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being.

(2) Be related to the valid exercise of police power and purposes which are affected by the proposed use or activity.

(3) Be necessary to meet the intent and purposes of this chapter, be related to standards established in this chapter, and be necessary to ensure compliance with those standards."

Items to be addressed: Applicant shall take measures to ensure customer and plaza pedestrian safety and accessibility in case of queues, for example by utilizing temporary line control bollards or stanchions.

SITE PLAN: CRITERIA AND REVIEW §122-311

For zoning compliance reviews, or plans where a Special Use permit is required but no site changes will likely be needed, the applicant may, at the determination of the City Planner, submit a limited site plan for review in lieu of a full site plan per §122-309(t).

STANDING §122-311(a)

The applicant is legally eligible to apply for site plan review, and all required information has been provided.

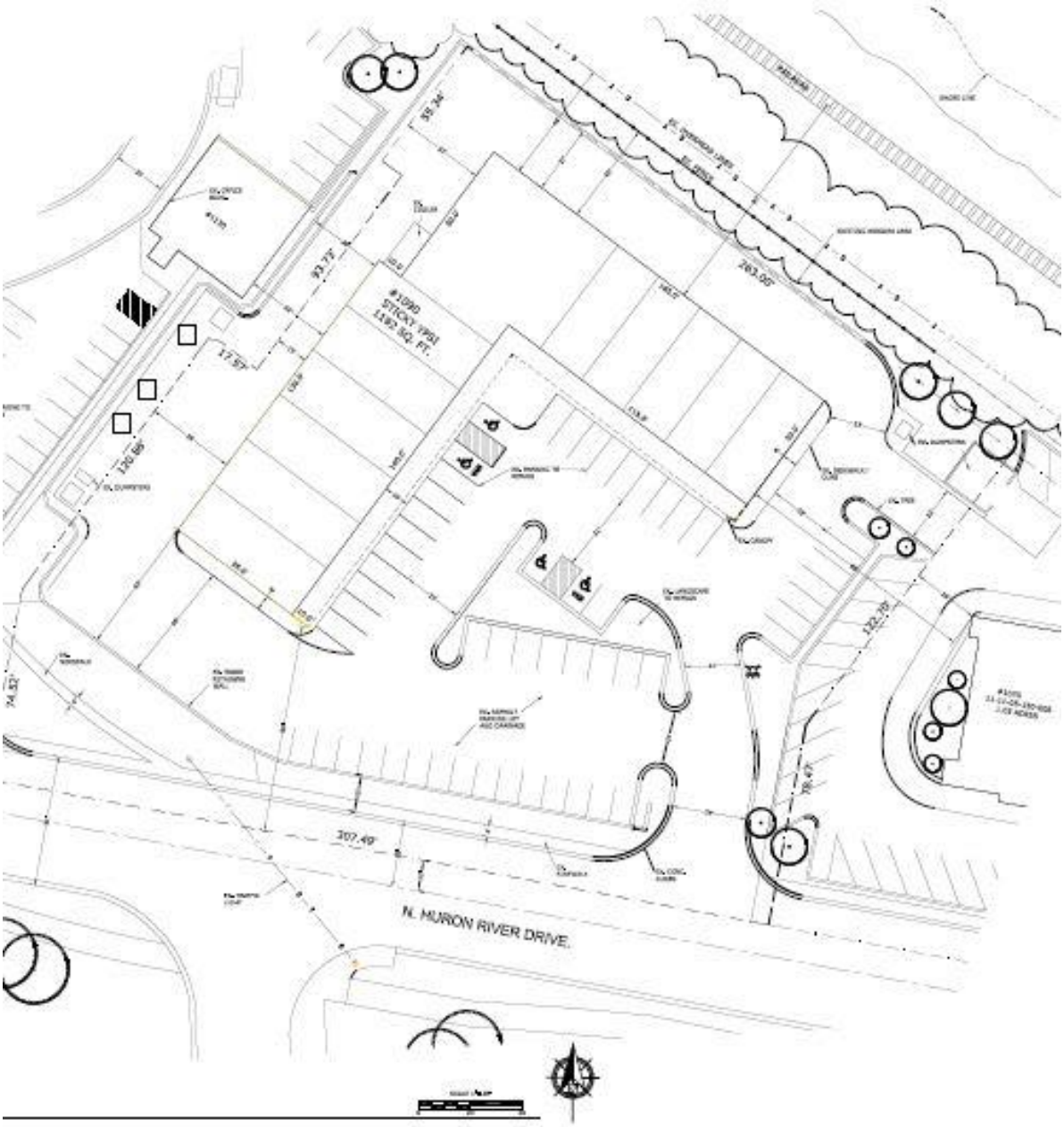
REQUIREMENTS §122-311(b)

"The proposed site plan conforms with all the provisions and requirements, as well as the spirit and intent of this chapter and the Master Plan. The proposed development will meet all the regulations of the zoning district in which it is located."

The applicant is proposing continued re-use of the existing suite in the existing building. This is a (legally) nonconforming building and (legally) nonconforming site. Such re-use is permissible under §122-352. The applicant has confirmed that there will be no changes to the existing building and site as part of this application. We have attached the site layout plan (Figure 4) as the required limited site plan.

Items to be Addressed: None.

Figure 4: Capture of Existing Site Plan



BUILDING LOCATION AND SITE ARRANGEMENT §122-311(c)

"All elements of the site plan shall be harmoniously and efficiently organized in relation to the character of the proposed use, the size and type of lot, the size and type of buildings, and the character of the adjoining property. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter."

The applicant is applying to keep the current arrangement as is. The business is in a suite in the commercial plaza. There are no proposed changes to the overall building or site.

Items to be Addressed: None.

SITE ACCESS, TRAFFIC, AND PARKING §122-311(d)

"With respect to vehicular and pedestrian circulation on the site, including walkways, interior drives, and parking; circulation shall to the extent possible create potential cross-and joint-access to adjacent parcels and the existing block layout. Special attention shall be given to the location, number and spacing of ingress and egress points; general interior circulation including turnaround areas; adequate provisions for delivery of services (trash removal, school buses, mail and parcel delivery); separation of pedestrian and vehicular traffic; avoidance of building corners next to access drives; identification of addresses; storage of plowed snow; and arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures, neighboring properties, pedestrian and bicyclist safety, access to transit and flow of traffic on adjacent streets. All buildings or groups of buildings shall be so arranged as to permit adequate access by emergency vehicles as required by the city building code."

There is one access drive off N. Huron River. There are approximately 53 parking spaces for the commercial plaza, 4 of which are barrier-free. The business should be aware of the other businesses and their need for parking; any singular business should not dominate the property's available parking spaces. Because this is a *change in use* (§122-681.b), parking requirements must be met for the subject suite, as well as the rest of the businesses throughout the commercial plaza. Without a survey specifying the exact uses and square footage of each suite, it is difficult to calculate how parking spaces should be allocated for each individual suite. An updated survey should be provided.

The business should take measures to protect its customers, and other pedestrians accessing the rest of the commercial plaza, in terms of accessibility and safety. The suite is relatively small; there may be queues forming on the outside of the suite which must be managed safely (i.e. line control bollard stanchions) to prevent conflicts with access to other businesses in the commercial plaza.

Items to be Addressed: Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.
An updated survey should be provided to verify that parking requirements are met for the individual marihuana retailer business as well as the other businesses throughout the commercial plaza.

SCREENING §122-311(h)

"The site plan shall provide reasonable visual and sound privacy for all dwelling units on or adjacent to the property. Fences, walks, barriers, and landscaping shall be used, as appropriate, for protection and enhancement of the property. All outdoor storage of materials, loading and unloading areas, and refuse containers shall be screened or located so as not to be a nuisance. Outdoor lighting shall be shielded so as to not adversely affect neighboring properties or traffic on adjacent streets."

No changes to site lighting or screening are proposed as part of this development, and none are required.

Items to be Addressed: *None.*

STAFF RECOMMENDATIONS: SPECIAL USE

Staff recommends the Planning Commission approve the Special Use Permit for the Indica LLC (Sticky Ypsi) existing facility at 1090 N. Huron River Drive with the following findings and conditions:

Findings: The application is substantially in compliance with §122-324(b).

Conditions

1. Special use approval shall be subject to approval of site plan.
2. Approval is effective February 20, 2020.
3. Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.

STAFF RECOMMENDATIONS: SITE PLAN

Staff recommends the Planning Commission approve the limited Site Plan for the Indica LLC (Sticky Ypsi) existing facility at 1090 N. Huron River Drive with the following findings, waivers, and conditions:

Findings

1. The application substantially complies with §122-310.
2. The existing building and site design are nonconforming under §122-352.

Conditions

1. Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.
2. Applicant provide an updated survey indicating sufficient parking meeting the requirements of §122-691.

Andy Aamodt
City Planner, Community & Economic Development Department

CC File
Applicant team

City of Ypsilanti
Planning & Development Department

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646
www.cityofypsilanti.com

SPECIAL USE PERMIT APPLICATION

MUST BE SUBMITTED WITH SITE PLAN OR SKETCH PLAN APPLICATION

Applicant*

Name INDICA LLC

Property

Name of project INDICA LLC (STICKY YPSI- MMFLA PROVISIONING CENTER AND MRTMA ADULT USE PROVISIONING RETAILER
Current use: MMFLA PROVISIONING CENTER
Proposed use : MMFLA PROVISIONING CENTER AND MRTMA ADULT USE PROVISIONING RETAILER
Rationale for request: CHANGE OF CITY ZONING ORDIANCE

Signature

I hereby attest that the above information is accurate. I am authorized to and grant permission to the City of Ypsilanti staff to be on the subject property for the purposes of preparing staff reports and/or evaluating this application.	
Si[redacted]	Date: 1/27/2020
Print Name: JACOB ABRAHAM	

Philip Conlin
Conlin Company Realtor
[redacted]
Phone: [redacted]
Fax: [redacted]

Landlord Letter of Consent

Philip Conlin is the landlord of the property located at 1090 N. Huron River Drive, Ypsilanti, Michigan 48197. The property is currently leased by Indica LLC dba "Sticky Ypsi" (formally "Indica Coalition of Kindness, Ypsilanti"). Indica LLC is currently under lease for the 1090 N. Huron River Drive location for a period of 3 years, which will expire on April 2021.

Philip Conlin acknowledges that he is aware and in full agreement that the proposed use of the 1090 N. Huron River Drive location is for a Provisioning Center Facility / Marijuana Retailer Establishment under the Michigan Medical Marihuana Facility Licenses Act, The Michigan Regulation and Taxation of Marihuana Act, the City of Ypsilanti ordinances on Medical Marijuana and Adult Use.

Respectfully Submitted,

Landlord/Corporation Signature: [redacted]
Philip Conlin
Landlord

Date: 1 / 27 / 20

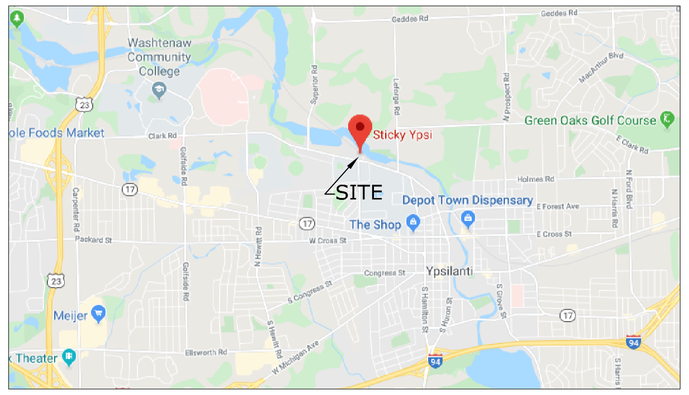
State of Michigan
County of WASHTENAW ss.:
On this 27th day of January 2020, before me DEBORAH J. THORNBER, Notary Public, personally appeared Philip Conlin, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

[redacted]
Notary Public

DEBORAH J. THORNBER
NOTARY PUBLIC, STATE OF MI
COUNTY OF WASHTENAW
MY COMMISSION EXPIRES Nov 25, 2024
ACTING IN COUNTY OF WASHTENAW

State of Michigan, County of Washtenaw. Acting in the County of Washtenaw, Michigan.
My commission expires on 11-25-2024.



LOCATION MAP

N

NOTES:

1. MAP NOT TO SCALE
2. MAP SHOWING OTHER DISPENSARIES (2)
3. ALL SCHOOLS ARE 1000' + FROM THIS SITE
   THESE SCHOOLS INCLUDE:
   Ypsilanti Middle School, 510 Emerick Street
   Ypsilanti International Elementary School, 503 Oak Street
   Ypsilanti High School, 2095 Packard Road
   Perry School, 550 Perry Street
   Washtenaw International Middle/High School Academy , 105 N. Mansfield Street
   Estabrook Elementary School, 1555 W. Cross Street
   WSC Academy, 565-855 Jefferson Huron Valley Catholic School, 1300 N. Prospect Rd

PLAN VIEW

PROPERTY INFORMATION:

BNDRY ADJST PER QCD L3844 P956 YPC 1-W367B-1A (005) COM SE COR LOT 27 R. A. NICHOLL'S HURON RIVER HILLS, TH S 73-43-42 E 7.73 FT, TH S 77-24-00 E 588.61 FT TO A POB, TH N 12-36-00 E 74.52 FT, TH N 38-33-26 E 120.86 FT, TH S 86-49-15 E 4.53 FT, TH S 49-56-30 E 17.57 FT, TH N 38-46-41 E 93.73 FT, TH N 51-26-06 W 9.48 FT, TH N 38-50-00 E 55.34 FT, TH S 51-10-00 E 263 FT, TH S 38-50-00 W 132.7 FT, TH S 12-36-00 W 78.47 FT, TH N 77-24-00 W 307.49 FT TO THE POB. PT OF NE 1/4 SEC 5, T3S-R7E 1.85 AC

TAX ID: 11-11-05-150-007

ADDRESS: 1072 N. HURON RIVER DRIVE, YPSILANTI, MI 48197

ISSUED FOR:	DATE :
SITE PLAN APROV.	1/27/20

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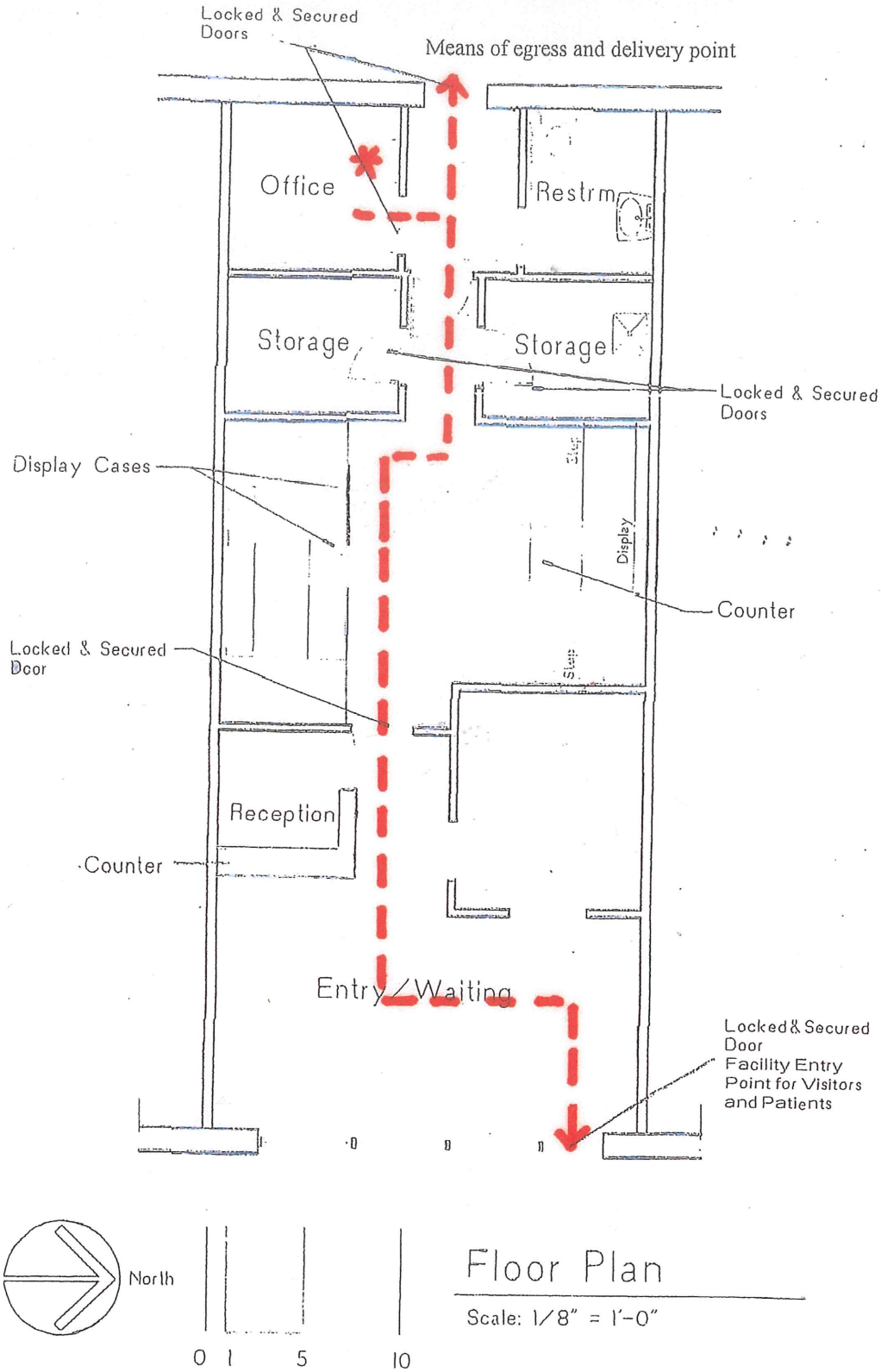
DESIGN AND CONSULTING
CLARKSTON, MICHIGAN
PH. 248.326.8975
akersandassociates@gmail.com
AKERS + ASSOCIATES

EXISTING SITE PLAN FOR:

INDICA INC. AND STICKY YPSI

1072 N. HURON RIVER DRIVE
YPSILANTI, MICHIGAN

SCALE :	SEE DRAWING
FILE NAME :	STICKY YPSI
DRAWN BY:	
JOB#	202016
SHEET TITLE:	
S-1	
SHEET#	1 OF 1



Floor Plan

Scale: 1/8" = 1'-0"

Indica LLC

1090 N. Huron River Dr. Ypsilanti, MI 48197

Sticky psi
OPEN
STIIZY
PARKING
No Littering
No Loitering
No Loud Music
All Violators will be Prosecuted
PIZZA
Benito's
PIZZA
HELP WANTED
PASTA
GRUBHUB
Personal 7"
PIZZA
WITH 5 TOPPINGS
$5

Benito's Pizza
EMU DOLLAR
SCHOOL SUP
GROCERY
OPEN
PIZZA
Benito's
PASTA
Personal 7"
PIZZA
WITH 5 TOPPINGS
$5
$1 LUNCH 8" HOT SUB
PARKING
No Littering
No Loitering
No Loud Music
All Violators will be Prosecuted

1 0 92

Philip Conlin
Landlord
[redacted]

Landlord Letter of Consent

Philip Conlin is the Landlord of the property located at 1090 N. Huron River Driver, Ypsilanti, Michigan 48197. The property is currently leased by Saint Indica Coalition of Kindness, Ypsilanti, dba Sticky Ypsi and INDICA LLC. Philip Conlin currently has and will have a Lease Agreement with Saint Indica Coalition of Kindness, Ypsilanti, dba Sticky Ypsi and INDICA LLC for a period of 3 years that will expire on April 2021.

Philip Conlin is in full agreement of the proposed use of the leased spaced as a provisioning center under the Michigan Medical Marijuana Facility Licenses Act and the City of Ypsilanti Code of Ordinances, Chapter 7 "Medical Marijuana."

This Landlord Letter of Consent may be used only for the specific purposes listed above and to be submitted as a part of the Lessee's Medical Marijuana License Application, City of Ypsilanti Clerk's Office, One South Huron, Ypsilanti. Michigan 48197.

Respectfully submitted,

Landlord/Corporation Signature: [redacted]
Typed Name: Philip Conlin
Title: Landlord
Date: 1-29-18

City of Ypsilanti

Community & Economic Development Department

19 February 2020

Staff Review of Special Use & Limited Site Plan Application
Patient Station – *Marihuana Retailer* Use
539 S. Huron St.

GENERAL INFORMATION

Applicant:	Kenzy Consulting 539 S. Huron St. Ypsilanti, MI 48197
Project:	Patient Station - *Marihuana Retailer* Use
Public Hearing Date:	19 February 2020
Location:	North of I-94 on east side of Huron. Parcel ID# 11-11-37-101-002.
Zoning:	"GC" General Corridor
Action Requested:	Approval
Staff Recommendation:	Approval, with conditions

PROJECT AND SITE DESCRIPTION

The applicant is applying for a Special Use permit as a marihuana retailer. The existing building is currently used as a medical marijuana provisioning center and was granted a special use permit for such in 2018. Last month City Council amended the zoning ordinance to allow for recreational marijuana uses. This property is zoned "GC", therefore a marihuana retailer use needs a Special Use permit. If granted approvals, both medical marijuana and recreational marijuana may be sold from this facility, pursuant to state and local law.

Marihuana Retailers are what the State deems "equivalent" license types to *Medical Marijuana Provisioning Centers*. The license type is fairly straightforward- these facilities shall only sell marijuana. The major change is that marihuana retailer facilities may now accept customers- individuals over the age of 21- regardless if they are a registered medical patient or not.

This building is approximately 550 square feet on a lot of approximately 1.18 acres. There is currently parking to the north and south, as well as vehicle access to and from S. Huron St. The vehicle access to Bell and to Kramer have been blocked at this time. No changes to the existing building or site are part of this application. The existing building is a legal nonconforming structure and may not be expanded regardless.

This application is for the existing building only. There are proposed plans to build a 9,918 square foot structure south of the existing building, with associated parking and site improvements, and to demolish the existing structure. These plans were previously approved by Planning Commission in June and August of 2018 for medical marijuana provisioning center use. That approval still stands. The applicant has expressed to City staff its eventual goal of moving the recreational marihuana retailer use to the proposed building; that expansion of the special use would prompt another special use permit application.

The applicant is currently applying to the City for its Marihuana Facility Permit. The facility will not be granted its Marihuana Facility Permit unless its Special Use permit is granted. City staff has determined it is appropriate to allow for *existing* medical marijuana facilities to apply for their recreational marijuana Special Use permits for in the meantime, because there may be an inundation of Special Use permit applications for *new* recreational marijuana facilities in the upcoming months.

Figure 1: Subject Site Location (2015 Aerial)

Figure 2: Photograph of Site (Google Street-View, July 2019)

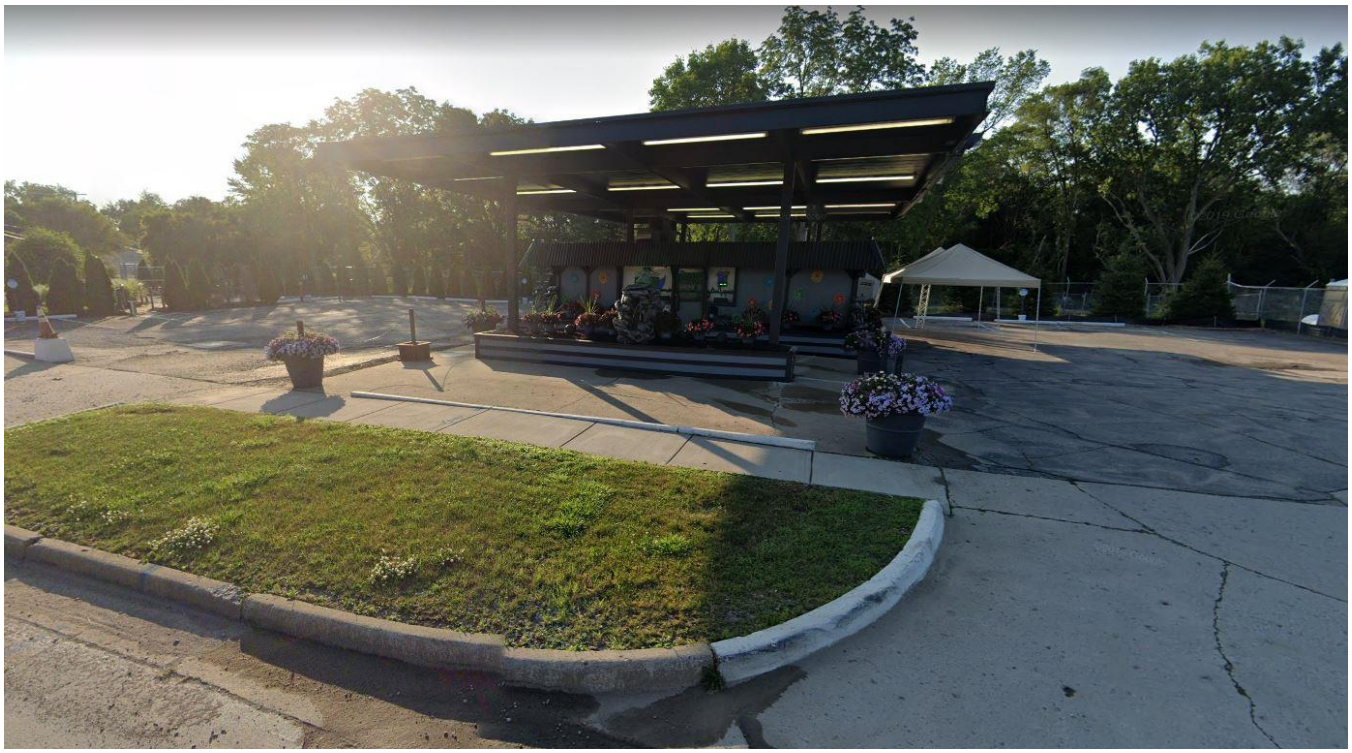


Figure 3: Photograph of Site (Google Street-View, July 2019)

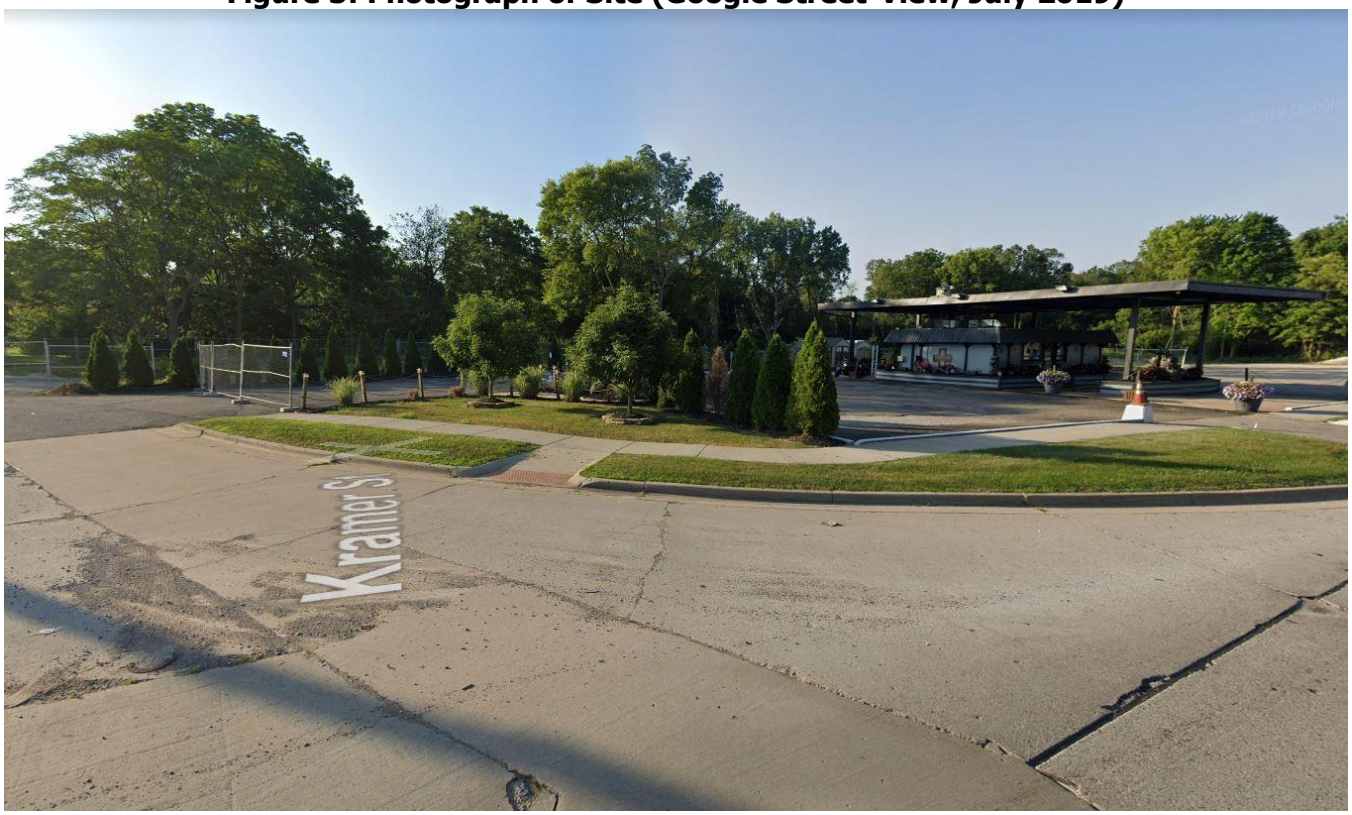


Figure 4: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Gas Station	NC- Neighborhood Corridor
EAST	Residential	GC, Park (vacant properties), and CN-Mid (residential properties)
SOUTH	Vacant Land I-94 Ramp	GC- General Corridor PMD- Production, Manufacturing, Distribution
WEST	Warehouse	PMD- Production, Manufacturing, Distribution

SPECIAL USE: CRITERIA AND REVIEW §122-324(b)

(1) The proposed use conforms with all the provisions and requirements of this chapter, including site plan or sketch plan review standards, as applicable, and the applicable site development standards for the specific use, as well as the spirit and intent of this chapter and the Master Plan. The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land. Height, location and size of buildings shall be compatible with uses and buildings on adjacent properties. The intensity of the proposed use, such as volume, frequency and times of operation, and its compatibility shall be considered. If nonconformities are present, all reasonable effort has been made to eliminate them.

COMMENTS: The applicant proposes to make recreational marihuana retailer use of the existing building until the proposed new facility is constructed. The "GC" zoned property makes this a Special Land Use, and the property, on this date, complies with locational standards pertaining to other marijuana facilities and schools.

(2) The proposed use shall promote the use of land in a socially and economically sustainable manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or public welfare. Noise, odor, smoke and potential contamination of air, soil and water and its potential effect on neighboring uses, persons and property, as well as public welfare, shall be considered.

COMMENTS: There is some discussion locally, statewide, and federally as to the social and economic impact of marijuana in general. The City's voters strongly supported Proposal 1 to legalize adult-use marijuana by over 78%. However, offensive odor is a consideration, and must be taken into account.

(3) The proposed special land use shall be designed, constructed, operated and maintained to assure long-term compatibility with surrounding land uses. Consideration shall be given to the placement, bulk, and height of structures; materials used in construction; location and screening of parking areas, driveways, outdoor storage areas, outdoor activity areas, and mechanical equipment; nature of landscaping and fencing; and hours of operation.

COMMENTS: There is significant vegetation screening this location from the residential area to the east. The continued blocking of the vehicle access to Kramer to the north shall be continued to minimize inadvertent commercial traffic.

The business should take measures to protect its customers, and other pedestrians, in terms of accessibility and safety. The building is very small; there may be queues forming outside of the building which must be managed safely (i.e. line control bollard stanchions) to prevent dangerous conflicts with construction staging taking place to the south, and with vehicles entering and exiting the parking lot.

(4) The proposed special land use shall not present unreasonable adverse impacts on the transportation system. Consideration shall be given to the estimated pedestrian, bicycle and vehicular traffic generated by such use, access to transit, proximity to major thoroughfares, proximity to intersections, required vehicular turning movements, and provisions for pedestrian and bicycle traffic.

COMMENTS: This location has access to transportation facilities, with the exception of transit and bicycle.

(5) The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic sustainability of the community.

COMMENTS: None are anticipated.

CONDITIONS OF APPROVAL §122-326

"Reasonable conditions may be required in conjunction with an approval. The conditions may include conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed must do all of the following:

(1) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being.

(2) Be related to the valid exercise of police power and purposes which are affected by the proposed use or activity.

(3) Be necessary to meet the intent and purposes of this chapter, be related to standards established in this chapter, and be necessary to ensure compliance with those standards."

Items to be addressed: Applicant shall take measures to ensure customer safety and accessibility in case of queues, for example by utilizing temporary line control bollards or stanchions.

SITE PLAN: CRITERIA AND REVIEW §122-311

For zoning compliance reviews, or plans where a Special Use permit is required but no site changes will likely be needed, the applicant may, at the determination of the City Planner, submit a limited site plan for review in lieu of a full site plan per §122-309(t).

STANDING §122-311(a)

The applicant is legally eligible to apply for site plan review, and all required information has been provided.

REQUIREMENTS §122-311(b)

"The proposed site plan conforms with all the provisions and requirements, as well as the spirit and intent of this chapter and the Master Plan. The proposed development will meet all the regulations of the zoning district in which it is located."

The applicant is proposing continued re-use of the existing building. This is a (legally) nonconforming building and (legally) nonconforming site. Such re-use is permissible under §122-352. The applicant has submitted a statement from the architect (see attached) that there will be no changes to the existing building and site as part of this application, because of the recent site plan approval of the new build on the south portion of the zoning lot. We have attached the survey as the required limited site plan; we have also included an excerpt of the 2013 site plan for your convenience. Parking layout has changed significantly since 2013 due to demand, but generally complies.

Items to be Addressed: None.

Figure 5: Capture of Survey of Existing Property

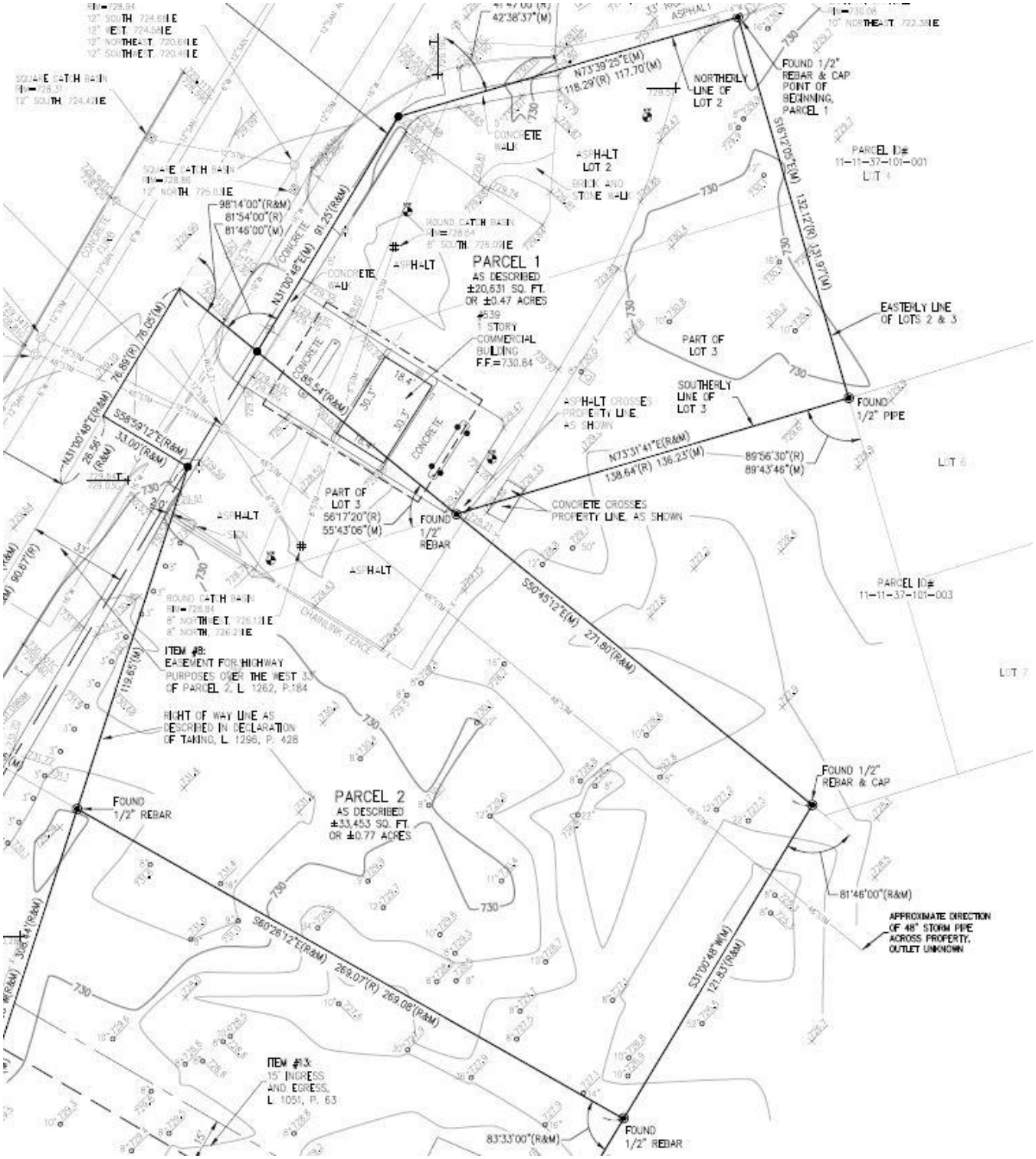
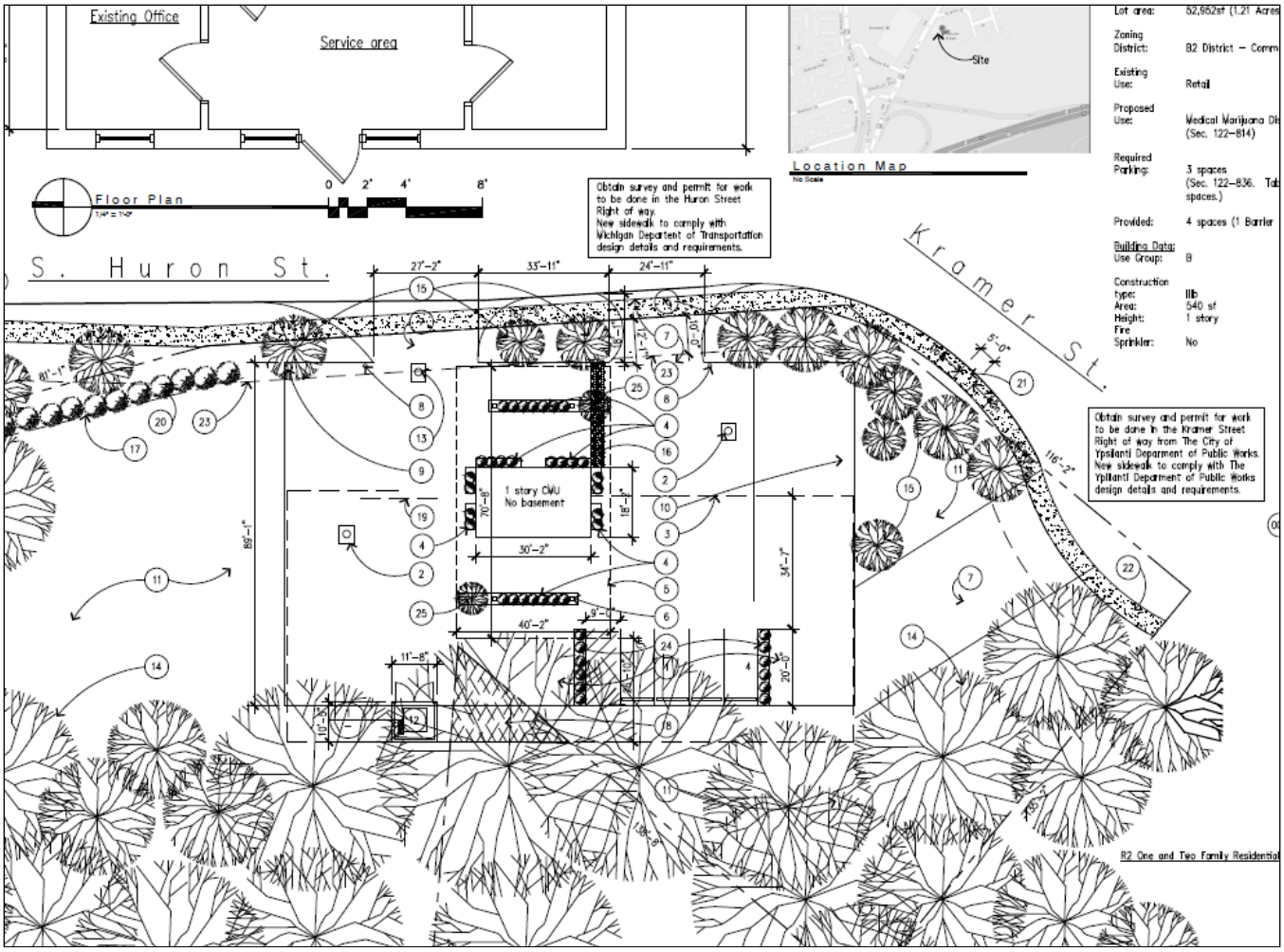


Figure 6: Capture of 2013 Site Plan



BUILDING LOCATION AND SITE ARRANGEMENT §122-311(c)

"All elements of the site plan shall be harmoniously and efficiently organized in relation to the character of the proposed use, the size and type of lot, the size and type of buildings, and the character of the adjoining property. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter."

The current arrangement is intended to continue until such time as the use is extinguished and/or relocated. There is one small building (approximately 18'x30') in the center of the site, as well as a canopy. There is a small shed towards the rear of the structure. Parking is to the north and south of the building.

Items to be Addressed: None.

SITE ACCESS, TRAFFIC, AND PARKING §122-311(d)

"With respect to vehicular and pedestrian circulation on the site, including walkways, interior drives, and parking; circulation shall to the extent possible create potential cross-and joint-access to adjacent parcels and the existing block layout. Special attention shall be given to the location, number and spacing of ingress and egress points; general interior circulation including turnaround areas; adequate provisions for delivery of services (trash removal, school buses, mail and parcel delivery); separation of pedestrian and vehicular traffic; avoidance of building corners next to access drives; identification of addresses; storage of plowed snow; and arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures, neighboring properties, pedestrian and bicyclist safety, access to transit and flow of traffic on adjacent streets. All buildings or groups of buildings shall be so arranged as to permit adequate access by emergency vehicles as required by the city building code."

There are two access drives off Huron, as well as one off Kramer. The one drive off Kramer has been blocked and shall remain blocked with no parking allowed. This was blocked at neighborhood request due to concerns about traffic using Kramer/Bell to access the site or to cut through. Planning Commission required this condition as part of their approval in 2018. Staff recommends keeping the Kramer drive blocked with no parking allowed.

The business should take measures to protect its customers, and other pedestrians, in terms of accessibility and safety. The building is very small; there may be queues forming outside of the building which must be managed safely (i.e. line control bollard stanchions) to prevent dangerous conflicts with construction staging taking place to the south, and with vehicles entering and exiting the parking lot.

Customers shall only park on the paved surface in striped parking spaces. There shall be no customers parking in the construction staging area. Signage is recommended to enforce this.

CITGO

Items to be Addressed: Kramer driveway to remain blocked with no parking allowed.
Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.
Display signage to prevent customer parking in the construction staging area.

SCREENING §122-311(h)

"The site plan shall provide reasonable visual and sound privacy for all dwelling units on or adjacent to the property. Fences, walks, barriers, and landscaping shall be used, as appropriate, for protection and enhancement of the property. All outdoor storage of materials, loading and unloading areas, and refuse containers shall be screened or located so as not to be a nuisance. Outdoor lighting shall be shielded so as to not adversely affect neighboring properties or traffic on adjacent streets."

No changes to site lighting or screening are proposed as part of this development, and none are required.

Items to be Addressed: *none.*

STAFF RECOMMENDATIONS: SPECIAL USE

Staff recommends the Planning Commission approve the Special Use Permit for the Patient Station Existing Facility at 539 S Huron with the following findings and conditions:

Findings: The application is substantially in compliance with §122-324(b).

Conditions
1. Special use approval shall be subject to approval of site plan.
2. Approval is effective February 20, 2020.
3. Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.

STAFF RECOMMENDATIONS: SITE PLAN

Staff recommends the Planning Commission approve the limited Site Plan for the Patient Station Existing Facility at 539 S Huron with the following findings, waivers, and conditions:

Findings
1. The application substantially complies with §122-310.
2. The existing building and site design are nonconforming under §122-352.

Conditions
1. Kramer driveway to remain blocked with no parking allowed.
2. Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.
3. Display signage to prevent customer parking in the construction staging area.

Andy Aamodt
City Planner, Community & Economic Development Department

CC File
Applicant team

City of Ypsilanti
Planning & Development Department

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646
www.cityofypsilanti.com

RECEIVED
JAN 27 2020
BY: A.A.

SPECIAL USE PERMIT APPLICATION

MUST BE SUBMITTED WITH SITE PLAN OR SKETCH PLAN APPLICATION

Applicant*

Name Kenzy Consulting Inc.

Property

Name of project Patient Station / 539-569 S. Huron, Ypsilanti, Michigan
Current use: Medical Marijuana Provisioning Center
Proposed use : Recreational Marijuana Provisioning Center / Retailer
Rationale for request: Anticipated that City will shortly adopt Recreational (Adult Use) Marijuana Ordinance. Applicant desires to be permitted
to provide product to customer as allowed under State's Recreational Marijuana law, in addition to serving current medical marijuana customers.

Signature

I hereby attest that the above information is accurate. I am authorized to and grant permission to the City of Ypsilanti staff to be on the subject property for the purposes of preparing staff reports and/or evaluating this application.	
Sig[redacted]	Date: January 27, 2020
Print Name: Alan Andrezjewski, Secretary, Kenzy Consulting Inc.	

ROARK GALT
ARCHITECTS/LLC
A MICHIGAN CORPORATION
[redacted]
DAVID J. MCDADE
STATE OF MICHIGAN LICENSE # 035197

City of Ypsilanti
Planning and Development
One South Huron, Ypsilanti MI 48197

1.26.20

Re: Patient Station
539 E. Huron
Ypsilanti, MI

To Whom It May Concern,

This letter is to inform you of the current situation and the intent of my client, Patient Station Medical Marijuana Provisionary Center.

I am currently designing a new dispensary facility located on an adjacent parcel of the property. Upon completion of that project this building will be demolished.

This current facility consists of a single story building, 18'-4" x 30'-4" for a total area of 554.11 s.f.

Due to the timing of this submittal deadline, I believe we currently have no current site plan that will completely meet the standards of the site plan checklist and also meet the current situation.

I understand my client has a copy of existing plans that have been submitted for previous approvals and he will be submitting a copy with this application.

I can assure you that since the last time my client submitted any plans with an application for licensing, no change to the parcel or the current building as occurred.

Upon completion of the new building drawings we will certainly re submit plans so that your department has a complete up to date set.

Should you have any question please do not hesitate to contact me at [redacted]

Respectfully Submitted,

[redacted]

David McDade, Roark Galt Architects

STATE OF MICHIGAN
David McDade
Architect
3697
REGISTERED PROFESSIONAL ARCHITECT

David McDade

EXHIBIT A

LEGAL DESCRIPTIONS

Land situated in the County of Washtenaw, City of Ypsilanti, State of Michigan, described as follows:

Parcel 1:

Lot 2 and Part of Lot 3, Plan of Clarksville, according to the plat thereof as recorded in Liber 3, Page 1, Washtenaw County Records, described as follows:

Beginning at the northeast corner of said Lot 2; thence southerly 132.12 feet along the easterly line of Lots 2 and 3; thence westerly deflecting 89 degrees 56 minutes 30 seconds to the right 138.64 feet along the southerly line of said Lot 3; thence northwesterly deflecting 56 degrees 17 minutes 20 seconds to the right 85.54 feet; thence northeasterly deflecting 81 degrees 54 minutes to the right 91.25 feet along the easterly line of Huron Street as now laid out and used; thence easterly deflecting 41 degrees 47 minutes to the right 118.29 feet along the northerly line of said Lot 2 to the point of beginning.

Parcel 2:

Part of Lot 3 Plan of Clarksville, according to the plat thereof as recorded in Liber 3, Page 1, Washtenaw County Records, and part of French Claim 680, described as follows:

Beginning at the intersection of the centerline of Huron Street with the centerline of Monroe Avenue (now abandoned); thence northeasterly 76.89 feet along the centerline of Huron Street; thence southeasterly deflecting 98 degrees 14 minutes to the right 271.80 feet; thence southwesterly deflecting 81 degrees 46 minutes to the right 121.83 feet; thence northwesterly deflecting 88 degrees 33 minutes to the right 269.07 feet to the center of Huron Street; thence northeasterly deflecting 91 degrees 27 minutes to the right 90.67 feet along the center of Huron Street to the point of beginning, excepting therefrom that part taken for highway purposes as set forth in declaration of taking recorded in Liber 1296, Page 428, Washtenaw County Records.

Tax Item No. for Parcels 1 and 2: 11-37-101-002

Commonly known as 539 S. Huron

Parcel 3:

All that part of French Claim 680, City of Ypsilanti, Washtenaw County, Michigan, described as follows:

Commencing at the intersection of the centerline of Huron Street and Monroe Avenue; thence south 31 degrees 00 minutes 48 seconds west a distance of 91.51 feet along the centerline of Huron Street to the point of beginning; thence south 60 degrees 26 minutes 12 seconds east a distance of 269.08 feet; thence south 31 degrees 00 minutes 48 seconds west a distance of 179.39 feet; thence north 58 degrees 59 minutes 12 seconds west a distance of 86.00 feet; thence south 31 degrees 00 minutes 48 seconds west a distance of 150.00 feet; thence north 58 degrees 59 minutes 12 seconds west a distance of 183.00 feet to the centerline of Huron Street; thence north 31 degrees 00 minutes 48 seconds east a distance of 322.58 feet to the point of beginning, which lies southeasterly of a line described as: Commencing at the intersection of the centerlines of Monroe Avenue and Huron Street; thence north 31 degrees 00 minutes 48 seconds east along the centerline of Huron Street a distance of 26.56 feet; thence south 58 degrees 59 minutes 12 seconds east a distance of 33.00 feet to the point of beginning; thence south 17 degrees 57 minutes 08 seconds west a distance of 308.44 feet; thence south 07 degrees 41 minutes 52 seconds west a distance of 111.81 feet; thence south 27 degrees 38 minutes 50 seconds east a distance of 111.81 feet to a point of ending.

Tax Item No. for Parcel 3: 11-37-101-006

Commonly known as 569 S. Huron

Kenzy Consulting Inc.
539 S. Huron
Ypsilanti, Michigan

Attachment to Site Plan and Special Use Application

AFFIDAVIT OF ALAN ANDREZJEWSKI

I, Allen Andrezjewski, on behalf of Kenzy Consulting, Inc., a Michigan corporation, being duly sworn, states as follows:

1. That I am the Secretary of Kenzy Consulting, Inc. and am authorized to sign this Affidavit.

2. That Kenzy Consulting, Inc. operates a duly licensed medical marijuana provisioning center at 539 S. Huron.

3. That Kenzy Consulting, Inc. has previously submitted site plan and special use requests that were approved by the Ypsilanti Planning Commission.

4. That there has been no material or substantive changes to the Site Plans previously submitted and approved by the Ypsilanti Planning Commission.

Further Deponent sayeth not.

KE[redacted]
a M[redacted]

By: [redacted]
Alan Andrezjewski
Its: Secretary

Subscribed and sworn to before me this
27th day of January, 2020.

[redacted]

Laura Sabra, Notary Public
Wayne County, Michigan
acting in Oakland County, Michigan
My Commission Expires: 10/22/2021

Kenzy Consulting Inc.
539 S. Huron
Ypsilanti, Michigan

Attachment to Site Plan and Special Use Application

AFFIDAVIT OF ERIC NEMETH

I, Eric Nemeth, on behalf of 539 Huron Real Estate Company, LLC, a Michigan limited liability company, being duly sworn, states as follows:

1. That I am the Managing Member of 539 Huron Real Estate Company, LLC (the "Company") and am authorized to sign this Affidavit.

2. That the Company owns the real estate at 539-569 S. Huron, Ypsilanti, Michigan (the "Property") pursuant to a land contract and leases the Property to Kenzy Consulting, Inc. for operation of its medical marijuana provisioning center.

3. That the Company consents to and authorizes the application by Kenzy Consulting, Inc. for a recreational (adult use) marijuana retailer license at the Property.

Further Deponent sayeth not.

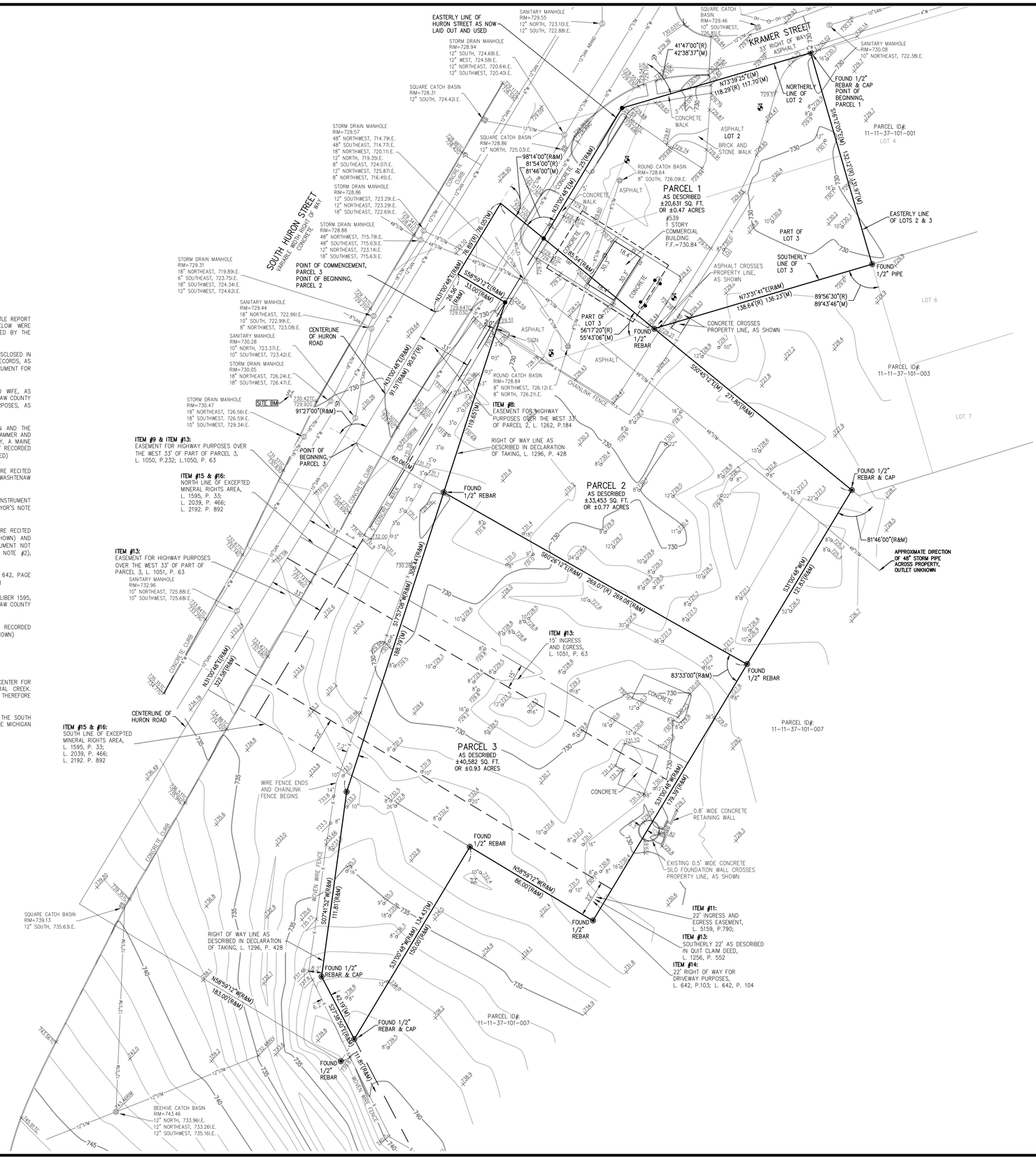
539 HURON REAL ESTATE COMPANY, LLC,
a Michigan limited liability company

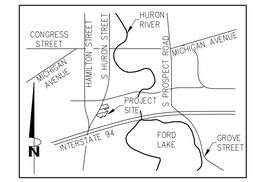
By: [redacted]
Eric Nemeth
Its: Managing Member

Subscribed and sworn to before me this
27th day of January, 2020

[redacted]

Laura Sabra, Notary Public
Wayne County, Michigan
acting in Oakland County, Michigan
My Commission Expires: 10/22/2021





LOCATION MAP
(NOT TO SCALE)

BENCHMARK DATA:

SITE BENCHMARK:
TOP NUT ON FIRE HYDRANT ON THE WEST SIDE OF SOUTH HURON STREET.
ELEVATION = 732.83 NAVD88

TITLE REPORT EXCEPTIONS:

ONLY THOSE EXCEPTIONS CONTAINED WITHIN ATA NATIONAL TITLE GROUP, LLC TITLE REPORT FILE NO. 81-16494244-FHR, DATED AUGUST 28, 2016 AND RE-LISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER RECORDS RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.

8. INTEREST OF THE AMERICAN OIL COMPANY, A MARYLAND CORPORATION, AS DISCLOSED IN WARRANTY DEED RECORDED IN LIBER 1262, PAGE 184, WASHTENAW COUNTY RECORDS, AS TO PARCEL 2. (33' EASEMENT FOR HIGHWAY PURPOSES, AS SHOWN) (SEE DOCUMENT FOR ADDITIONAL INTERESTS)

9. INTEREST OF GEORGE R. MASSEY AND CARRIE D. MASSEY, HUSBAND AND WIFE, AS DISCLOSED IN WARRANTY DEED RECORDED IN LIBER 1050, PAGE 232, WASHTENAW COUNTY RECORDS, AS TO PART OF PARCEL 3. (33' EASEMENT FOR HIGHWAY PURPOSES, AS SHOWN)

10. LESSEE'S INTEREST OF SINCLAIR REFINING COMPANY, A MAINE CORPORATION AND THE TERMS CONDITIONS AND PROVISIONS CONTAINED IN THE LEASE BETWEEN J.J. HAMMER AND MARTHELYN HAMMER, HIS WIFE, AS LESSOR AND SINCLAIR REFINING COMPANY, A MAINE CORPORATION , AS LESSEE, SAID LEASE BEING DISCLOSED BY THE INSTRUMENT RECORDED IN LIBER 658, PAGE 444, WASHTENAW COUNTY RECORDS. (NO EASEMENTS LISTED)

11. EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS THEREOF WHICH ARE RECITED IN GRANT OF PERPETUAL EASEMENTS RECORDED IN LIBER 5159, PAGE 790, WASHTENAW COUNTY RECORDS. (AS SHOWN)

12. RIGHT OF WAY FOR SEWERS PURPOSES VESTED IN CITY OF YPSILANTI BY INSTRUMENT RECORDED IN LIBER 337, PAGE 8, WASHTENAW COUNTY RECORDS. (SEE SURVEYOR'S NOTE #1)

13. EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS THEREOF WHICH ARE RECITED IN GRANT OF RIGHT OF WAY RECORDED IN LIBER 1051, PAGE 63 (AS SHOWN) AND FURTHER EVIDENCED IN DEEDS RECORDED IN LIBER 1260, PAGE 393 (DOCUMENT NOT PROVIDED) AND IN LIBER 1236, PAGE 552 (AS SHOWN) (SEE SURVEYOR'S NOTE #2), WASHTENAW COUNTY RECORDS.

14. RIGHT OF WAY FOR DRIVEWAY AS SET FORTH IN DEEDS RECORDED IN LIBER 642, PAGE 103 AND IN LIBER 642, PAGE 104, WASHTENAW COUNTY RECORDS. (AS SHOWN)

15. RESERVING FLUID AND MINERAL RIGHTS AS DISCLOSED IN DEEDS RECORDED IN LIBER 1595, PAGE 33, IN LIBER 2039, PAGE 466 AND IN LIBER 2192, PAGE 892, WASHTENAW COUNTY RECORDS. (AS SHOWN)

16. TERMS AND CONDITIONS CONTAINED IN THE DEED DATED MAY 11, 1977 AND RECORDED MAY 25, 1977 IN LIBER 1595 PAGE 33, WASHTENAW COUNTY RECORDS. (AS SHOWN)

SURVEYOR'S NOTES:

1. ITEM #12, LIBER 337, PAGE 8 CALLS FOR A 25 FOOT WIDE EASEMENT, THE CENTER FOR THE PROPOSED RIGHT OF WAY TO FOLLOW THE CENTER OF THE NATURAL CREEK. EVIDENCE TO THE LOCATION OF THE NATURAL CREEK WAS NOT OBSERVED, THEREFORE SAID EASEMENT IS NOT SHOWN HEREON.

2. ITEM #13, LIBER 1256, PAGE 552 IS A QUIT CLAIM DEED THAT QUIT CLAIMS THE SOUTH 22 FEET OF THE PARCEL AS DESCRIBED FROM THE CITY OF YPSILANTI TO THE MICHIGAN STATE HIGHWAY DEPARTMENT.

LEGEND:

- FOUND MONUMENT (AS NOTED)
- PROPERTY CORNER
- SQUARE CATCH BASIN
- STORM MANHOLE
- ROUND CATCH BASIN
- FIRE HYDRANT
- WATER VALVE
- SEWER MANHOLE
- GAS METER
- 720.00 EXISTING ELEVATION
- TREE WITH DIAMETER IN INCHES
- LIGHT POLE BASE
- UTILITY POLE
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- TELEPHONE MANHOLE
- BOLLARD
- DOUBLE POST SIGN
- MONITORING WELL
- ADJOINING BOUNDARY LINE
- EDGE OF ASPHALT
- BOUNDARY LINE
- BUILDING
- BUILDING OVERHANG
- EDGE OF CONCRETE
- 800 CONTOUR MAJOR
- CONTOUR MINOR
- CONCRETE CURB
- EASEMENT
- OH OVERHEAD UTILITY LINE
- X FENCE (AS NOTED)
- FLATTED SUBDIVISION
- RIGHT OF WAY
- SAN SEWER LINE
- EDGE OF SIDEWALK
- STM STORM DRAIN LINE
- WALL (AS NOTED)
- W WATER MAIN

LEGAL DESCRIPTION

LAND SITUATED IN THE COUNTY OF WASHTENAW, CITY OF YPSILANTI, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

PARCEL 1:
LOT 2 AND PART OF LOT 3, PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTHERLY 132.12 FEET ALONG THE EASTERLY LINE OF LOTS 2 AND 3; THENCE WESTERLY DEFLECTING 89 DEGREES 56 MINUTES 30 SECONDS TO THE RIGHT 138.64 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 3; THENCE NORTHWESTERLY DEFLECTING 56 DEGREES 17 MINUTES 20 SECONDS TO THE RIGHT 85.54 FEET; THENCE NORTHEASTERLY DEFLECTING 81 DEGREES 54 MINUTES TO THE RIGHT 91.25 FEET ALONG THE EASTERLY LINE OF HURON STREET AS NOW LAID OUT AND USED; THENCE EASTERLY DEFLECTING 41 DEGREES 47 MINUTES TO THE RIGHT 118.29 FEET ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

PARCEL 2:
PART OF LOT 3 PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, AND PART OF FRENCH CLAIM 680, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET WITH THE CENTERLINE OF MONROE AVENUE (NOW ABANDONED); THENCE NORTHEASTERLY 76.89 FEET ALONG THE CENTERLINE OF HURON STREET; THENCE SOUTHEASTERLY DEFLECTING 98 DEGREES 14 MINUTES TO THE RIGHT 271.80 FEET; THENCE SOUTHWESTERLY DEFLECTING 81 DEGREES 46 MINUTES TO THE RIGHT 121.83 FEET; THENCE NORTHWESTERLY DEFLECTING 88 DEGREES 33 MINUTES TO THE RIGHT 269.07 FEET TO THE CENTER OF HURON STREET; THENCE NORTHEASTERLY DEFLECTING 91 DEGREES 27 MINUTES TO THE RIGHT 90.67 FEET ALONG THE CENTER OF HURON STREET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PURPOSES AS SET FORTH IN DECLARATION OF TAKING RECORDED IN LIBER 1296, PAGE 428, WASHTENAW COUNTY RECORDS.

PARCEL 3:
ALL THAT PART OF FRENCH CLAIM 680, CITY OF YPSILANTI, WASHTENAW COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET AND MONROE AVENUE, THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 91.51 FEET ALONG THE CENTERLINE OF HURON STREET TO THE POINT OF BEGINNING; THENCE SOUTH 60 DEGREES 26 MINUTES 12 SECOND EAST A DISTANCE OF 269.08 FEET; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 179.39 FEET; THENCE NORTH 58 DEGREES 59 MINUTES 12 SECONDS WEST A DISTANCE OF 86.00 FEET; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 58 DEGREES 59 MINUTES 12 SECONDS WEST, A DISTANCE OF 183.00 FEET TO THE CENTERLINE OF HURON STREET; THENCE NORTH 31 DEGREES 00 MINUTES 48 SECONDS EAST A DISTANCE OF 322.58 FEET TO THE POINT OF BEGINNING, WHICH LIES SOUTHEASTERLY OF A LINE DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF MONROE AVENUE AND HURON STREET; THENCE NORTH 31 DEGREES 00 MINUTES 48 SECONDS EAST ALONG THE CENTERLINE OF HURON STREET A DISTANCE OF 26.56 FEET; THENCE SOUTH 58 DEGREES 59 MINUTES 12 SECONDS EAST A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 17 DEGREES 57 MINUTES 08 SECONDS WEST A DISTANCE OF 308.44 FEET; THENCE SOUTH 07 DEGREES 41 MINUTES 52 SECONDS WEST A DISTANCE OF 111.81 FEET; THENCE SOUTH 27 DEGREES 38 MINUTES 50 SECONDS EAST A DISTANCE OF 111.81 FEET TO A POINT OF ENDING.

NOTES:

1. SURVEY IN ACCORDANCE WITH TITLE COMMITMENT FILE NO. 81-16494244-FHR PREPARED BY ATA NATIONAL TITLE GROUP, LLC, AN AGENCY FOR STEWART TITLE GUARANTY COMPANY, DATED AUGUST 28, 2016.

2. TELEPHONE, GAS, ELECTRIC, AND CABLE TV UTILITY MAPS WERE NOT AVAILABLE AT THE TIME OF SURVEY.

3. TREE SIZES ARE THE BEST ESTIMATION OF THE FIELD SURVEYOR. SPECIFIC QUESTIONS REGARDING INDIVIDUAL TREES SHOULD BE DIRECTED TO A QUALIFIED FORESTER.

4. BY GRAPHIC PLOTTING ONLY, THIS PARCEL IS LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA ZONE X – OTHER AREAS (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) OF THE FLOOD INSURANCE RATE MAP, MAP NUMBER 26161C0426E, EFFECTIVE DATE OF APRIL 3, 2012. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THE ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

UTILITY NOTES:

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

2. PRIOR TO ANY BUILDING IMPROVEMENTS, AND/OR CONSTRUCTION, THE RESPECTIVE UTILITY COMPANIES MUST BE NOTIFIED TO STAKE THE PRECISE LOCATION OF THE UTILITIES.

REVISION	DATE	BY	DESCRIPTION

CORE
CORE LAND CONSULTING
PROFESSIONAL SURVEYING
29425 Northwestern Hwy., Suite 320
Southfield, MI 48034
Phone: (248) 932-7120
Fax: (248) 932-7124
Email: info@corelandconsulting.com
www.corelandconsulting.com

CLIENT:

ATELIER ARCHITECT, PC

PROJECT LOCATION:

539 S. HURON STREET
YPSILANTI, MICHIGAN

DRAWN BY:	NEM
CHECKED BY:	NEM
FIELD WORK BY:	MDL

811 Know what's below. Call before you dig.

Terms and Conditions for Electronic Data:
This document is provided in electronic format for the referenced project. It is understood and agreed that any use or reuse of original or altered files will be at the user's own risk and legal responsibility. It is also agreed that the electronic files provided by Core Land Consulting, LLC (CLC) are being provided for general information purposes only. Neither the electronic files nor any CAD versions are to be relied upon for design purposes. the user expressly indemnifies and holds CLC harmless for any and all claims, suits, liability, demands or other costs arising out of or resulting from the unauthorized use of these materials. CLC makes no representation as to the accuracy of the information provided by the electronic media. Data on electronic media can deteriorate or be modified without the knowledge of CLC.

SHEET:

ARCHITECTURAL SURVEY

DATE:	09/21/2016
SCALE:	1"=30'
PROJECT NO:	2794-178

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1354

An Ordinance Entitled "Michigan Regulation and Taxation of Marihuana Act Zoning Update"

THE CITY OF YPSILANTI HEREBY ORDAINS:

That Section 122-203 be amended as follows:

Designated consumption establishment. A facility licensed and authorized to permit adults 21 years of age and older to consume marihuana products at the location indicated on the state license.

Excess marihuana grower. A facility holding 5 class C marihuana grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

Marihuana secure transporter. A facility licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishment as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Growing and/or Processing Facility. A facility for the cultivation and/or processing of recreational marihuana into a usable form and "grower" or "processor" as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Microbusiness. A facility licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Retailer. A facility that sells, supplies, or provides recreational marihuana to individuals directly; and as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018

Recreational Marihuana Safety Compliance Facilities. A facility to test marihuana, including certification for potency and the presence of contaminant as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

School. School is defined as any building, playing field, or property used for school purposes to impart instruction to children in grades kindergarten through

12, when provided by a public, private, denominational, or parochial school, except those buildings used primarily for adult education or college extension courses.

That Section 122-446 (C) be amended as follows:

Recreational Marihuana Retailer (permitted)

Recreational Marihuana Microbusiness (special use)

Designated Consumption Establishment (special use)

That Section 122-451(NC, GC, HC) be amended as follows:

Recreational Marihuana Retailer (special use in GC)

Recreational Marihuana Growing and/or Processing Facility (special use in GC)

Recreational Marihuana Microbusiness (special use in GC)

Marihuana secure transporter license (special use in GC)

Designated consumption establishment license (special use in GC)

That Section 122-461 (HHS) be amended as follows:

Recreational Marihuana Safety Compliance Facilities. (special use)

That Section 122-431 (PMD) be amended as follows:

Recreational Marihuana Growing and/or Processing Facility (special use)

Excess marihuana grower (special use)

Marihuana secure transporter license. (special use)

Recreational Marihuana Safety Compliance Facilities. (special use)

Recreational Marihuana Microbusiness (special use)

That Section 122-522 be added as follows:

Designated consumption establishment.

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Recreational Marihuana Designated Consumption Establishment apply:
    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
    2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the designated consumption establishment license and to the outermost boundaries of the lot or parcel on which the school is located;
    3. The Recreational Marihuana Designated Consumption Establishment site shall not be located within five hundred (500) feet of a lawfully existing Recreational Marihuana Designated Consumption Establishment as measured from the outermost boundaries of the lot or parcel on which the proposed Recreational Marihuana Designated Consumption Establishment and to the outermost boundaries of the lot or parcel on which the lawfully existing Recreational Marihuana Designated Consumption Establishment marihuana facility is located;
    4. All activity related to the Designated consumption establishment license shall be done indoors;
    5. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
    6. If the designated consumption establishment license ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
    7. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein,
    8. All designated consumption establishment license must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
    9. The dispensing of recreational marihuana shall be prohibited.

That Section 122-525 be added as follows:

Excess Marihuana Grower

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules,

nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Excess Marihuana Grower apply:

1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
2. The excess marihuana grower site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the excess marihuana grower facility and to the outermost boundaries of the lot or parcel on which the school is located;
3. Use of marihuana is prohibited on the premises unless otherwise noted;
4. All activity related to the excess marihuana grower facility shall be done indoors;
5. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
6. If the excess marihuana grower facility ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
7. Drive-through and walk-up or similar facilities shall be prohibited;
8. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
9. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
10. All excess marihuana grower facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
11. The dispensing of recreational marihuana shall be prohibited.
12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-538 be added as follows:

Marihuana secure transporter.

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Recreational Marihuana Secure Transporter Facility apply:

    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;

    2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the Secure Transporter Facility and to the outermost boundaries of the lot or parcel on which the school is located;

    3. The Recreational Marihuana Secure Transporter Facility site shall not be located within five hundred (500) feet of a lawfully existing Marihuana Secure Transporter Facility as measured from the outermost boundaries of the lot or parcel on which the proposed Marihuana Secure Transporter Facility and to the outermost boundaries of the lot or parcel on which the lawfully existing Marihuana Secure Transporter Facility is located;

    4. Use of marihuana is prohibited on the premises unless otherwise noted;

    5. All activity related to the Secure Transporter Facility shall be done indoors;

    6. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

    7. If the Recreational Marihuana Secure Transporter Facility ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;

    8. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein,

9. All Recreational Marihuana Secure Transporter Facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;

10. The dispensing of recreational marihuana shall be prohibited.

11. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-548 be added as follows:

Recreational Marihuana Cultivation and/or Processing Facilities.

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for recreational Marihuana Cultivation and/or Processing Facilities apply:

    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;

    2. The growing and/or processing facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the school is located;

    3. The growing and/or processing facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana facility as measured from the outermost boundaries of the lot or parcel on which the proposed growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located. This requirement is waived in PMD zoning districts when buffering from marihuana facility types other than marihuana growing and/or processing facilities;

    4. Use of marihuana is prohibited on the premises unless otherwise noted;

    5. All activity related to the growing and/or processing facility shall be done indoors;

    6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable

laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

7. If the growing and/or processing facility ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
8. Drive-through and walk-up or similar facilities shall be prohibited;
9. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
10. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
11. All growing and/or processing facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
12. The dispensing of recreational marihuana shall be prohibited.
13. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-549 be added as follows:

Recreational Marihuana Microbusiness

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Recreational Marihuana Microbusiness apply:

    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
    2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the

growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the school is located;

3. The Recreational Marihuana Microbusiness facility site shall not be located within one thousand (1,000) feet of a lawfully existing recreational marihuana microbusiness, and five hundred (500) feet from other types of marihuana facilities as measured from the outermost boundaries of the lot or parcel on which the proposed recreational marihuana facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;
4. Use of marihuana is prohibited on the premises unless otherwise noted;
5. All activity related to the safety and compliance shall be done indoors;
6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
7. If the Recreational Marihuana Microbusiness ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
8. Drive-through and walk-up or similar facilities shall be prohibited
9. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein administrative rules or regulations contained or adopted under the authority therein;
10. That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
11. All Recreational Marihuana Microbusiness facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
12. Growing, cultivation, processing, testing and sales of recreational marihuana in the microbusiness is allowed so long as it's done within the facility and has a maximum of 150 plants as allowed by the MRTMA and the MRA with LARA.
13. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-550 be added as follows:

Recreational Marihuana Retailers.

(a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

(b) The following standards for Recreational Marihuana Retailers apply:

(1) The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;

(2) The recreational marihuana retailer shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located;

(3) The recreational marihuana retailer shall not be located within five hundred (500) feet of a lawfully existing recreational marihuana retailer as measured from the outermost boundaries of the lot or parcel on which the proposed recreational marihuana retailer and to the outermost boundaries of the lot or parcel on which the lawfully existing recreational marihuana retailer is located;

(4) Use of recreational marihuana is prohibited on the premises;

(5) All activity related to the recreational marihuana retailer shall be done indoors;

(6) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

(7) Drive-through and walk-up or similar facilities shall be prohibited;

(8) All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the

MTA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;

(9) All recreational marihuana retailers must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;

(10) Growing, cultivation, or processing of recreational marihuana in a recreational marihuana retailer is prohibited

That Section 122-551 be added as follows:

Recreational Marihuana Safety Compliance Facilities

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
b) The following standards for Recreational Marihuana Safety Compliance Facilities apply:
    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
    2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the recreational marihuana safety compliance facility and to the outermost boundaries of the lot or parcel on which the school is located;
    3. The Recreational Marihuana Safety Compliance facility site shall not be located within five hundred (500) feet of a lawfully existing Recreational Marihuana Safety Compliance facility as measured from the outermost boundaries of the lot or parcel on which the proposed Recreational Marihuana Safety Compliance facility and to the outermost boundaries of the lot or parcel on which the lawfully existing Recreational Marihuana Safety Compliance facility is located;
    4. Use of marihuana is prohibited on the premises unless otherwise noted;
    5. All activity related to the recreational marihuana safety compliance facility shall be done indoors;
    6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

7. If the Recreational Marihuana Safety Compliance facility ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
8. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein administrative rules or regulations contained or adopted under the authority therein;
9. That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
10. All Recreational Marihuana Safety Compliance facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
11. The dispensing of recreational marihuana shall be prohibited.
12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

To further amend Article V, Use Restrictions, Division 1: Specific Standards for Certain Uses, to ensure that the newly created sections are located in alphabetical order; sections in said Division are re-numbered, and that references to those sections are updated throughout the Chapter.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 21st DAY OF January, 2020.

_____

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1354 was published in the Washtenaw Legal News on the 30th day of January, 2020.

_____

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 21st day of January, 2020.

_____

Andrew Hellenga, City Clerk

Notice Published: December 26, 2019

First Reading: January 14, 2020

Second Reading: January 21, 2020

Published: January 30, 2020

Effective Date: February 20, 2020

Recreational Marijuana Zoning/Locational Chart		
License/ Facility Type	**Zoning District & Use**	**Distance Requirement***
Recreational Marihuana Retailer	*C* - Permitted *GC* - Special	500 ft. buffer from same type; No buffer from other types
Marihuana Microbusiness	*C* - Special *GC* - Special *PMD* - Special	1000 ft. buffer from same type; 500 ft. buffer from other types
Designated Consumption Establishment	*C* - Special *GC* - Special	500 ft. buffer from same type; No buffer from other types
Recreational Marihuana Growing and/or Processing Facility	*GC* - Special *PMD* - Special	500 ft. buffer from same or other types**
Marihuana Secure Transporter	*GC* - Special *PMD* - Special	500 ft. buffer from same type; No buffer from other types
Marihuana Safety Compliance Facility	*HHS* - Special *PMD* - Special	500 ft. buffer from same type; No buffer from other types
Excess Marihuana Grower	*PMD* - Special	No buffer from other types***

NOTES

*Distance requirement is distance, lot line to lot line, from marijuana facilities. All marijuana facilities are subject to 1000 ft. distance requirement from schools.

**For growing and/or processing facility types, buffering from other types is waived in PMD zoning districts.

***Excess marihuana growers are capped at one (1) per *Chapter 8*.

Chart is based on Zoning Ordinance Text Amendment adopted by City Council on January 21, 2020, effective February 20, 2020. **Chart is not a substitute for the ordinance**. Please reference *Chapter 8 – Adult Use - Recreational Marijuana* for regulations regarding caps and permitting.

Ypsilanti Non-Motorized Advisory Committee Meeting Minutes
Thursday, January 9, 2020

1. Call to order – The meeting was called to order at 7:03pm, January 9, 2020 at the Ypsilanti District Library, 229 W. Michigan Avenue. Committee members attending were Jenny Connolly, Helen Schulte, Lee Stimson and Bob Krzewinski. Also attending were City Public Services Department Director Ron Akers and Public Services Department Project Manager Bonnie Wessler.
2. Introductions - Audience participation - Public input – None.
3. Guest presentations – Ron Akers discussed the procedure the City uses for curb cuts and that a good deadline for the Committee to make suggestions being June 1st of every year. Also discussed was the process the City uses for sidewalk snow removal on "City" sidewalks, bike lane restriping (a single contractor does this with worn existing stripes being a priority), glass on bike lanes (reports of glass through City web page Report An Issue are acted on), radar speed control signs, yearly speed bump installations in the spring and poor road conditions that may not be hazardous for a car tire but can be for someone on a bike (reports should be made to the City through a Report An Issue web page entry).
4. General business
    a. Agenda approval – A motion was made by Helen, seconded by Lee, to approve the agenda, passing unanimously.
    b. Approval of December meeting minutes - A motion was made by Helen, seconded by Lee, to approve the December minutes, passing unanimously.
    c. Bylaws review – Reviewed. No action required.
    d. Additional Committee member recruitment – No updates.
    e. Other – 2019 Committee Annual Report – This was reviewed and will be forwarded to the Planning Commission and City Council.
5. Old & continuing business
    a. 2020 Committee priorities
        1. City Non-Motorized Plan – Jared Talaga and Bob met on January 3rd to review photo sections of the draft update and Jared will be meeting with Bonnie to address various issues.
        2. Sidewalk curb cut inventory & improvements – For a list of curb cut improvements, the Committee has already gathered suggestions from area resident through social media and is now working on site visits of areas that have a high use by pedestrians. Data will be entered into a data base of locations either being on a State route (i.e. Huron, Hamilton streets), route eligible for federal assistance (i.e. River Street, Grove Road) or City street (i.e. Pearl Street, Roosevelt Street).
        3. Pedestrian Improvements – (Signage, road markings, permanent radar speed signs at select locations, Rectangular Rapid-Flashing Beacon, traffic calming. Concentrate on where most pedestrian activity occurs) – Non-Motorized improvement plans for Huron Street, Hamilton Street and Washtenaw Avenue go before the Downtown Development Authority at their monthly public meeting, Thursday, January 16th, 8:30am at Spark East, 215 W. Michigan and also at the January 21st City Council meeting, 7pm at City Hall.

4. Bike Lanes – West Cross Street (Elbridge Street to the western City limit) bike lane expansion, along with pedestrian improvements, still on track for 2021. Short discussion was held on other forms of bicycle on road facilities other than bike lanes and neighborhood connectors (bike boulevards).
5. Communication & Education – Committee quarterly newsletter will be published by the end of January. City Council, Planning Commission, Sustainability Commission, DDA agendas are being reviewed for possible Committee input at their meetings. Committee will send out reminders about sidewalk cleaning for snow after any major snow event.
6. Non-Motorized City budget – No update.
7. Neighborhood Connectors - Low-speed street which has been "optimized" for bicycle & walking traffic. Potential projects: Adams (Cross to Forest), Pearl (Hamilton to Mansfield), 2nd Avenue (Michigan to Watling). – During the meeting this subject was discussed with research for a first project being discussed in January and February.
8. Border To Border Trail Gap (B2B) – Construction on track for 2020 on Frog Island and Grove Road improvements. Work on the I-94/Grove Road bridge will continue into 2021. Bonnie will check into the installation of “State Law – Stop For Pedestrians In Crosswalk” signs at mid-block B2B Trail crossing of Cornell Street between Collegewood and Mayhew.
9. Bike & Walk Friendly Communities - Submit Walk Friendly Community application when Non-Motorized Plan update complete. Start In March the award renewal process for the Bike Friendly Community (BFC) award recertification (current BFC award expires in November 2021).
10. Events & Community Outreach – Cold weather cycling talks were given at the downtown Library and Corner Brewery during December.
11. Safe Routes To School – Work slowly moving forward with rejuvenating a Safe Routes to School program.

b. Parkridge bike repair station – Bob forwarded information to City on ordering and installing a repair station should a grant become available.
c. Pedestrian Crossing Legislation – Little movement on Michigan legislation HB 4738 (Representative Ronnie Peterson - lead).

6. New Business
   a. Planning Department/Public Works update – Open house on proposed non-motorized improvements to Huron Street, Hamilton Street and Washtenaw Avenue on December 19th at the Freighthouse was very well attended.
7. Other Items – Announcements – Bob will be out of the area until mid-February and upon discussion, the next meeting of the Committee is planned for Thursday, March 5, 7pm at the downtown Library main floor meeting room.
8. Adjournment - A motion was made by Helen, seconded by Lee, to adjourn the meeting. The motion was approved unanimously, and the meeting was adjourned at 8:45pm.

City Of Ypsilanti Non-Motorized Advisory Committee
2019 Annual Report

Introduction

The City of Ypsilanti Non-Motorized Advisory Committee was created out of a recommendation in the City Non-Motorized Plan and serves under the City Of Ypsilanti Planning Commission. The Committee was formed in September 2010.

The Statement of Purpose of the Committee is as follows… "The City of Ypsilanti Non-Motorized Advisory Committee, working through the Planning Commission, will work to enact recommendations of the City of Ypsilanti Non-Motorized Plan so as to offer residents increased non-motorized transportation and recreation options as well as having the Plan creating economic and quality of life incentives to the City".

Operations

The Committee met, with the exception of February and July, every month of 2019 at the Ypsilanti District Library, 229 West Michigan Avenue.

2019 members of the Committee through the year (some terms ended, others began) were as follows…

- Jenny Connolly
- Dylan Goings
- Bob Krzewinski
- Helen Schulte
- Lee Stimson
- Jared Talaga (also a City Of Ypsilanti Planning Commission member)
- Sarah Walsh
- Jared Walfish

Non-Motorized Advisory Committee 2019 Actions

During 2019 the Committee actively worked to complete many of the goals of the Non-Motorized Plan, as listed below.

- Public Input – The Committee's meetings always start with a public input session on the City's Non-Motorized Plan and the work of the Committee. The Committee also maintains a Facebook page offering an opportunity for additional public input.

- Committee Priorities – Every October and November, the Committee reviews possible priorities for the coming calendar year and finalizing the list at its December meeting. The Committee priorities are then forwarded to the Planning Department and City Council.

- Publicity/Outreach/Communications – Committee meetings are publicized though an official City notice by the City Clerks office as well as announcements over the Committee's Facebook page as well as through other email/Facebook pages (i.e. Bike Ypsi, Bike-Bus-Walk Ypsilanti, etc.). As of early December 2019, there are 353 "Likes" on the Non-Motorized Advisory Committee Facebook page (www.facebook.com/YpsilantiNMAC).

  In April, the Committee had a table at the Ypsilanti Earth Day Festival (4/14/19) at Cultivate. In early August (8/3), the Committee had an information at the EMU Bike Rode. Next, the Committee had an information table at the annual Parkridge Festival (8/28/19) where safe bicycling and walking information was distributed and 50 bicycle helmets were given away free courtesy of a grant from the Washtenaw Bicycling & Walking Coalition (www.wbwc.org). The Committee also had a table at the downtown Halloween Festival (10/25/19) where lighted wristbands were distributed (courtesy of the AAATA) and safe trick-or-treating handouts were distributed. In early December (12/7/19 & 12/8/19) the Committee, with Bike Ypsi and the Ypsi Bike Co-Op, as cosponsors, held two "Cold Weather Bicycling talks. The Committee also continues to work with the County-wide advocacy group, the Washtenaw Bicycling and Walking Coalition (www.wbwc.org).

  Related to Committee communications, the Committee started publishing a quarterly Non-Motorized Advisory Committee newsletter with the first edition being a Fall 2019 edition. In addition, the Committee has had items published or highlighted in the Mayors Newsletter.

- City Meetings – Members of the Committee met, or had telephone conversations, with Planning Department staff prior to most Committee meetings for input and updates. Also, Committee members attended numerous City Council and Planning Commission meetings throughout 2019 to support non-motorized projects. At the first Committee meeting of the year (1/9/19), Mayor Beth Bashert participated where various projects and outreach efforts (i.e. safe bicycling education in the spring and sidewalk snow removal in the late fall) were discussed with an emphasis placed on accessibility for the disabled. City Council member (and Ypsi Bike Co-Op volunteer). Steve Wilcoxen, volunteered to be a City Council member liaison to the Committee.

- Snow Removal – In the winter months the Committee mounted a campaign to educate area residents, thorough social media and its Facebook page, about the need to shovel sidewalks as required by City ordinance and how to report problems using ClickFix – Ypsi Connect. The Committee timed media actions to that of just prior to major snowfalls with information sent to all City neighborhood groups on Facebook and NextDoor.

- City Non-Motorized Plan – The Committee is working with the Planning Department to update the City's Non-Motorized Plan and expects the process to be complete in 2020.

- Sidewalk curb cut inventory & improvements – During 2019, the Committee began work on a priority list for curb cuts with a list assembled from Committee member input, public input through social media and also site visits. The priority list will be forwarded to the Public Services Department as well as the Planning Commission and City Council.

- Bike Friendly Community & Walk Friendly Community status – The City officially became a League of American Cyclists "Bike Friendly Community "at the Bronze level in late 2017 with the award being for a four-year period. The Committee plans to start work in 2020 to apply for a renewal of its Bike Friendly Community award. The Committee plans to resubmit the Walk Friendly Community once the Non-Motorized Plan is updated.

- City Council Budget – Committee members attended the annual City Council budget meetings providing non-motorized project recommendations to Council.

- Bike Friendly Business program – The Committee, with the support of the Downtown Association of Ypsilanti, continued to sign up participants for a local Bike Friendly Business (BFB) program as a way to promote active and healthy lifestyles for employees and customers in the Ypsilanti area. The campaign will honor corporations, organizations, associations, government agencies or non-profit groups located in Ypsilanti that actively promotes bicycling for transportation, recreation, exercise and sport. Business participants receive a BFB window sticker and are listed on the Bike-Bus-Walk Ypsi (www.bbwypsi.org) web site.

- Bike Lanes –In 2018 the Committee also started researching areas where additional bike lanes would be used in the City, with the top two locations being West Cross Street (west of Wallace) and Harriet/Spring/Factory/Maus Streets. In March 2018 the Committee forwarded a resolution to the Planning Commission noting that "the lack of a center turn lane on Cross Street at the intersection of Mansfield Street is a real safety factor" and urging that "as part of a West Cross Street repaving project, a two-lane, plus center turn lane, configuration going as far west as practical that would include bicycle lanes on both sides of the road as well as vehicle parking on the south side of West Cross Street."

- The Committee continues to promote, through social media to neighborhood groups, the City's "Speeding Concerns" web page - https://cityofypsilanti.com/699/Speeding-Concerns - that gives the process for citizen petitioning to have traffic calming (such as signage, pavement markings, speed bumps) on a specific street section.

- Three-Foot Passing Law – In the spring of 2019, the Committee placed basic information on the Mayors Newsletter and the Committee Facebook page about the Michigan 3-foot bicycle passing law that took effect in September 2018. The Committee plans to conduct a safe biking drive every upcoming April and May.

- Bike repair Station – The Committee worked with the Friends of the Border To Border (B2B) Trail to obtain and have installed a bike repair station (containing a work stand, tools and an air pump), as well as a donated bike parking loop, on the south plaza of the non-motorized bridge over the Huron River just east of downtown. It should be noted the bike repair station came from a grant that the Friends of the B2B Trail received from the REI Co-Op and the bike parking stand was a donation from the Friends.

- I-94/Huron – Hamilton Streets Non-Motorized Projects - The Committee continued to follow these items closely as there are a fair number of pedestrians and bicyclists using Huron Street over I-94 with no dedicated non-motorized facilities.

- Bike Bus-Walk Week (May 12-18) – With the intent to have individuals try alternative transit in the hope that such modes of transportation would become a habit, the Committee coordinated events during this week (also known as national Bike To Work Week). Events during this week included a "Ride Of Silence" (sponsored by Bike Ypsi, the Ann Arbor Bicycle Touring Society and the Ypsilanti-headquartered Program To Educate All Cyclists) starting from Recreation Park to memorialize cyclists injured or killed and urging motorists and cyclists show respect for each other. The Friday of Bike-Bus-Walk Week is also known nationally at Bike To Work Day and a bike commuting station was set up that morning at Beezy's Café by the Committee offering free bike maps, literature, coffee snacks, etc. In 2019, twenty-five cyclists stopped by the Ypsi Bike-To-Work Day table.

- City Ordinance On Non-Motorized Device Rentals – In February the City began working towards having an ordinance dealing with dockless bicycle/scooters – With work beforehand between the City Attorney and the Non-Motorized Advisory Committee, City Council unanimously approved a first reading of a new Shared Mobility Device ordinance at its March 4th meeting that contained input from the Committee. Passage of this Ordinance was a priority for 2019 of the Committee.

- Parkridge bike repair station – The Committee worked with the Washtenaw Bicycling & Walking Coalition on an AARP Community Challenge grant application and matching fund contribution to fund a Dero bicycle repair stand for the Parkridge Community Center. Unfortunately the AARP did not award the City with a grant for a repair stand in 2019.

- Neighborhood Connectors (also known as "Bike Boulevards") – The Committee is exploring designating a small number of local streets, with lower traffic volume, which pedestrians, the disabled and bicyclists are encouraged to use to travel within the City. These would be a low cost project consisting of signage and road markings. Possible routes could be Mansfield Street, Congress Street and Adams Street.

- The Committee has pledged to work with the City Sustainably Commission on projects and areas of concern.

Agenda
Planning Commission
Wednesday, 19 February 2020 – 7:00 P.M.
City Hall – Council Chambers, 1 S Huron St
Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P	A
Jared Talaga, Vice-Chair	P	A
Michael Borsellino	P	A
Mike Davis Jr.	P	A
Jessica Donnelly	P	A
Phil Hollifield	P	A
Heidi Jugenitz	P	A
Michael Simmons	P	A

III. Approval of Minutes

- December 18, 2019

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

V. Presentations and Public Hearing Items

- Special Use Permit & Limited Site Plan Review: Marihuana Retailer, 1090 N. Huron River Drive
- Special Use Permit & Limited Site Plan Review: Marihuana Retailer, 539 S. Huron St.

VI. Old Business

VII. New Business

VIII. Future Business Discussion / Updates

- Adopted Ordinance: Adult-Use (Recreational) Marijuana Zoning Ordinance

IX. Committee Reports

- Non-motorized Committee Report
- Master Plan: Housing Affordability and Access Committee report

X. Adjournment

MEETING MINUTES
Planning Commission
Wednesday, 18 December 2019 – 7:00 P.M.
City Hall – Council Chambers, 1 S Huron St
Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P
Jared Talaga, Vice-Chair	A
Mike Davis, Jr	P
Jessica Donnelly	P
Phil Hollifield	P
Heidi Jugenitz	P
Michael Simmons	A

Staff Present: Andy Aamodt- City Planner, Scott Slagor- Preservation Planner, Elize Jekabson- Acting Secretary, Joe Meyers- Economic Development Director

III. Approval of Minutes

- November 20, 2019
  Typing error. Votes in minutes do not reflect the amount of commissioner's present. All 5's need to be changed to 4's.
  Motion to approve as amended
  Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Donnelly
  Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

Motion to open Audience Participation:
Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Donnelly
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

Seeing none, Motion to close Audience Participation
Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

V. Presentations and Public Hearing Items

- Adult-Use (Recreational) Marijuana Ordinance
  Zoning Ordinance Text Amendment
  Staff presentation included a power point outlining language terms relating to marijuana licenses, purpose of this meeting, current buffers and zoning regulations.

Motion to open Public Comment:
Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Jugenitz
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

- *Jeff Ciphor 33-35 E. Cross St.* – Has been running a dispensary for ten years, and it's been hard to get to this point. Would like to see no buffers between provisioning and consumption facilities, so a shop like his could utilize the upstairs as a safe space to consume. This would be a win-win for everybody. He would like to see this whole process a little bit easier and expedient.
- *Jeff Guyton 18 S. Normal St.-* 1000-foot buffers limit options for people to get into the industry, are minorities, live in Ypsilanti and believe in the industry. Buffers limit suitable areas for this type of business.
- *Darryl Stavos 19 N. Hamilton-* Consumption lounges do not make money. The only reason for them is for people in rental homes to find a safe location to use their medicine. 1000-foot buffers would limit any consumption facilities in walkable areas of the city where they would make the most sense. Because we've slowed this process down this much, a lot of revenue is being sent to Ann Arbor. First week of sales was $1.2 million. If you limit the businesses that come in here, it limits the money coming to Ypsilanti.
- *Laura Kopp- 1807 Roosevelt* – Wanted clarification of item 4, designated consumption site, it says consumption is prohibited at a consumption site, which looks to be a typo. She spoke to this commission when Sticky Ypsi came to the planning commission for a special use because she thinks they could be a good neighbor, but she is more in favor for buffering as a way to balance the need with learning the process. Council meeting last night had a lot of confusion. She wonders why consumption sites within PMD zones as these don't seem like zones people should be consuming.
- *Rebecca Mackey- Precinct Delegate from Ypsilanti Precinct 19-* She is interested in opening a café that is attached to a designated consumption facility. She has been a medical patient for years, and was in a car accident as a child. Many people in her situation end up stuck at home and don't have community and can socialize together. This a very important thing for the healing process and would be valuable for the quality of life for Ypsilanti residents. Would like more information about social equity programs.
- *Peter Church- 1815 Witmire-* Asked commission to raise their hand if they want a provisioning center next to their house. *The commission declined to participate.* This commission approved a medical marijuana facility that could turn into a recreation facility right next to a residential house. Why are there not exclusions for a residential area? What is the logic for that? How do we arrive at 1000-foot buffers being safe for schools? There is a 57% graduating rate at Ypsi High, he thinks there should be bigger buffers from schools.
- *Annie Sommerville Ward 3-* Reminded the commission that City Council opted in with designated smoking sites, and voted against removing it from the opt-in later by 5-2. "Use of recreational marijuana in a designated consumption establishment" should be amended out. "No designated consumption establishment shall be located within a building that is commercial or residential". That diminishes the possibility for designated consumption facilities and should be amended out. There shouldn't be a buffer between different use types. All things that are getting handled at the state level we should not be making more complicated at the city level. Suggested considering the hurdles with special uses and buffers that are not required for liquor stores or bars. Revenue sharing depend on the buffers the City sets. Buffering will leave a lot of people out. There is no reason why a transport facility shouldn't be next to a safety compliance facility etc.
- *Will Boxberger-* Would you be equally worried if a CVS opened in your neighborhood? They sell drugs and alcohol. Him and his partner want to start a

business but cannot find a place to open. He encourages the commission to rethink buffers,

Motion to close Public Comment:

- **Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield**
- **Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)**

Commissioner Dunwoodie addressed questions and concerns brought up in the public hearing.

The commission worked through the all the license types and decided on buffers for each one as shown below.

PROPOSED Recreational Marijuana Zoning/Locational Chart		
License/ Facility Type	**Zoning District & Use**	**Distance Requirement***
Recreational Marihuana Retailer	*C* - Permitted *GC* - Special	500 ft. buffer from same type; No buffer from other types
Marihuana Microbusiness	*C* - Special *GC* - Special *PMD* - Special	1000 ft. buffer from same type; 500 ft. buffer from other types
Designated Consumption Establishment	*C* - Special *GC* - Special	500 ft. buffer from same type; No buffer from other types
Recreational Marihuana Growing and/or Processing Facility	*GC* - Special *PMD* - Special	500 ft. buffer from same or other types**
Marihuana Secure Transporter	*GC* - Special *PMD* - Special	500 ft. buffer from same type; No buffer from other types
Marihuana Safety Compliance Facility	*HHS* - Special *PMD* - Special	500 ft. buffer from same type; No buffer from other types
Excess Marihuana Grower	*PMD* - Special	No buffer from other types***

Motion for ***approval*** of the proposed text amendments to Chapter 122 Articles II, IV, and V, with the following findings:

(1) The proposed amendment is consistent with the guiding values of the Master Plan;
(2) The rezoning is consistent with description and purpose of the proposed district;
(3) The proposed amendment is consistent with the intent of this Zoning Ordinance;
(4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City;
(5) The proposed amendment will preserve the historic nature of the surrounding area and of the City;

(6) The proposed amendment will enhance the natural features and environmental sustainability of the City;
(7) The proposed amendment will protect the health, safety, and general welfare of the public;
(8) The proposed amendment will address a community need in physical or economic conditions or development practices;
(9) The proposed amendment will not result in the creation of significant nonconformities in the City;
(10) The proposed amendment is needed to align with recent changes in State law.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Hollifield
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

VI. Old Business n/a

VII. New Business

- Annual Report
  Staff presented the annual report.

Motion to adopt the Annual Report for transmittal
Offered By: Commissioner Jugenitz; Seconded By: Commissioner Hollifield
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

VIII. Future Business Discussion / Updates
n/a

IX. Committee Reports

- Non-motorized Committee Report
  Commissioner Davis Jr. updated the commission about the meeting. They discussed the road diet on West Cross, cross walk ordinances, and curb cuts.
- Master Plan: Housing Affordability and Access Committee report
  Commissioner Jugenitz is optimistic that they will finish drafting the final report by January. Will want to schedule a time to present to planning commission.

X. Adjournment

Motion to adjourn.
Offered By: Commissioner Hollifield; Seconded By: Commissioner Donnelly
Approved: Yes – 5; No – 0; Absent – 2 (Talaga, Simmons)

DRAFT

City of Ypsilanti

Community & Economic Development Department

19 February 2020

Staff Review of Special Use & Limited Site Plan Application
Indica LLC (Sticky Ypsi) – *Marihuana Retailer* Use
1090 N. Huron River Dr.

GENERAL INFORMATION

Applicant:	Indica LLC 1090 N. Huron River Dr. Ypsilanti, MI 48197
Project:	Indica LLC (Sticky Ypsi) - *Marihuana Retailer* Use
Public Hearing Date:	19 February 2020
Location:	North of EMU campus, west of Leforge Rd. Parcel ID# 11-11-05-150-007.
Zoning:	"GC" General Corridor
Action Requested:	Approval
Staff Recommendation:	Approval, with conditions

PROJECT AND SITE DESCRIPTION

The applicant is applying for a Special Use permit as a marihuana retailer. The existing suite in the building is currently used as a medical marijuana provisioning center. Last month City Council amended the zoning ordinance to allow for recreational marijuana uses. This property is zoned "GC", therefore a marihuana retailer use needs a Special Use permit. If granted approvals, both medical marijuana and recreational marijuana may be sold from this facility, pursuant to state and local law.

Marihuana Retailers are what the State deems "equivalent" license types to *Medical Marijuana Provisioning Centers*. The license type is fairly straightforward- these facilities shall only sell marijuana. The major change is that marihuana retailer facilities may now accept customers- individuals over the age of 21- regardless if they are a registered medical patient or not.

The subject suite is approximately 1,192 square feet in a commercial plaza building of approximately 15,150 square feet. The lot is approximately 1.80 acres. There is currently parking in the large lot to the south, and there is vehicle access from N. Huron River Dr. The existing building is a legal nonconforming structure and may not be expanded regardless.

The applicant is currently applying to the City for its Marihuana Facility Permit. The facility will not be granted its Marihuana Facility Permit unless its Special Use permit is granted. City staff has determined

it is appropriate to allow for *existing* medical marijuana facilities to apply for their recreational marijuana Special Use permits for in the meantime, because there may be an inundation of Special Use permit applications for *new* recreational marijuana facilities in the upcoming months.

Figure 1: Subject Site Location (2015 Aerial)

Note: for clarity sake, the City's data recognizes the lot as 1072 N. Huron River. This suite however has the specific address of 1090 N. Huron River, so this report references it as 1090 N. Huron River throughout.

Figure 2: Photograph of Site (Google Street-View, July 2019)

Figure 3: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Railroad; Huron River	N/A
EAST	Vacant drive-through restaurant	GC
SOUTH	Eastern Michigan University Campus	EMU Campus
WEST	Apartment complex	GC

SPECIAL USE: CRITERIA AND REVIEW §122-324(b)

(1) The proposed use conforms with all the provisions and requirements of this chapter, including site plan or sketch plan review standards, as applicable, and the applicable site development standards for the specific use, as well as the spirit and intent of this chapter and the Master Plan. The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land. Height, location and size of buildings shall be compatible with uses and buildings on adjacent properties. The intensity of the proposed use, such as volume, frequency and times of operation, and its compatibility shall be considered. If nonconformities are present, all reasonable effort has been made to eliminate them.

COMMENTS: The applicant proposes to make recreational marihuana retailer use of the existing suite in the existing building. The "GC" zoned property makes this a Special Land Use, and the property, on this date, complies with locational standards pertaining to other marijuana facilities and schools.

(2) The proposed use shall promote the use of land in a socially and economically sustainable manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or

public welfare. Noise, odor, smoke and potential contamination of air, soil and water and its potential effect on neighboring uses, persons and property, as well as public welfare, shall be considered.
COMMENTS: There is some discussion locally, statewide, and federally as to the social and economic impact of marijuana in general. The City's voters strongly supported Proposal 1 to legalize adult-use marijuana by over 78%. However, offensive odor is a consideration, and must be taken into account.

(3) The proposed special land use shall be designed, constructed, operated and maintained to assure long-term compatibility with surrounding land uses. Consideration shall be given to the placement, bulk, and height of structures; materials used in construction; location and screening of parking areas, driveways, outdoor storage areas, outdoor activity areas, and mechanical equipment; nature of landscaping and fencing; and hours of operation.
COMMENTS: The retaining wall creating the parking terrace on the property to the east acts as a sufficient buffer from the multi-family residential property to the subject site. The property to the west currently sits vacant.

The business should take measures to protect its customers, and other pedestrians accessing the rest of the commercial plaza, in terms of accessibility and safety. The suite is relatively small; there may be queues forming on the outside of the suite which must be managed safely (i.e. line control bollard stanchions) to prevent conflicts with access to other businesses in the commercial plaza.

The business should also be aware of the other businesses and their need for parking; any singular business should not dominate the property's available parking spaces. This is addressed further in the Site Plan criteria and review below.

(4) The proposed special land use shall not present unreasonable adverse impacts on the transportation system. Consideration shall be given to the estimated pedestrian, bicycle and vehicular traffic generated by such use, access to transit, proximity to major thoroughfares, proximity to intersections, required vehicular turning movements, and provisions for pedestrian and bicycle traffic.
COMMENTS: This location has extensive access to transportation facilities. N. Huron River Drive is a four lane road and contains a shared-use path for bicyclists and pedestrians. Also, there are bus stops adjacent to the property.

(5) The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic sustainability of the community.
COMMENTS: None are anticipated.

CONDITIONS OF APPROVAL §122-326

"Reasonable conditions may be required in conjunction with an approval. The conditions may include conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed must do all of the following:

(1) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being.

(2) Be related to the valid exercise of police power and purposes which are affected by the proposed use or activity.

(3) Be necessary to meet the intent and purposes of this chapter, be related to standards established in this chapter, and be necessary to ensure compliance with those standards."

Items to be addressed: Applicant shall take measures to ensure customer and plaza pedestrian safety and accessibility in case of queues, for example by utilizing temporary line control bollards or stanchions.

SITE PLAN: CRITERIA AND REVIEW §122-311

For zoning compliance reviews, or plans where a Special Use permit is required but no site changes will likely be needed, the applicant may, at the determination of the City Planner, submit a limited site plan for review in lieu of a full site plan per §122-309(t).

STANDING §122-311(a)

The applicant is legally eligible to apply for site plan review, and all required information has been provided.

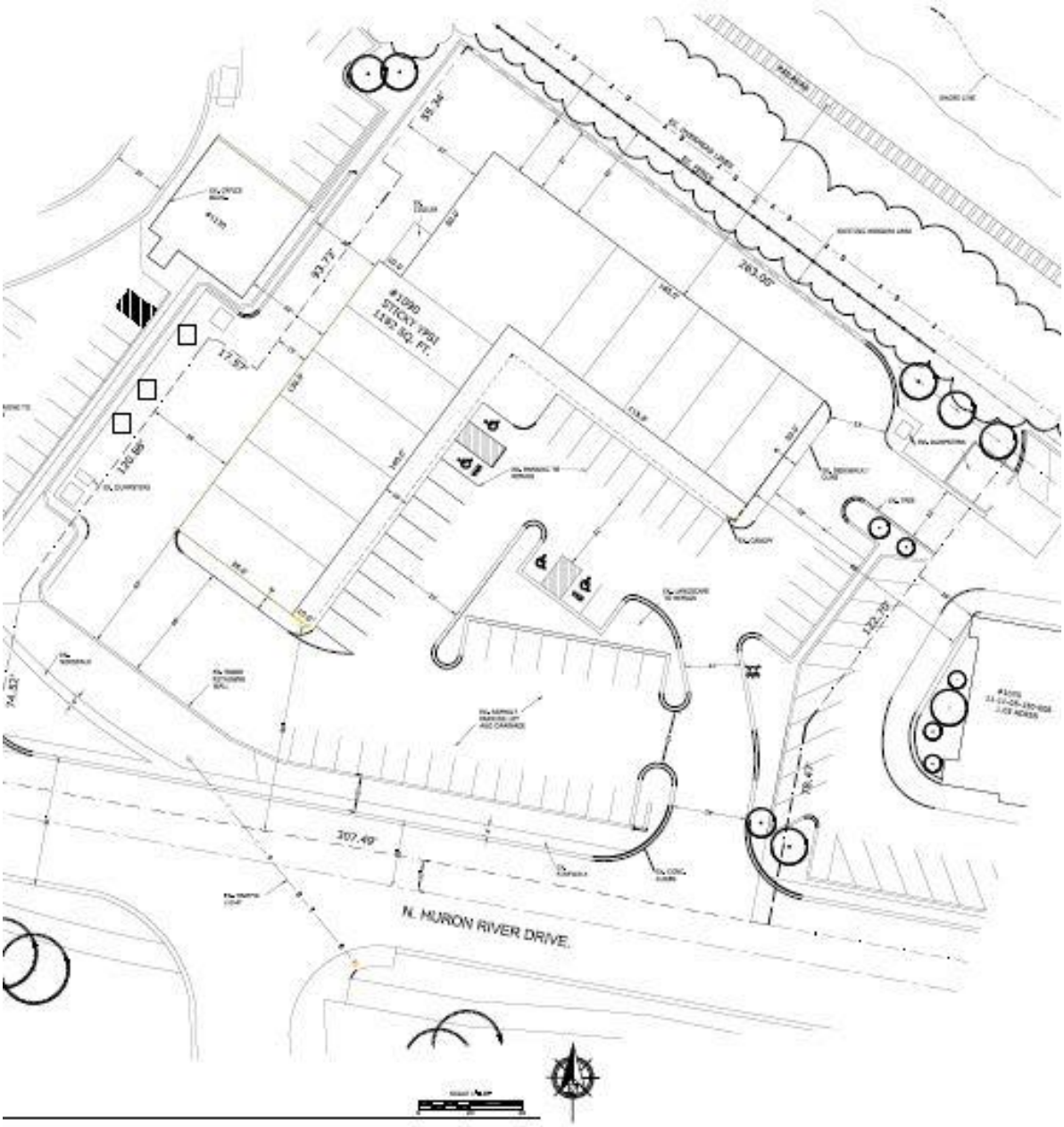
REQUIREMENTS §122-311(b)

"The proposed site plan conforms with all the provisions and requirements, as well as the spirit and intent of this chapter and the Master Plan. The proposed development will meet all the regulations of the zoning district in which it is located."

The applicant is proposing continued re-use of the existing suite in the existing building. This is a (legally) nonconforming building and (legally) nonconforming site. Such re-use is permissible under §122-352. The applicant has confirmed that there will be no changes to the existing building and site as part of this application. We have attached the site layout plan (Figure 4) as the required limited site plan.

Items to be Addressed: None.

Figure 4: Capture of Existing Site Plan



BUILDING LOCATION AND SITE ARRANGEMENT §122-311(c)

"All elements of the site plan shall be harmoniously and efficiently organized in relation to the character of the proposed use, the size and type of lot, the size and type of buildings, and the character of the adjoining property. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter."

The applicant is applying to keep the current arrangement as is. The business is in a suite in the commercial plaza. There are no proposed changes to the overall building or site.

Items to be Addressed: None.

SITE ACCESS, TRAFFIC, AND PARKING §122-311(d)

"With respect to vehicular and pedestrian circulation on the site, including walkways, interior drives, and parking; circulation shall to the extent possible create potential cross-and joint-access to adjacent parcels and the existing block layout. Special attention shall be given to the location, number and spacing of ingress and egress points; general interior circulation including turnaround areas; adequate provisions for delivery of services (trash removal, school buses, mail and parcel delivery); separation of pedestrian and vehicular traffic; avoidance of building corners next to access drives; identification of addresses; storage of plowed snow; and arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures, neighboring properties, pedestrian and bicyclist safety, access to transit and flow of traffic on adjacent streets. All buildings or groups of buildings shall be so arranged as to permit adequate access by emergency vehicles as required by the city building code."

There is one access drive off N. Huron River. There are approximately 53 parking spaces for the commercial plaza, 4 of which are barrier-free. The business should be aware of the other businesses and their need for parking; any singular business should not dominate the property's available parking spaces. Because this is a *change in use* (§122-681.b), parking requirements must be met for the subject suite, as well as the rest of the businesses throughout the commercial plaza. Without a survey specifying the exact uses and square footage of each suite, it is difficult to calculate how parking spaces should be allocated for each individual suite. An updated survey should be provided.

The business should take measures to protect its customers, and other pedestrians accessing the rest of the commercial plaza, in terms of accessibility and safety. The suite is relatively small; there may be queues forming on the outside of the suite which must be managed safely (i.e. line control bollard stanchions) to prevent conflicts with access to other businesses in the commercial plaza.

Items to be Addressed: Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.
An updated survey should be provided to verify that parking requirements are met for the individual marihuana retailer business as well as the other businesses throughout the commercial plaza.

SCREENING §122-311(h)

"The site plan shall provide reasonable visual and sound privacy for all dwelling units on or adjacent to the property. Fences, walks, barriers, and landscaping shall be used, as appropriate, for protection and enhancement of the property. All outdoor storage of materials, loading and unloading areas, and refuse containers shall be screened or located so as not to be a nuisance. Outdoor lighting shall be shielded so as to not adversely affect neighboring properties or traffic on adjacent streets."

No changes to site lighting or screening are proposed as part of this development, and none are required.

Items to be Addressed: *None.*

STAFF RECOMMENDATIONS: SPECIAL USE

Staff recommends the Planning Commission approve the Special Use Permit for the Indica LLC (Sticky Ypsi) existing facility at 1090 N. Huron River Drive with the following findings and conditions:

Findings: The application is substantially in compliance with §122-324(b).

Conditions

1. Special use approval shall be subject to approval of site plan.
2. Approval is effective February 20, 2020.
3. Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.

STAFF RECOMMENDATIONS: SITE PLAN

Staff recommends the Planning Commission approve the limited Site Plan for the Indica LLC (Sticky Ypsi) existing facility at 1090 N. Huron River Drive with the following findings, waivers, and conditions:

Findings

1. The application substantially complies with §122-310.
2. The existing building and site design are nonconforming under §122-352.

Conditions

1. Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.
2. Applicant provide an updated survey indicating sufficient parking meeting the requirements of §122-691.

Andy Aamodt
City Planner, Community & Economic Development Department

CC File
Applicant team

City of Ypsilanti
Planning & Development Department

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646
www.cityofypsilanti.com

SPECIAL USE PERMIT APPLICATION

MUST BE SUBMITTED WITH SITE PLAN OR SKETCH PLAN APPLICATION

Applicant*

Name INDICA LLC

Property

Name of project INDICA LLC (STICKY YPSI- MMFLA PROVISIONING CENTER AND MRTMA ADULT USE PROVISIONING RETAILER
Current use: MMFLA PROVISIONING CENTER
Proposed use : MMFLA PROVISIONING CENTER AND MRTMA ADULT USE PROVISIONING RETAILER
Rationale for request: CHANGE OF CITY ZONING ORDIANCE

Signature

I hereby attest that the above information is accurate. I am authorized to and grant permission to the City of Ypsilanti staff to be on the subject property for the purposes of preparing staff reports and/or evaluating this application.	
Si[redacted]	Date: 1/27/2020
Print Name: JACOB ABRAHAM	

Philip Conlin
Conlin Company Realtor
[redacted]
Phone: [redacted]
Fax: [redacted]

Landlord Letter of Consent

Philip Conlin is the landlord of the property located at 1090 N. Huron River Drive, Ypsilanti, Michigan 48197. The property is currently leased by Indica LLC dba "Sticky Ypsi" (formally "Indica Coalition of Kindness, Ypsilanti"). Indica LLC is currently under lease for the 1090 N. Huron River Drive location for a period of 3 years, which will expire on April 2021.

Philip Conlin acknowledges that he is aware and in full agreement that the proposed use of the 1090 N. Huron River Drive location is for a Provisioning Center Facility / Marijuana Retailer Establishment under the Michigan Medical Marihuana Facility Licenses Act, The Michigan Regulation and Taxation of Marihuana Act, the City of Ypsilanti ordinances on Medical Marijuana and Adult Use.

Respectfully Submitted,

Landlord/Corporation Signature: [redacted]
Philip Conlin
Landlord

Date: 1 / 27 / 20

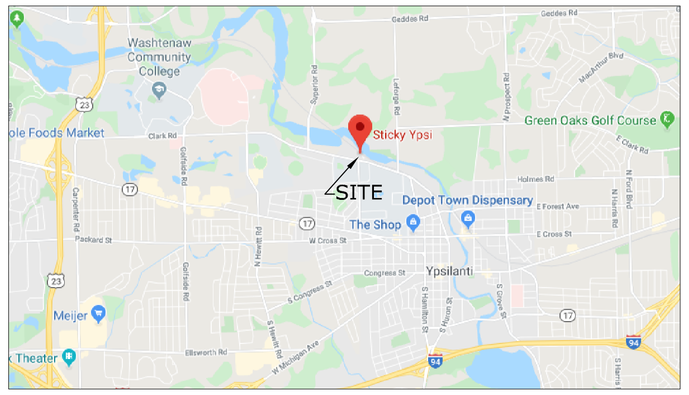
State of Michigan
County of WASHTENAW ss.:
On this 27th day of January 2020, before me DEBORAH J. THORNBER, Notary Public, personally appeared Philip Conlin, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

[redacted]
Notary Public

DEBORAH J. THORNBER
NOTARY PUBLIC, STATE OF MI
COUNTY OF WASHTENAW
MY COMMISSION EXPIRES Nov 25, 2024
ACTING IN COUNTY OF WASHTENAW

State of Michigan, County of Washtenaw. Acting in the County of Washtenaw, Michigan.
My commission expires on 11-25-2024.



LOCATION MAP

N

NOTES:

1. MAP NOT TO SCALE
2. MAP SHOWING OTHER DISPENSARIES (2)
3. ALL SCHOOLS ARE 1000' + FROM THIS SITE
   THESE SCHOOLS INCLUDE:
   Ypsilanti Middle School, 510 Emerick Street
   Ypsilanti International Elementary School, 503 Oak Street
   Ypsilanti High School, 2095 Packard Road
   Perry School, 550 Perry Street
   Washtenaw International Middle/High School Academy , 105 N. Mansfield Street
   Estabrook Elementary School, 1555 W. Cross Street
   WSC Academy, 565-855 Jefferson Huron Valley Catholic School, 1300 N. Prospect Rd

PLAN VIEW

PROPERTY INFORMATION:

BNDRY ADJST PER QCD L3844 P956 YPC 1-W367B-1A (005) COM SE COR LOT 27 R. A. NICHOLL'S HURON RIVER HILLS, TH S 73-43-42 E 7.73 FT, TH S 77-24-00 E 588.61 FT TO A POB, TH N 12-36-00 E 74.52 FT, TH N 38-33-26 E 120.86 FT, TH S 86-49-15 E 4.53 FT, TH S 49-56-30 E 17.57 FT, TH N 38-46-41 E 93.73 FT, TH N 51-26-06 W 9.48 FT, TH N 38-50-00 E 55.34 FT, TH S 51-10-00 E 263 FT, TH S 38-50-00 W 132.7 FT, TH S 12-36-00 W 78.47 FT, TH N 77-24-00 W 307.49 FT TO THE POB. PT OF NE 1/4 SEC 5, T3S-R7E 1.85 AC

TAX ID: 11-11-05-150-007

ADDRESS: 1072 N. HURON RIVER DRIVE, YPSILANTI, MI 48197

ISSUED FOR:	DATE :
SITE PLAN APROV.	1/27/20

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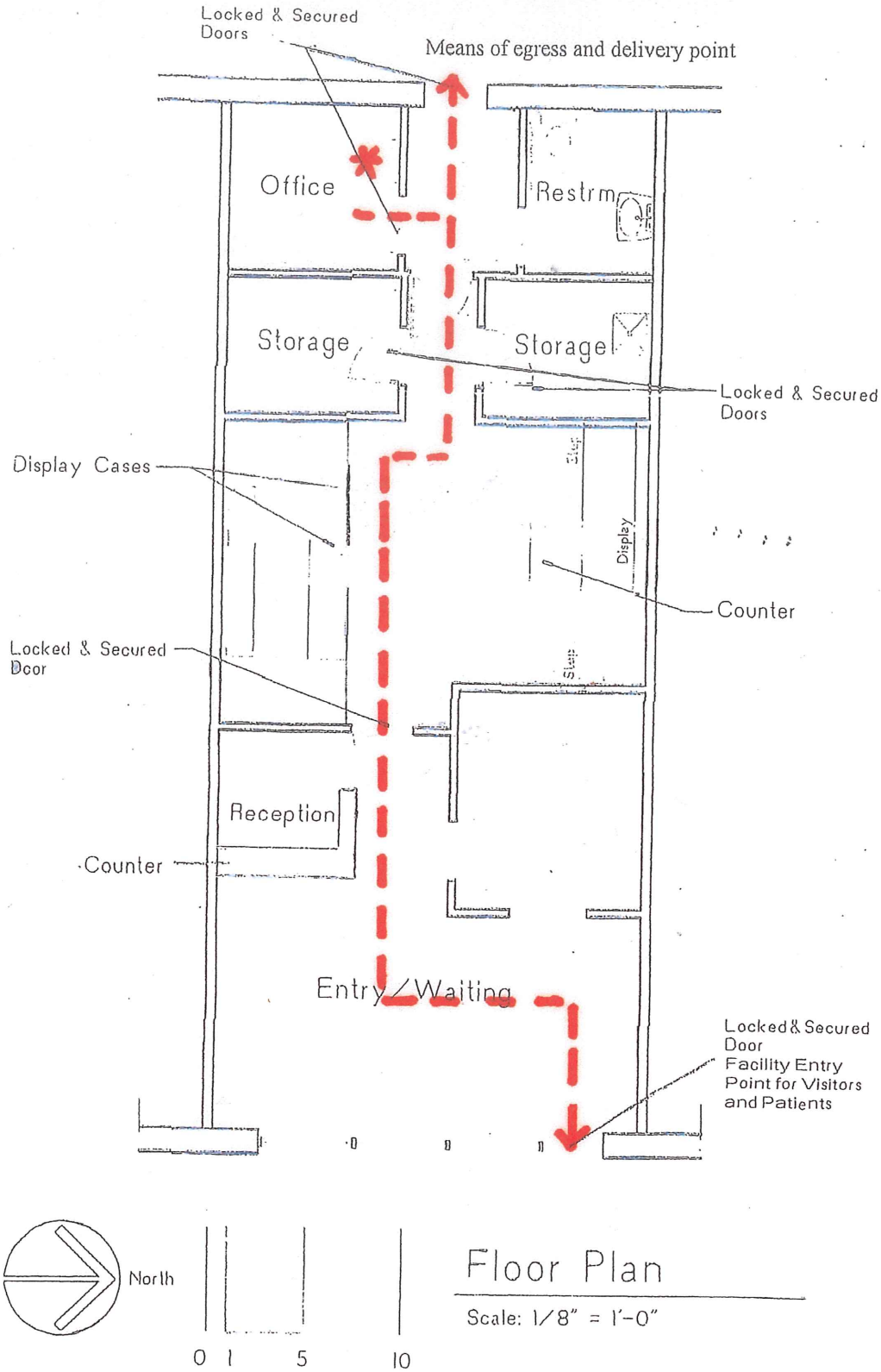
DESIGN AND CONSULTING
CLARKSTON, MICHIGAN
PH. 248.326.8975
akersandassociates@gmail.com
AKERS + ASSOCIATES

EXISTING SITE PLAN FOR:

INDICA INC. AND STICKY YPSI

1072 N. HURON RIVER DRIVE
YPSILANTI, MICHIGAN

SCALE :	SEE DRAWING
FILE NAME :	STICKY YPSI
DRAWN BY:	
JOB#	202016
SHEET TITLE:	
S-1	
SHEET#	1 OF 1



Floor Plan

Scale: 1/8" = 1'-0"

Indica LLC

1090 N. Huron River Dr. Ypsilanti, MI 48197

Sticky psi
OPEN
STIIZY
PARKING
No Littering
No Loitering
No Loud Music
All Violators will be Prosecuted
PIZZA
Benito's
PIZZA
HELP WANTED
PASTA
GRUBHUB
Personal 7"
PIZZA
WITH 5 TOPPINGS
$5

Benito's Pizza
EMU DOLLAR
SCHOOL SUP
GROCERY
OPEN
PIZZA
Benito's
PASTA
Personal 7"
PIZZA
WITH 5 TOPPINGS
$5
$1 LUNCH 8" HOT SUB
PARKING
No Littering
No Loitering
No Loud Music
All Violators will be Prosecuted

1 0 92

Philip Conlin
Landlord
[redacted]

Landlord Letter of Consent

Philip Conlin is the Landlord of the property located at 1090 N. Huron River Driver, Ypsilanti, Michigan 48197. The property is currently leased by Saint Indica Coalition of Kindness, Ypsilanti, dba Sticky Ypsi and INDICA LLC. Philip Conlin currently has and will have a Lease Agreement with Saint Indica Coalition of Kindness, Ypsilanti, dba Sticky Ypsi and INDICA LLC for a period of 3 years that will expire on April 2021.

Philip Conlin is in full agreement of the proposed use of the leased spaced as a provisioning center under the Michigan Medical Marijuana Facility Licenses Act and the City of Ypsilanti Code of Ordinances, Chapter 7 "Medical Marijuana."

This Landlord Letter of Consent may be used only for the specific purposes listed above and to be submitted as a part of the Lessee's Medical Marijuana License Application, City of Ypsilanti Clerk's Office, One South Huron, Ypsilanti. Michigan 48197.

Respectfully submitted,

Landlord/Corporation Signature: [redacted]
Typed Name: Philip Conlin
Title: Landlord
Date: 1-29-18

City of Ypsilanti

Community & Economic Development Department

19 February 2020

Staff Review of Special Use & Limited Site Plan Application
Patient Station – *Marihuana Retailer* Use
539 S. Huron St.

GENERAL INFORMATION

Applicant:	Kenzy Consulting 539 S. Huron St. Ypsilanti, MI 48197
Project:	Patient Station - *Marihuana Retailer* Use
Public Hearing Date:	19 February 2020
Location:	North of I-94 on east side of Huron. Parcel ID# 11-11-37-101-002.
Zoning:	"GC" General Corridor
Action Requested:	Approval
Staff Recommendation:	Approval, with conditions

PROJECT AND SITE DESCRIPTION

The applicant is applying for a Special Use permit as a marihuana retailer. The existing building is currently used as a medical marijuana provisioning center and was granted a special use permit for such in 2018. Last month City Council amended the zoning ordinance to allow for recreational marijuana uses. This property is zoned "GC", therefore a marihuana retailer use needs a Special Use permit. If granted approvals, both medical marijuana and recreational marijuana may be sold from this facility, pursuant to state and local law.

Marihuana Retailers are what the State deems "equivalent" license types to *Medical Marijuana Provisioning Centers*. The license type is fairly straightforward- these facilities shall only sell marijuana. The major change is that marihuana retailer facilities may now accept customers- individuals over the age of 21- regardless if they are a registered medical patient or not.

This building is approximately 550 square feet on a lot of approximately 1.18 acres. There is currently parking to the north and south, as well as vehicle access to and from S. Huron St. The vehicle access to Bell and to Kramer have been blocked at this time. No changes to the existing building or site are part of this application. The existing building is a legal nonconforming structure and may not be expanded regardless.

This application is for the existing building only. There are proposed plans to build a 9,918 square foot structure south of the existing building, with associated parking and site improvements, and to demolish the existing structure. These plans were previously approved by Planning Commission in June and August of 2018 for medical marijuana provisioning center use. That approval still stands. The applicant has expressed to City staff its eventual goal of moving the recreational marihuana retailer use to the proposed building; that expansion of the special use would prompt another special use permit application.

The applicant is currently applying to the City for its Marihuana Facility Permit. The facility will not be granted its Marihuana Facility Permit unless its Special Use permit is granted. City staff has determined it is appropriate to allow for *existing* medical marijuana facilities to apply for their recreational marijuana Special Use permits for in the meantime, because there may be an inundation of Special Use permit applications for *new* recreational marijuana facilities in the upcoming months.

Figure 1: Subject Site Location (2015 Aerial)

Figure 2: Photograph of Site (Google Street-View, July 2019)

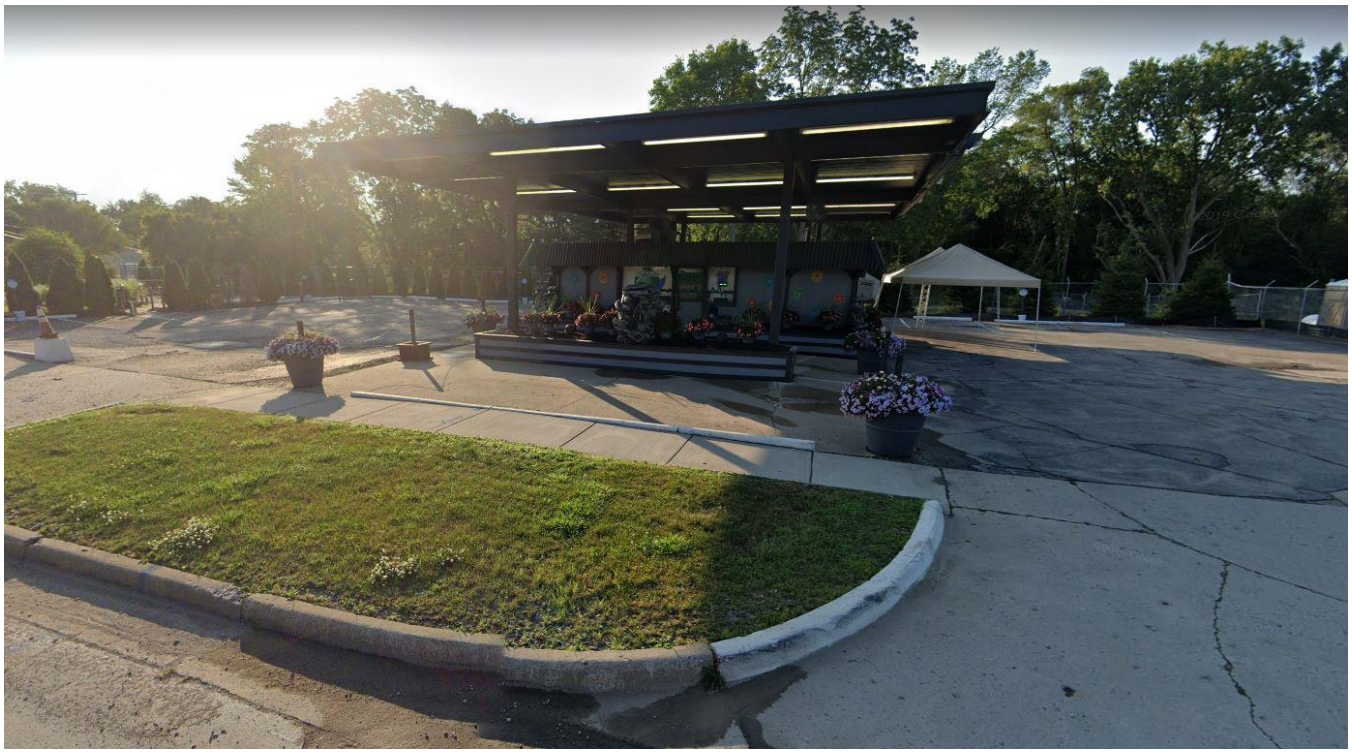


Figure 3: Photograph of Site (Google Street-View, July 2019)

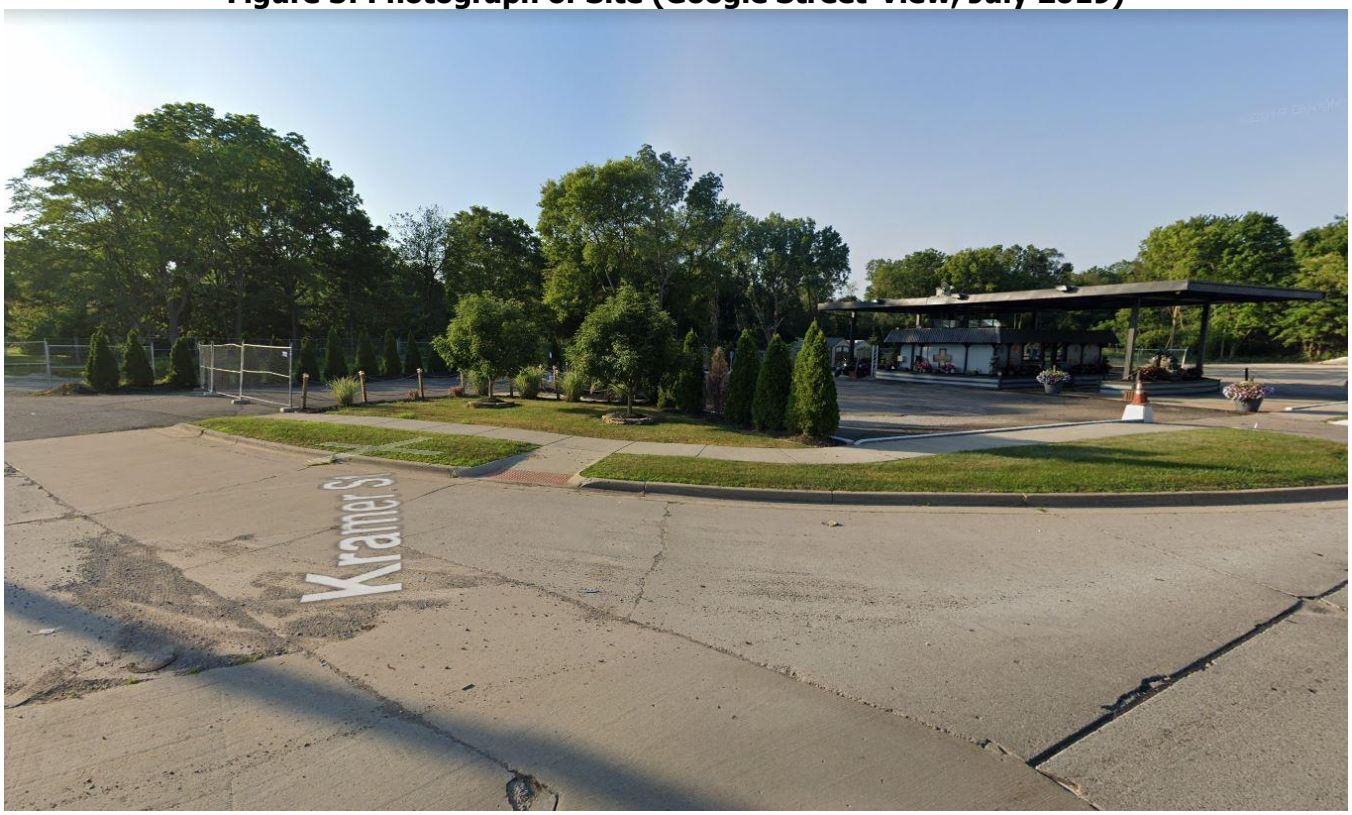


Figure 4: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Gas Station	NC- Neighborhood Corridor
EAST	Residential	GC, Park (vacant properties), and CN-Mid (residential properties)
SOUTH	Vacant Land I-94 Ramp	GC- General Corridor PMD- Production, Manufacturing, Distribution
WEST	Warehouse	PMD- Production, Manufacturing, Distribution

SPECIAL USE: CRITERIA AND REVIEW §122-324(b)

(1) The proposed use conforms with all the provisions and requirements of this chapter, including site plan or sketch plan review standards, as applicable, and the applicable site development standards for the specific use, as well as the spirit and intent of this chapter and the Master Plan. The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land. Height, location and size of buildings shall be compatible with uses and buildings on adjacent properties. The intensity of the proposed use, such as volume, frequency and times of operation, and its compatibility shall be considered. If nonconformities are present, all reasonable effort has been made to eliminate them.

COMMENTS: The applicant proposes to make recreational marihuana retailer use of the existing building until the proposed new facility is constructed. The "GC" zoned property makes this a Special Land Use, and the property, on this date, complies with locational standards pertaining to other marijuana facilities and schools.

(2) The proposed use shall promote the use of land in a socially and economically sustainable manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or public welfare. Noise, odor, smoke and potential contamination of air, soil and water and its potential effect on neighboring uses, persons and property, as well as public welfare, shall be considered.

COMMENTS: There is some discussion locally, statewide, and federally as to the social and economic impact of marijuana in general. The City's voters strongly supported Proposal 1 to legalize adult-use marijuana by over 78%. However, offensive odor is a consideration, and must be taken into account.

(3) The proposed special land use shall be designed, constructed, operated and maintained to assure long-term compatibility with surrounding land uses. Consideration shall be given to the placement, bulk, and height of structures; materials used in construction; location and screening of parking areas, driveways, outdoor storage areas, outdoor activity areas, and mechanical equipment; nature of landscaping and fencing; and hours of operation.

COMMENTS: There is significant vegetation screening this location from the residential area to the east. The continued blocking of the vehicle access to Kramer to the north shall be continued to minimize inadvertent commercial traffic.

The business should take measures to protect its customers, and other pedestrians, in terms of accessibility and safety. The building is very small; there may be queues forming outside of the building which must be managed safely (i.e. line control bollard stanchions) to prevent dangerous conflicts with construction staging taking place to the south, and with vehicles entering and exiting the parking lot.

(4) The proposed special land use shall not present unreasonable adverse impacts on the transportation system. Consideration shall be given to the estimated pedestrian, bicycle and vehicular traffic generated by such use, access to transit, proximity to major thoroughfares, proximity to intersections, required vehicular turning movements, and provisions for pedestrian and bicycle traffic.

COMMENTS: This location has access to transportation facilities, with the exception of transit and bicycle.

(5) The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic sustainability of the community.

COMMENTS: None are anticipated.

CONDITIONS OF APPROVAL §122-326

"Reasonable conditions may be required in conjunction with an approval. The conditions may include conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed must do all of the following:

(1) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being.

(2) Be related to the valid exercise of police power and purposes which are affected by the proposed use or activity.

(3) Be necessary to meet the intent and purposes of this chapter, be related to standards established in this chapter, and be necessary to ensure compliance with those standards."

Items to be addressed: Applicant shall take measures to ensure customer safety and accessibility in case of queues, for example by utilizing temporary line control bollards or stanchions.

SITE PLAN: CRITERIA AND REVIEW §122-311

For zoning compliance reviews, or plans where a Special Use permit is required but no site changes will likely be needed, the applicant may, at the determination of the City Planner, submit a limited site plan for review in lieu of a full site plan per §122-309(t).

STANDING §122-311(a)

The applicant is legally eligible to apply for site plan review, and all required information has been provided.

REQUIREMENTS §122-311(b)

"The proposed site plan conforms with all the provisions and requirements, as well as the spirit and intent of this chapter and the Master Plan. The proposed development will meet all the regulations of the zoning district in which it is located."

The applicant is proposing continued re-use of the existing building. This is a (legally) nonconforming building and (legally) nonconforming site. Such re-use is permissible under §122-352. The applicant has submitted a statement from the architect (see attached) that there will be no changes to the existing building and site as part of this application, because of the recent site plan approval of the new build on the south portion of the zoning lot. We have attached the survey as the required limited site plan; we have also included an excerpt of the 2013 site plan for your convenience. Parking layout has changed significantly since 2013 due to demand, but generally complies.

Items to be Addressed: None.

Figure 5: Capture of Survey of Existing Property

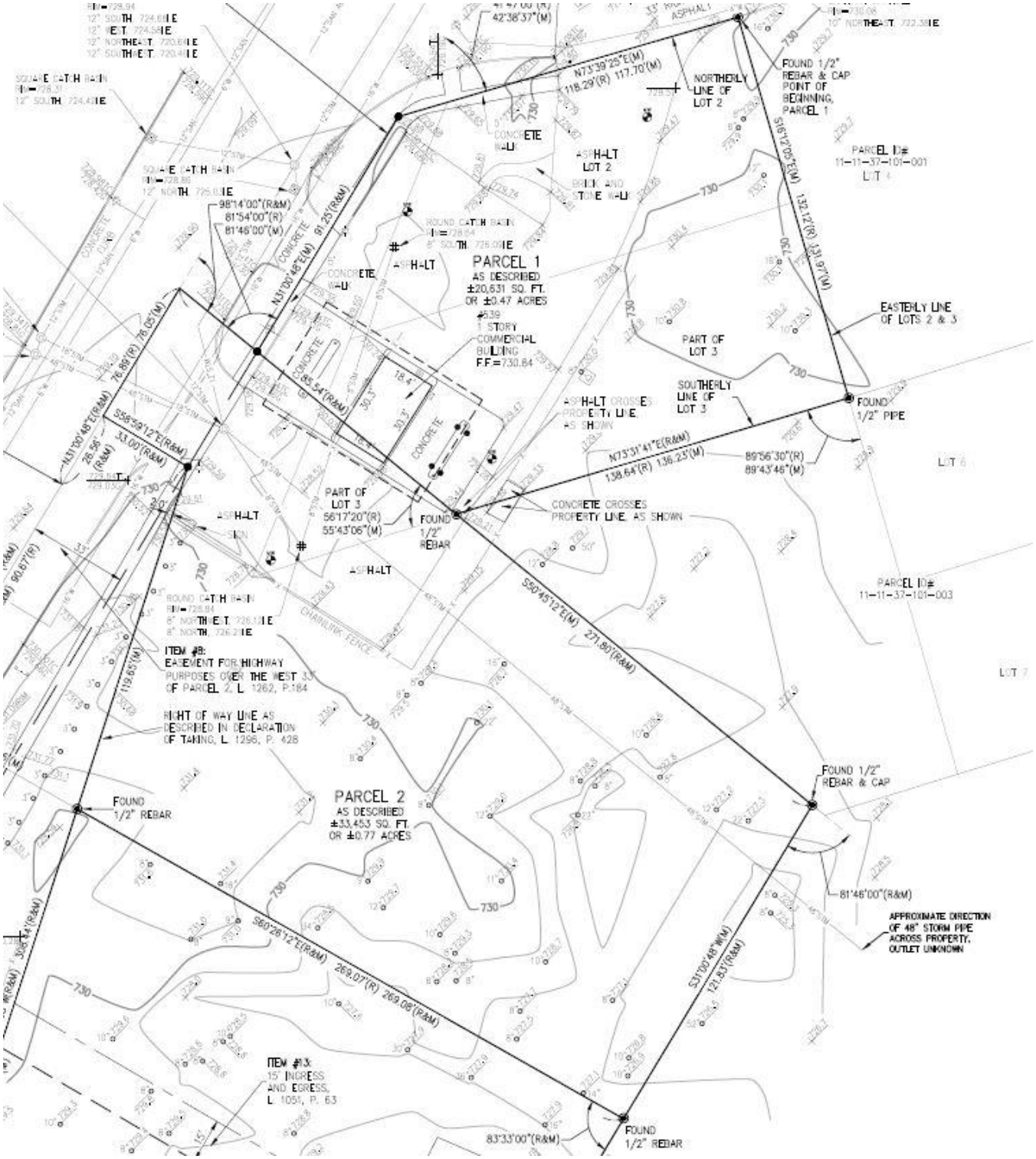
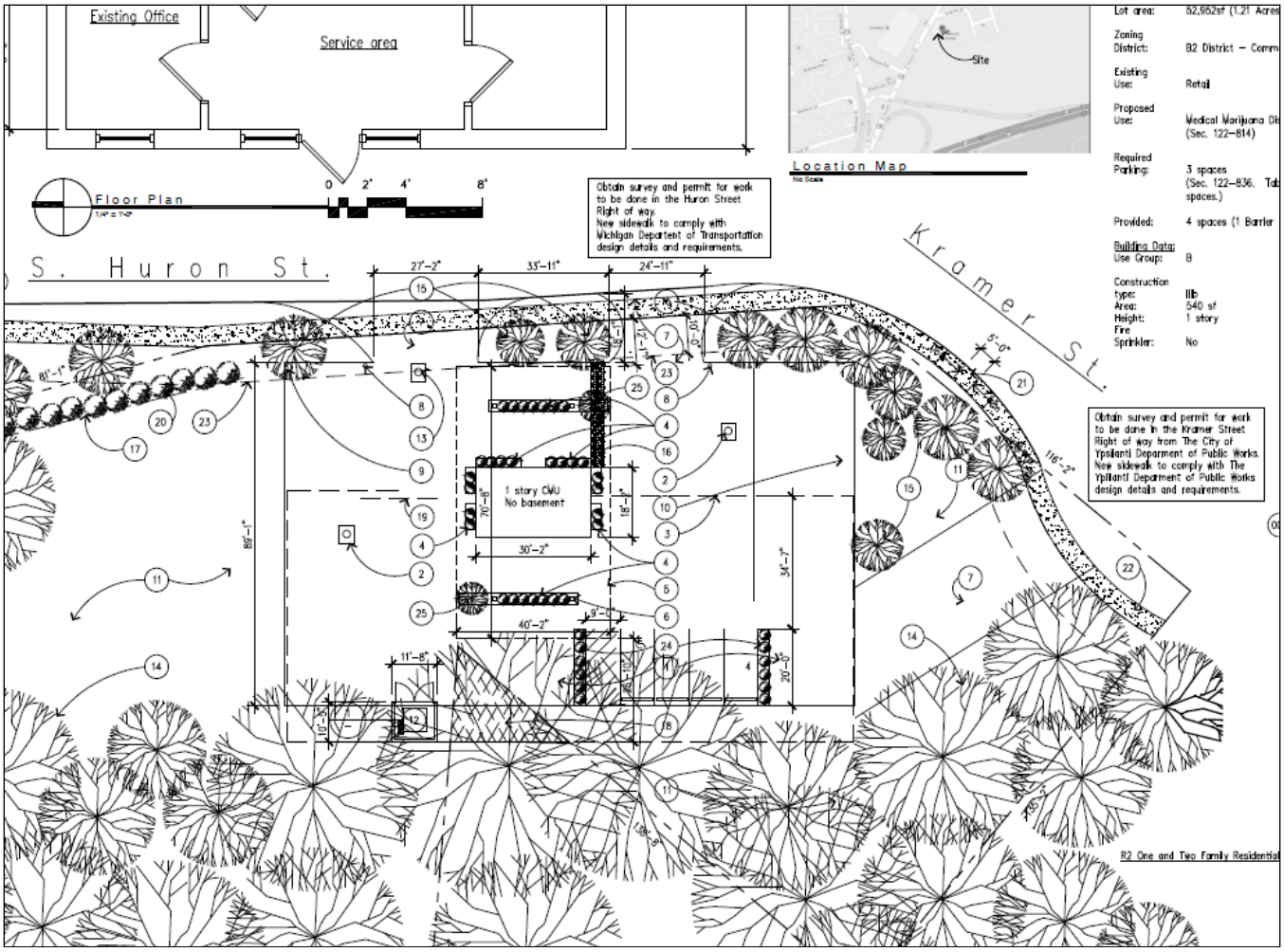


Figure 6: Capture of 2013 Site Plan



BUILDING LOCATION AND SITE ARRANGEMENT §122-311(c)

"All elements of the site plan shall be harmoniously and efficiently organized in relation to the character of the proposed use, the size and type of lot, the size and type of buildings, and the character of the adjoining property. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter."

The current arrangement is intended to continue until such time as the use is extinguished and/or relocated. There is one small building (approximately 18'x30') in the center of the site, as well as a canopy. There is a small shed towards the rear of the structure. Parking is to the north and south of the building.

Items to be Addressed: None.

SITE ACCESS, TRAFFIC, AND PARKING §122-311(d)

"With respect to vehicular and pedestrian circulation on the site, including walkways, interior drives, and parking; circulation shall to the extent possible create potential cross-and joint-access to adjacent parcels and the existing block layout. Special attention shall be given to the location, number and spacing of ingress and egress points; general interior circulation including turnaround areas; adequate provisions for delivery of services (trash removal, school buses, mail and parcel delivery); separation of pedestrian and vehicular traffic; avoidance of building corners next to access drives; identification of addresses; storage of plowed snow; and arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures, neighboring properties, pedestrian and bicyclist safety, access to transit and flow of traffic on adjacent streets. All buildings or groups of buildings shall be so arranged as to permit adequate access by emergency vehicles as required by the city building code."

There are two access drives off Huron, as well as one off Kramer. The one drive off Kramer has been blocked and shall remain blocked with no parking allowed. This was blocked at neighborhood request due to concerns about traffic using Kramer/Bell to access the site or to cut through. Planning Commission required this condition as part of their approval in 2018. Staff recommends keeping the Kramer drive blocked with no parking allowed.

The business should take measures to protect its customers, and other pedestrians, in terms of accessibility and safety. The building is very small; there may be queues forming outside of the building which must be managed safely (i.e. line control bollard stanchions) to prevent dangerous conflicts with construction staging taking place to the south, and with vehicles entering and exiting the parking lot.

Customers shall only park on the paved surface in striped parking spaces. There shall be no customers parking in the construction staging area. Signage is recommended to enforce this.

CITGO

Items to be Addressed: Kramer driveway to remain blocked with no parking allowed.
Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.
Display signage to prevent customer parking in the construction staging area.

SCREENING §122-311(h)

"The site plan shall provide reasonable visual and sound privacy for all dwelling units on or adjacent to the property. Fences, walks, barriers, and landscaping shall be used, as appropriate, for protection and enhancement of the property. All outdoor storage of materials, loading and unloading areas, and refuse containers shall be screened or located so as not to be a nuisance. Outdoor lighting shall be shielded so as to not adversely affect neighboring properties or traffic on adjacent streets."

No changes to site lighting or screening are proposed as part of this development, and none are required.

Items to be Addressed: *none.*

STAFF RECOMMENDATIONS: SPECIAL USE

Staff recommends the Planning Commission approve the Special Use Permit for the Patient Station Existing Facility at 539 S Huron with the following findings and conditions:

Findings: The application is substantially in compliance with §122-324(b).

Conditions
1. Special use approval shall be subject to approval of site plan.
2. Approval is effective February 20, 2020.
3. Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.

STAFF RECOMMENDATIONS: SITE PLAN

Staff recommends the Planning Commission approve the limited Site Plan for the Patient Station Existing Facility at 539 S Huron with the following findings, waivers, and conditions:

Findings
1. The application substantially complies with §122-310.
2. The existing building and site design are nonconforming under §122-352.

Conditions
1. Kramer driveway to remain blocked with no parking allowed.
2. Utilize line control measures such as bollard stanchions to ensure customer/pedestrian safety.
3. Display signage to prevent customer parking in the construction staging area.

Andy Aamodt
City Planner, Community & Economic Development Department

CC File
Applicant team

City of Ypsilanti
Planning & Development Department

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646
www.cityofypsilanti.com

RECEIVED
JAN 27 2020
BY: A.A.

SPECIAL USE PERMIT APPLICATION

MUST BE SUBMITTED WITH SITE PLAN OR SKETCH PLAN APPLICATION

Applicant*

Name Kenzy Consulting Inc.

Property

Name of project Patient Station / 539-569 S. Huron, Ypsilanti, Michigan
Current use: Medical Marijuana Provisioning Center
Proposed use : Recreational Marijuana Provisioning Center / Retailer
Rationale for request: Anticipated that City will shortly adopt Recreational (Adult Use) Marijuana Ordinance. Applicant desires to be permitted
to provide product to customer as allowed under State's Recreational Marijuana law, in addition to serving current medical marijuana customers.

Signature

I hereby attest that the above information is accurate. I am authorized to and grant permission to the City of Ypsilanti staff to be on the subject property for the purposes of preparing staff reports and/or evaluating this application.	
Sig[redacted]	Date: January 27, 2020
Print Name: Alan Andrezjewski, Secretary, Kenzy Consulting Inc.	

ROARK GALT
ARCHITECTS/LLC
A MICHIGAN CORPORATION
[redacted]
DAVID J. MCDADE
STATE OF MICHIGAN LICENSE # 035197

City of Ypsilanti
Planning and Development
One South Huron, Ypsilanti MI 48197

1.26.20

Re: Patient Station
539 E. Huron
Ypsilanti, MI

To Whom It May Concern,

This letter is to inform you of the current situation and the intent of my client, Patient Station Medical Marijuana Provisionary Center.

I am currently designing a new dispensary facility located on an adjacent parcel of the property. Upon completion of that project this building will be demolished.

This current facility consists of a single story building, 18'-4" x 30'-4" for a total area of 554.11 s.f.

Due to the timing of this submittal deadline, I believe we currently have no current site plan that will completely meet the standards of the site plan checklist and also meet the current situation.

I understand my client has a copy of existing plans that have been submitted for previous approvals and he will be submitting a copy with this application.

I can assure you that since the last time my client submitted any plans with an application for licensing, no change to the parcel or the current building as occurred.

Upon completion of the new building drawings we will certainly re submit plans so that your department has a complete up to date set.

Should you have any question please do not hesitate to contact me at [redacted]

Respectfully Submitted,

[redacted]

David McDade, Roark Galt Architects

STATE OF MICHIGAN
David McDade
Architect
3697
REGISTERED PROFESSIONAL ARCHITECT

David McDade

EXHIBIT A

LEGAL DESCRIPTIONS

Land situated in the County of Washtenaw, City of Ypsilanti, State of Michigan, described as follows:

Parcel 1:

Lot 2 and Part of Lot 3, Plan of Clarksville, according to the plat thereof as recorded in Liber 3, Page 1, Washtenaw County Records, described as follows:

Beginning at the northeast corner of said Lot 2; thence southerly 132.12 feet along the easterly line of Lots 2 and 3; thence westerly deflecting 89 degrees 56 minutes 30 seconds to the right 138.64 feet along the southerly line of said Lot 3; thence northwesterly deflecting 56 degrees 17 minutes 20 seconds to the right 85.54 feet; thence northeasterly deflecting 81 degrees 54 minutes to the right 91.25 feet along the easterly line of Huron Street as now laid out and used; thence easterly deflecting 41 degrees 47 minutes to the right 118.29 feet along the northerly line of said Lot 2 to the point of beginning.

Parcel 2:

Part of Lot 3 Plan of Clarksville, according to the plat thereof as recorded in Liber 3, Page 1, Washtenaw County Records, and part of French Claim 680, described as follows:

Beginning at the intersection of the centerline of Huron Street with the centerline of Monroe Avenue (now abandoned); thence northeasterly 76.89 feet along the centerline of Huron Street; thence southeasterly deflecting 98 degrees 14 minutes to the right 271.80 feet; thence southwesterly deflecting 81 degrees 46 minutes to the right 121.83 feet; thence northwesterly deflecting 88 degrees 33 minutes to the right 269.07 feet to the center of Huron Street; thence northeasterly deflecting 91 degrees 27 minutes to the right 90.67 feet along the center of Huron Street to the point of beginning, excepting therefrom that part taken for highway purposes as set forth in declaration of taking recorded in Liber 1296, Page 428, Washtenaw County Records.

Tax Item No. for Parcels 1 and 2: 11-37-101-002

Commonly known as 539 S. Huron

Parcel 3:

All that part of French Claim 680, City of Ypsilanti, Washtenaw County, Michigan, described as follows:

Commencing at the intersection of the centerline of Huron Street and Monroe Avenue; thence south 31 degrees 00 minutes 48 seconds west a distance of 91.51 feet along the centerline of Huron Street to the point of beginning; thence south 60 degrees 26 minutes 12 seconds east a distance of 269.08 feet; thence south 31 degrees 00 minutes 48 seconds west a distance of 179.39 feet; thence north 58 degrees 59 minutes 12 seconds west a distance of 86.00 feet; thence south 31 degrees 00 minutes 48 seconds west a distance of 150.00 feet; thence north 58 degrees 59 minutes 12 seconds west a distance of 183.00 feet to the centerline of Huron Street; thence north 31 degrees 00 minutes 48 seconds east a distance of 322.58 feet to the point of beginning, which lies southeasterly of a line described as: Commencing at the intersection of the centerlines of Monroe Avenue and Huron Street; thence north 31 degrees 00 minutes 48 seconds east along the centerline of Huron Street a distance of 26.56 feet; thence south 58 degrees 59 minutes 12 seconds east a distance of 33.00 feet to the point of beginning; thence south 17 degrees 57 minutes 08 seconds west a distance of 308.44 feet; thence south 07 degrees 41 minutes 52 seconds west a distance of 111.81 feet; thence south 27 degrees 38 minutes 50 seconds east a distance of 111.81 feet to a point of ending.

Tax Item No. for Parcel 3: 11-37-101-006

Commonly known as 569 S. Huron

Kenzy Consulting Inc.
539 S. Huron
Ypsilanti, Michigan

Attachment to Site Plan and Special Use Application

AFFIDAVIT OF ALAN ANDREZJEWSKI

I, Allen Andrezjewski, on behalf of Kenzy Consulting, Inc., a Michigan corporation, being duly sworn, states as follows:

1. That I am the Secretary of Kenzy Consulting, Inc. and am authorized to sign this Affidavit.

2. That Kenzy Consulting, Inc. operates a duly licensed medical marijuana provisioning center at 539 S. Huron.

3. That Kenzy Consulting, Inc. has previously submitted site plan and special use requests that were approved by the Ypsilanti Planning Commission.

4. That there has been no material or substantive changes to the Site Plans previously submitted and approved by the Ypsilanti Planning Commission.

Further Deponent sayeth not.

KE[redacted]
a M[redacted]

By: [redacted]
Alan Andrezjewski
Its: Secretary

Subscribed and sworn to before me this
27th day of January, 2020.

[redacted]

Laura Sabra, Notary Public
Wayne County, Michigan
acting in Oakland County, Michigan
My Commission Expires: 10/22/2021

Kenzy Consulting Inc.
539 S. Huron
Ypsilanti, Michigan

Attachment to Site Plan and Special Use Application

AFFIDAVIT OF ERIC NEMETH

I, Eric Nemeth, on behalf of 539 Huron Real Estate Company, LLC, a Michigan limited liability company, being duly sworn, states as follows:

1. That I am the Managing Member of 539 Huron Real Estate Company, LLC (the "Company") and am authorized to sign this Affidavit.

2. That the Company owns the real estate at 539-569 S. Huron, Ypsilanti, Michigan (the "Property") pursuant to a land contract and leases the Property to Kenzy Consulting, Inc. for operation of its medical marijuana provisioning center.

3. That the Company consents to and authorizes the application by Kenzy Consulting, Inc. for a recreational (adult use) marijuana retailer license at the Property.

Further Deponent sayeth not.

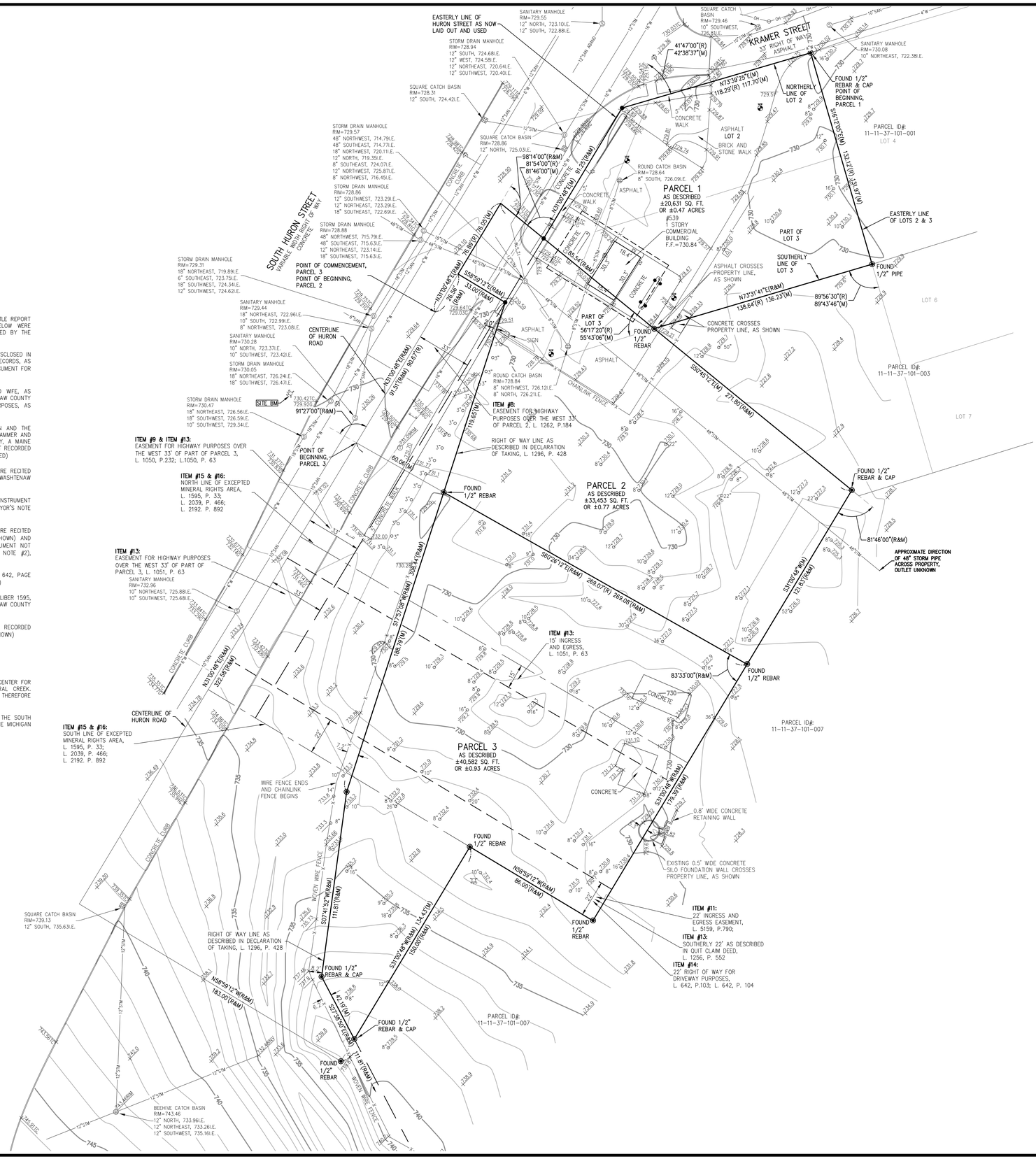
539 HURON REAL ESTATE COMPANY, LLC,
a Michigan limited liability company

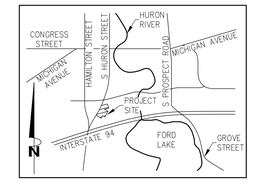
By: [redacted]
Eric Nemeth
Its: Managing Member

Subscribed and sworn to before me this
27th day of January, 2020

[redacted]

Laura Sabra, Notary Public
Wayne County, Michigan
acting in Oakland County, Michigan
My Commission Expires: 10/22/2021





LOCATION MAP
(NOT TO SCALE)

BENCHMARK DATA:

SITE BENCHMARK:
TOP NUT ON FIRE HYDRANT ON THE WEST SIDE OF SOUTH HURON STREET.
ELEVATION = 732.83 NAVD88

TITLE REPORT EXCEPTIONS:

ONLY THOSE EXCEPTIONS CONTAINED WITHIN ATA NATIONAL TITLE GROUP, LLC TITLE REPORT FILE NO. 81-16494244-FHR, DATED AUGUST 28, 2016 AND RE-LISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER RECORDS RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.

8. INTEREST OF THE AMERICAN OIL COMPANY, A MARYLAND CORPORATION, AS DISCLOSED IN WARRANTY DEED RECORDED IN LIBER 1262, PAGE 184, WASHTENAW COUNTY RECORDS, AS TO PARCEL 2. (33' EASEMENT FOR HIGHWAY PURPOSES, AS SHOWN) (SEE DOCUMENT FOR ADDITIONAL INTERESTS)

9. INTEREST OF GEORGE R. MASSEY AND CARRIE D. MASSEY, HUSBAND AND WIFE, AS DISCLOSED IN WARRANTY DEED RECORDED IN LIBER 1050, PAGE 232, WASHTENAW COUNTY RECORDS, AS TO PART OF PARCEL 3. (33' EASEMENT FOR HIGHWAY PURPOSES, AS SHOWN)

10. LESSEE'S INTEREST OF SINCLAIR REFINING COMPANY, A MAINE CORPORATION AND THE TERMS CONDITIONS AND PROVISIONS CONTAINED IN THE LEASE BETWEEN J.J. HAMMER AND MARTHELYN HAMMER, HIS WIFE, AS LESSOR AND SINCLAIR REFINING COMPANY, A MAINE CORPORATION , AS LESSEE, SAID LEASE BEING DISCLOSED BY THE INSTRUMENT RECORDED IN LIBER 658, PAGE 444, WASHTENAW COUNTY RECORDS. (NO EASEMENTS LISTED)

11. EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS THEREOF WHICH ARE RECITED IN GRANT OF PERPETUAL EASEMENTS RECORDED IN LIBER 5159, PAGE 790, WASHTENAW COUNTY RECORDS. (AS SHOWN)

12. RIGHT OF WAY FOR SEWERS PURPOSES VESTED IN CITY OF YPSILANTI BY INSTRUMENT RECORDED IN LIBER 337, PAGE 8, WASHTENAW COUNTY RECORDS. (SEE SURVEYOR'S NOTE #1)

13. EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS THEREOF WHICH ARE RECITED IN GRANT OF RIGHT OF WAY RECORDED IN LIBER 1051, PAGE 63 (AS SHOWN) AND FURTHER EVIDENCED IN DEEDS RECORDED IN LIBER 1260, PAGE 393 (DOCUMENT NOT PROVIDED) AND IN LIBER 1236, PAGE 552 (AS SHOWN) (SEE SURVEYOR'S NOTE #2), WASHTENAW COUNTY RECORDS.

14. RIGHT OF WAY FOR DRIVEWAY AS SET FORTH IN DEEDS RECORDED IN LIBER 642, PAGE 103 AND IN LIBER 642, PAGE 104, WASHTENAW COUNTY RECORDS. (AS SHOWN)

15. RESERVING FLUID AND MINERAL RIGHTS AS DISCLOSED IN DEEDS RECORDED IN LIBER 1595, PAGE 33, IN LIBER 2039, PAGE 466 AND IN LIBER 2192, PAGE 892, WASHTENAW COUNTY RECORDS. (AS SHOWN)

16. TERMS AND CONDITIONS CONTAINED IN THE DEED DATED MAY 11, 1977 AND RECORDED MAY 25, 1977 IN LIBER 1595 PAGE 33, WASHTENAW COUNTY RECORDS. (AS SHOWN)

SURVEYOR'S NOTES:

1. ITEM #12, LIBER 337, PAGE 8 CALLS FOR A 25 FOOT WIDE EASEMENT, THE CENTER FOR THE PROPOSED RIGHT OF WAY TO FOLLOW THE CENTER OF THE NATURAL CREEK. EVIDENCE TO THE LOCATION OF THE NATURAL CREEK WAS NOT OBSERVED, THEREFORE SAID EASEMENT IS NOT SHOWN HEREON.

2. ITEM #13, LIBER 1256, PAGE 552 IS A QUIT CLAIM DEED THAT QUIT CLAIMS THE SOUTH 22 FEET OF THE PARCEL AS DESCRIBED FROM THE CITY OF YPSILANTI TO THE MICHIGAN STATE HIGHWAY DEPARTMENT.

LEGEND:

- FOUND MONUMENT (AS NOTED)
- PROPERTY CORNER
- SQUARE CATCH BASIN
- STORM MANHOLE
- ROUND CATCH BASIN
- FIRE HYDRANT
- WATER VALVE
- SEWER MANHOLE
- GAS METER
- 720.00 EXISTING ELEVATION
- TREE WITH DIAMETER IN INCHES
- LIGHT POLE BASE
- UTILITY POLE
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- TELEPHONE MANHOLE
- BOLLARD
- DOUBLE POST SIGN
- MONITORING WELL
- ADJOINING BOUNDARY LINE
- EDGE OF ASPHALT
- BOUNDARY LINE
- BUILDING
- BUILDING OVERHANG
- EDGE OF CONCRETE
- 800 CONTOUR MAJOR
- CONTOUR MINOR
- CONCRETE CURB
- EASEMENT
- OH OVERHEAD UTILITY LINE
- X FENCE (AS NOTED)
- FLATTED SUBDIVISION
- RIGHT OF WAY
- SAN SEWER LINE
- EDGE OF SIDEWALK
- STM STORM DRAIN LINE
- WALL (AS NOTED)
- W WATER MAIN

LEGAL DESCRIPTION

LAND SITUATED IN THE COUNTY OF WASHTENAW, CITY OF YPSILANTI, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

PARCEL 1:
LOT 2 AND PART OF LOT 3, PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTHERLY 132.12 FEET ALONG THE EASTERLY LINE OF LOTS 2 AND 3; THENCE WESTERLY DEFLECTING 89 DEGREES 56 MINUTES 30 SECONDS TO THE RIGHT 138.64 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 3; THENCE NORTHWESTERLY DEFLECTING 56 DEGREES 17 MINUTES 20 SECONDS TO THE RIGHT 85.54 FEET; THENCE NORTHEASTERLY DEFLECTING 81 DEGREES 54 MINUTES TO THE RIGHT 91.25 FEET ALONG THE EASTERLY LINE OF HURON STREET AS NOW LAID OUT AND USED; THENCE EASTERLY DEFLECTING 41 DEGREES 47 MINUTES TO THE RIGHT 118.29 FEET ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

PARCEL 2:
PART OF LOT 3 PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, AND PART OF FRENCH CLAIM 680, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET WITH THE CENTERLINE OF MONROE AVENUE (NOW ABANDONED); THENCE NORTHEASTERLY 76.89 FEET ALONG THE CENTERLINE OF HURON STREET; THENCE SOUTHEASTERLY DEFLECTING 98 DEGREES 14 MINUTES TO THE RIGHT 271.80 FEET; THENCE SOUTHWESTERLY DEFLECTING 81 DEGREES 46 MINUTES TO THE RIGHT 121.83 FEET; THENCE NORTHWESTERLY DEFLECTING 88 DEGREES 33 MINUTES TO THE RIGHT 269.07 FEET TO THE CENTER OF HURON STREET; THENCE NORTHEASTERLY DEFLECTING 91 DEGREES 27 MINUTES TO THE RIGHT 90.67 FEET ALONG THE CENTER OF HURON STREET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PURPOSES AS SET FORTH IN DECLARATION OF TAKING RECORDED IN LIBER 1296, PAGE 428, WASHTENAW COUNTY RECORDS.

PARCEL 3:
ALL THAT PART OF FRENCH CLAIM 680, CITY OF YPSILANTI, WASHTENAW COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET AND MONROE AVENUE, THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 91.51 FEET ALONG THE CENTERLINE OF HURON STREET TO THE POINT OF BEGINNING; THENCE SOUTH 60 DEGREES 26 MINUTES 12 SECOND EAST A DISTANCE OF 269.08 FEET; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 179.39 FEET; THENCE NORTH 58 DEGREES 59 MINUTES 12 SECONDS WEST A DISTANCE OF 86.00 FEET; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 58 DEGREES 59 MINUTES 12 SECONDS WEST, A DISTANCE OF 183.00 FEET TO THE CENTERLINE OF HURON STREET; THENCE NORTH 31 DEGREES 00 MINUTES 48 SECONDS EAST A DISTANCE OF 322.58 FEET TO THE POINT OF BEGINNING, WHICH LIES SOUTHEASTERLY OF A LINE DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF MONROE AVENUE AND HURON STREET; THENCE NORTH 31 DEGREES 00 MINUTES 48 SECONDS EAST ALONG THE CENTERLINE OF HURON STREET A DISTANCE OF 26.56 FEET; THENCE SOUTH 58 DEGREES 59 MINUTES 12 SECONDS EAST A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 17 DEGREES 57 MINUTES 08 SECONDS WEST A DISTANCE OF 308.44 FEET; THENCE SOUTH 07 DEGREES 41 MINUTES 52 SECONDS WEST A DISTANCE OF 111.81 FEET; THENCE SOUTH 27 DEGREES 38 MINUTES 50 SECONDS EAST A DISTANCE OF 111.81 FEET TO A POINT OF ENDING.

NOTES:

1. SURVEY IN ACCORDANCE WITH TITLE COMMITMENT FILE NO. 81-16494244-FHR PREPARED BY ATA NATIONAL TITLE GROUP, LLC, AN AGENCY FOR STEWART TITLE GUARANTY COMPANY, DATED AUGUST 28, 2016.

2. TELEPHONE, GAS, ELECTRIC, AND CABLE TV UTILITY MAPS WERE NOT AVAILABLE AT THE TIME OF SURVEY.

3. TREE SIZES ARE THE BEST ESTIMATION OF THE FIELD SURVEYOR. SPECIFIC QUESTIONS REGARDING INDIVIDUAL TREES SHOULD BE DIRECTED TO A QUALIFIED FORESTER.

4. BY GRAPHIC PLOTTING ONLY, THIS PARCEL IS LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA ZONE X – OTHER AREAS (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) OF THE FLOOD INSURANCE RATE MAP, MAP NUMBER 26161C0426E, EFFECTIVE DATE OF APRIL 3, 2012. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THE ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

UTILITY NOTES:

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

2. PRIOR TO ANY BUILDING IMPROVEMENTS, AND/OR CONSTRUCTION, THE RESPECTIVE UTILITY COMPANIES MUST BE NOTIFIED TO STAKE THE PRECISE LOCATION OF THE UTILITIES.

REVISION	DATE	BY	DESCRIPTION

CORE
CORE LAND CONSULTING
PROFESSIONAL SURVEYING
29425 Northwestern Hwy., Suite 320
Southfield, MI 48034
Phone: (248) 932-7120
Fax: (248) 932-7124
Email: info@corelandconsulting.com
www.corelandconsulting.com

CLIENT:

ATELIER ARCHITECT, PC

PROJECT LOCATION:

539 S. HURON STREET
YPSILANTI, MICHIGAN

DRAWN BY:	NEM
CHECKED BY:	NEM
FIELD WORK BY:	MDL

811 Know what's below. Call before you dig.

Terms and Conditions for Electronic Data:
This document is provided in electronic format for the referenced project. It is understood and agreed that any use or reuse of original or altered files will be at the user's own risk and legal responsibility. It is also agreed that the electronic files provided by Core Land Consulting, LLC (CLC) are being provided for general information purposes only. Neither the electronic files nor any CAD versions are to be relied upon for design purposes. the user expressly indemnifies and holds CLC harmless for any and all claims, suits, liability, demands or other costs arising out of or resulting from the unauthorized use of these materials. CLC makes no representation as to the accuracy of the information provided by the electronic media. Data on electronic media can deteriorate or be modified without the knowledge of CLC.

SHEET:

ARCHITECTURAL SURVEY

DATE:	09/21/2016
SCALE:	1"=30'
PROJECT NO:	2794-178

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1354

An Ordinance Entitled "Michigan Regulation and Taxation of Marihuana Act Zoning Update"

THE CITY OF YPSILANTI HEREBY ORDAINS:

That Section 122-203 be amended as follows:

Designated consumption establishment. A facility licensed and authorized to permit adults 21 years of age and older to consume marihuana products at the location indicated on the state license.

Excess marihuana grower. A facility holding 5 class C marihuana grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

Marihuana secure transporter. A facility licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishment as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Growing and/or Processing Facility. A facility for the cultivation and/or processing of recreational marihuana into a usable form and "grower" or "processor" as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Microbusiness. A facility licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Retailer. A facility that sells, supplies, or provides recreational marihuana to individuals directly; and as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018

Recreational Marihuana Safety Compliance Facilities. A facility to test marihuana, including certification for potency and the presence of contaminant as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

School. School is defined as any building, playing field, or property used for school purposes to impart instruction to children in grades kindergarten through

12, when provided by a public, private, denominational, or parochial school, except those buildings used primarily for adult education or college extension courses.

That Section 122-446 (C) be amended as follows:

Recreational Marihuana Retailer (permitted)

Recreational Marihuana Microbusiness (special use)

Designated Consumption Establishment (special use)

That Section 122-451(NC, GC, HC) be amended as follows:

Recreational Marihuana Retailer (special use in GC)

Recreational Marihuana Growing and/or Processing Facility (special use in GC)

Recreational Marihuana Microbusiness (special use in GC)

Marihuana secure transporter license (special use in GC)

Designated consumption establishment license (special use in GC)

That Section 122-461 (HHS) be amended as follows:

Recreational Marihuana Safety Compliance Facilities. (special use)

That Section 122-431 (PMD) be amended as follows:

Recreational Marihuana Growing and/or Processing Facility (special use)

Excess marihuana grower (special use)

Marihuana secure transporter license. (special use)

Recreational Marihuana Safety Compliance Facilities. (special use)

Recreational Marihuana Microbusiness (special use)

That Section 122-522 be added as follows:

Designated consumption establishment.

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Recreational Marihuana Designated Consumption Establishment apply:
    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
    2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the designated consumption establishment license and to the outermost boundaries of the lot or parcel on which the school is located;
    3. The Recreational Marihuana Designated Consumption Establishment site shall not be located within five hundred (500) feet of a lawfully existing Recreational Marihuana Designated Consumption Establishment as measured from the outermost boundaries of the lot or parcel on which the proposed Recreational Marihuana Designated Consumption Establishment and to the outermost boundaries of the lot or parcel on which the lawfully existing Recreational Marihuana Designated Consumption Establishment marihuana facility is located;
    4. All activity related to the Designated consumption establishment license shall be done indoors;
    5. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
    6. If the designated consumption establishment license ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
    7. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein,
    8. All designated consumption establishment license must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
    9. The dispensing of recreational marihuana shall be prohibited.

That Section 122-525 be added as follows:

Excess Marihuana Grower

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules,

nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Excess Marihuana Grower apply:

1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
2. The excess marihuana grower site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the excess marihuana grower facility and to the outermost boundaries of the lot or parcel on which the school is located;
3. Use of marihuana is prohibited on the premises unless otherwise noted;
4. All activity related to the excess marihuana grower facility shall be done indoors;
5. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
6. If the excess marihuana grower facility ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
7. Drive-through and walk-up or similar facilities shall be prohibited;
8. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
9. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
10. All excess marihuana grower facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
11. The dispensing of recreational marihuana shall be prohibited.
12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-538 be added as follows:

Marihuana secure transporter.

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Recreational Marihuana Secure Transporter Facility apply:

    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;

    2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the Secure Transporter Facility and to the outermost boundaries of the lot or parcel on which the school is located;

    3. The Recreational Marihuana Secure Transporter Facility site shall not be located within five hundred (500) feet of a lawfully existing Marihuana Secure Transporter Facility as measured from the outermost boundaries of the lot or parcel on which the proposed Marihuana Secure Transporter Facility and to the outermost boundaries of the lot or parcel on which the lawfully existing Marihuana Secure Transporter Facility is located;

    4. Use of marihuana is prohibited on the premises unless otherwise noted;

    5. All activity related to the Secure Transporter Facility shall be done indoors;

    6. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

    7. If the Recreational Marihuana Secure Transporter Facility ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;

    8. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein,

9. All Recreational Marihuana Secure Transporter Facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;

10. The dispensing of recreational marihuana shall be prohibited.

11. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-548 be added as follows:

Recreational Marihuana Cultivation and/or Processing Facilities.

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for recreational Marihuana Cultivation and/or Processing Facilities apply:

    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;

    2. The growing and/or processing facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the school is located;

    3. The growing and/or processing facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana facility as measured from the outermost boundaries of the lot or parcel on which the proposed growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located. This requirement is waived in PMD zoning districts when buffering from marihuana facility types other than marihuana growing and/or processing facilities;

    4. Use of marihuana is prohibited on the premises unless otherwise noted;

    5. All activity related to the growing and/or processing facility shall be done indoors;

    6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable

laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

7. If the growing and/or processing facility ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
8. Drive-through and walk-up or similar facilities shall be prohibited;
9. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
10. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
11. All growing and/or processing facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
12. The dispensing of recreational marihuana shall be prohibited.
13. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-549 be added as follows:

Recreational Marihuana Microbusiness

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Recreational Marihuana Microbusiness apply:

    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
    2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the

growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the school is located;

3. The Recreational Marihuana Microbusiness facility site shall not be located within one thousand (1,000) feet of a lawfully existing recreational marihuana microbusiness, and five hundred (500) feet from other types of marihuana facilities as measured from the outermost boundaries of the lot or parcel on which the proposed recreational marihuana facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;
4. Use of marihuana is prohibited on the premises unless otherwise noted;
5. All activity related to the safety and compliance shall be done indoors;
6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
7. If the Recreational Marihuana Microbusiness ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
8. Drive-through and walk-up or similar facilities shall be prohibited
9. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein administrative rules or regulations contained or adopted under the authority therein;
10. That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
11. All Recreational Marihuana Microbusiness facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
12. Growing, cultivation, processing, testing and sales of recreational marihuana in the microbusiness is allowed so long as it's done within the facility and has a maximum of 150 plants as allowed by the MRTMA and the MRA with LARA.
13. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-550 be added as follows:

Recreational Marihuana Retailers.

(a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

(b) The following standards for Recreational Marihuana Retailers apply:

(1) The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;

(2) The recreational marihuana retailer shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located;

(3) The recreational marihuana retailer shall not be located within five hundred (500) feet of a lawfully existing recreational marihuana retailer as measured from the outermost boundaries of the lot or parcel on which the proposed recreational marihuana retailer and to the outermost boundaries of the lot or parcel on which the lawfully existing recreational marihuana retailer is located;

(4) Use of recreational marihuana is prohibited on the premises;

(5) All activity related to the recreational marihuana retailer shall be done indoors;

(6) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

(7) Drive-through and walk-up or similar facilities shall be prohibited;

(8) All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the

MTA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;

(9) All recreational marihuana retailers must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;

(10) Growing, cultivation, or processing of recreational marihuana in a recreational marihuana retailer is prohibited

That Section 122-551 be added as follows:

Recreational Marihuana Safety Compliance Facilities

a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
b) The following standards for Recreational Marihuana Safety Compliance Facilities apply:
    1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
    2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the recreational marihuana safety compliance facility and to the outermost boundaries of the lot or parcel on which the school is located;
    3. The Recreational Marihuana Safety Compliance facility site shall not be located within five hundred (500) feet of a lawfully existing Recreational Marihuana Safety Compliance facility as measured from the outermost boundaries of the lot or parcel on which the proposed Recreational Marihuana Safety Compliance facility and to the outermost boundaries of the lot or parcel on which the lawfully existing Recreational Marihuana Safety Compliance facility is located;
    4. Use of marihuana is prohibited on the premises unless otherwise noted;
    5. All activity related to the recreational marihuana safety compliance facility shall be done indoors;
    6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

7. If the Recreational Marihuana Safety Compliance facility ceases operation for a length of time of one-hundred-twenty (120) days or greater, any Special Use permit shall expire;
8. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein administrative rules or regulations contained or adopted under the authority therein;
9. That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
10. All Recreational Marihuana Safety Compliance facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
11. The dispensing of recreational marihuana shall be prohibited.
12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

To further amend Article V, Use Restrictions, Division 1: Specific Standards for Certain Uses, to ensure that the newly created sections are located in alphabetical order; sections in said Division are re-numbered, and that references to those sections are updated throughout the Chapter.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 21st DAY OF January, 2020.

_____

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1354 was published in the Washtenaw Legal News on the 30th day of January, 2020.

_____

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 21st day of January, 2020.

_____

Andrew Hellenga, City Clerk

Notice Published: December 26, 2019

First Reading: January 14, 2020

Second Reading: January 21, 2020

Published: January 30, 2020

Effective Date: February 20, 2020

Recreational Marijuana Zoning/Locational Chart		
License/ Facility Type	**Zoning District & Use**	**Distance Requirement***
Recreational Marihuana Retailer	*C* - Permitted *GC* - Special	500 ft. buffer from same type; No buffer from other types
Marihuana Microbusiness	*C* - Special *GC* - Special *PMD* - Special	1000 ft. buffer from same type; 500 ft. buffer from other types
Designated Consumption Establishment	*C* - Special *GC* - Special	500 ft. buffer from same type; No buffer from other types
Recreational Marihuana Growing and/or Processing Facility	*GC* - Special *PMD* - Special	500 ft. buffer from same or other types**
Marihuana Secure Transporter	*GC* - Special *PMD* - Special	500 ft. buffer from same type; No buffer from other types
Marihuana Safety Compliance Facility	*HHS* - Special *PMD* - Special	500 ft. buffer from same type; No buffer from other types
Excess Marihuana Grower	*PMD* - Special	No buffer from other types***

NOTES

*Distance requirement is distance, lot line to lot line, from marijuana facilities. All marijuana facilities are subject to 1000 ft. distance requirement from schools.

**For growing and/or processing facility types, buffering from other types is waived in PMD zoning districts.

***Excess marihuana growers are capped at one (1) per *Chapter 8*.

Chart is based on Zoning Ordinance Text Amendment adopted by City Council on January 21, 2020, effective February 20, 2020. **Chart is not a substitute for the ordinance**. Please reference *Chapter 8 – Adult Use - Recreational Marijuana* for regulations regarding caps and permitting.

Ypsilanti Non-Motorized Advisory Committee Meeting Minutes
Thursday, January 9, 2020

1. Call to order – The meeting was called to order at 7:03pm, January 9, 2020 at the Ypsilanti District Library, 229 W. Michigan Avenue. Committee members attending were Jenny Connolly, Helen Schulte, Lee Stimson and Bob Krzewinski. Also attending were City Public Services Department Director Ron Akers and Public Services Department Project Manager Bonnie Wessler.
2. Introductions - Audience participation - Public input – None.
3. Guest presentations – Ron Akers discussed the procedure the City uses for curb cuts and that a good deadline for the Committee to make suggestions being June 1st of every year. Also discussed was the process the City uses for sidewalk snow removal on "City" sidewalks, bike lane restriping (a single contractor does this with worn existing stripes being a priority), glass on bike lanes (reports of glass through City web page Report An Issue are acted on), radar speed control signs, yearly speed bump installations in the spring and poor road conditions that may not be hazardous for a car tire but can be for someone on a bike (reports should be made to the City through a Report An Issue web page entry).
4. General business
    a. Agenda approval – A motion was made by Helen, seconded by Lee, to approve the agenda, passing unanimously.
    b. Approval of December meeting minutes - A motion was made by Helen, seconded by Lee, to approve the December minutes, passing unanimously.
    c. Bylaws review – Reviewed. No action required.
    d. Additional Committee member recruitment – No updates.
    e. Other – 2019 Committee Annual Report – This was reviewed and will be forwarded to the Planning Commission and City Council.
5. Old & continuing business
    a. 2020 Committee priorities
        1. City Non-Motorized Plan – Jared Talaga and Bob met on January 3rd to review photo sections of the draft update and Jared will be meeting with Bonnie to address various issues.
        2. Sidewalk curb cut inventory & improvements – For a list of curb cut improvements, the Committee has already gathered suggestions from area resident through social media and is now working on site visits of areas that have a high use by pedestrians. Data will be entered into a data base of locations either being on a State route (i.e. Huron, Hamilton streets), route eligible for federal assistance (i.e. River Street, Grove Road) or City street (i.e. Pearl Street, Roosevelt Street).
        3. Pedestrian Improvements – (Signage, road markings, permanent radar speed signs at select locations, Rectangular Rapid-Flashing Beacon, traffic calming. Concentrate on where most pedestrian activity occurs) – Non-Motorized improvement plans for Huron Street, Hamilton Street and Washtenaw Avenue go before the Downtown Development Authority at their monthly public meeting, Thursday, January 16th, 8:30am at Spark East, 215 W. Michigan and also at the January 21st City Council meeting, 7pm at City Hall.

4. Bike Lanes – West Cross Street (Elbridge Street to the western City limit) bike lane expansion, along with pedestrian improvements, still on track for 2021. Short discussion was held on other forms of bicycle on road facilities other than bike lanes and neighborhood connectors (bike boulevards).
5. Communication & Education – Committee quarterly newsletter will be published by the end of January. City Council, Planning Commission, Sustainability Commission, DDA agendas are being reviewed for possible Committee input at their meetings. Committee will send out reminders about sidewalk cleaning for snow after any major snow event.
6. Non-Motorized City budget – No update.
7. Neighborhood Connectors - Low-speed street which has been "optimized" for bicycle & walking traffic. Potential projects: Adams (Cross to Forest), Pearl (Hamilton to Mansfield), 2nd Avenue (Michigan to Watling). – During the meeting this subject was discussed with research for a first project being discussed in January and February.
8. Border To Border Trail Gap (B2B) – Construction on track for 2020 on Frog Island and Grove Road improvements. Work on the I-94/Grove Road bridge will continue into 2021. Bonnie will check into the installation of “State Law – Stop For Pedestrians In Crosswalk” signs at mid-block B2B Trail crossing of Cornell Street between Collegewood and Mayhew.
9. Bike & Walk Friendly Communities - Submit Walk Friendly Community application when Non-Motorized Plan update complete. Start In March the award renewal process for the Bike Friendly Community (BFC) award recertification (current BFC award expires in November 2021).
10. Events & Community Outreach – Cold weather cycling talks were given at the downtown Library and Corner Brewery during December.
11. Safe Routes To School – Work slowly moving forward with rejuvenating a Safe Routes to School program.

b. Parkridge bike repair station – Bob forwarded information to City on ordering and installing a repair station should a grant become available.
c. Pedestrian Crossing Legislation – Little movement on Michigan legislation HB 4738 (Representative Ronnie Peterson - lead).

6. New Business
   a. Planning Department/Public Works update – Open house on proposed non-motorized improvements to Huron Street, Hamilton Street and Washtenaw Avenue on December 19th at the Freighthouse was very well attended.
7. Other Items – Announcements – Bob will be out of the area until mid-February and upon discussion, the next meeting of the Committee is planned for Thursday, March 5, 7pm at the downtown Library main floor meeting room.
8. Adjournment - A motion was made by Helen, seconded by Lee, to adjourn the meeting. The motion was approved unanimously, and the meeting was adjourned at 8:45pm.

City Of Ypsilanti Non-Motorized Advisory Committee
2019 Annual Report

Introduction

The City of Ypsilanti Non-Motorized Advisory Committee was created out of a recommendation in the City Non-Motorized Plan and serves under the City Of Ypsilanti Planning Commission. The Committee was formed in September 2010.

The Statement of Purpose of the Committee is as follows… "The City of Ypsilanti Non-Motorized Advisory Committee, working through the Planning Commission, will work to enact recommendations of the City of Ypsilanti Non-Motorized Plan so as to offer residents increased non-motorized transportation and recreation options as well as having the Plan creating economic and quality of life incentives to the City".

Operations

The Committee met, with the exception of February and July, every month of 2019 at the Ypsilanti District Library, 229 West Michigan Avenue.

2019 members of the Committee through the year (some terms ended, others began) were as follows…

- Jenny Connolly
- Dylan Goings
- Bob Krzewinski
- Helen Schulte
- Lee Stimson
- Jared Talaga (also a City Of Ypsilanti Planning Commission member)
- Sarah Walsh
- Jared Walfish

Non-Motorized Advisory Committee 2019 Actions

During 2019 the Committee actively worked to complete many of the goals of the Non-Motorized Plan, as listed below.

- Public Input – The Committee's meetings always start with a public input session on the City's Non-Motorized Plan and the work of the Committee. The Committee also maintains a Facebook page offering an opportunity for additional public input.

- Committee Priorities – Every October and November, the Committee reviews possible priorities for the coming calendar year and finalizing the list at its December meeting. The Committee priorities are then forwarded to the Planning Department and City Council.

- Publicity/Outreach/Communications – Committee meetings are publicized though an official City notice by the City Clerks office as well as announcements over the Committee's Facebook page as well as through other email/Facebook pages (i.e. Bike Ypsi, Bike-Bus-Walk Ypsilanti, etc.). As of early December 2019, there are 353 "Likes" on the Non-Motorized Advisory Committee Facebook page (www.facebook.com/YpsilantiNMAC).

  In April, the Committee had a table at the Ypsilanti Earth Day Festival (4/14/19) at Cultivate. In early August (8/3), the Committee had an information at the EMU Bike Rode. Next, the Committee had an information table at the annual Parkridge Festival (8/28/19) where safe bicycling and walking information was distributed and 50 bicycle helmets were given away free courtesy of a grant from the Washtenaw Bicycling & Walking Coalition (www.wbwc.org). The Committee also had a table at the downtown Halloween Festival (10/25/19) where lighted wristbands were distributed (courtesy of the AAATA) and safe trick-or-treating handouts were distributed. In early December (12/7/19 & 12/8/19) the Committee, with Bike Ypsi and the Ypsi Bike Co-Op, as cosponsors, held two "Cold Weather Bicycling talks. The Committee also continues to work with the County-wide advocacy group, the Washtenaw Bicycling and Walking Coalition (www.wbwc.org).

  Related to Committee communications, the Committee started publishing a quarterly Non-Motorized Advisory Committee newsletter with the first edition being a Fall 2019 edition. In addition, the Committee has had items published or highlighted in the Mayors Newsletter.

- City Meetings – Members of the Committee met, or had telephone conversations, with Planning Department staff prior to most Committee meetings for input and updates. Also, Committee members attended numerous City Council and Planning Commission meetings throughout 2019 to support non-motorized projects. At the first Committee meeting of the year (1/9/19), Mayor Beth Bashert participated where various projects and outreach efforts (i.e. safe bicycling education in the spring and sidewalk snow removal in the late fall) were discussed with an emphasis placed on accessibility for the disabled. City Council member (and Ypsi Bike Co-Op volunteer). Steve Wilcoxen, volunteered to be a City Council member liaison to the Committee.

- Snow Removal – In the winter months the Committee mounted a campaign to educate area residents, thorough social media and its Facebook page, about the need to shovel sidewalks as required by City ordinance and how to report problems using ClickFix – Ypsi Connect. The Committee timed media actions to that of just prior to major snowfalls with information sent to all City neighborhood groups on Facebook and NextDoor.

- City Non-Motorized Plan – The Committee is working with the Planning Department to update the City's Non-Motorized Plan and expects the process to be complete in 2020.

- Sidewalk curb cut inventory & improvements – During 2019, the Committee began work on a priority list for curb cuts with a list assembled from Committee member input, public input through social media and also site visits. The priority list will be forwarded to the Public Services Department as well as the Planning Commission and City Council.

- Bike Friendly Community & Walk Friendly Community status – The City officially became a League of American Cyclists "Bike Friendly Community "at the Bronze level in late 2017 with the award being for a four-year period. The Committee plans to start work in 2020 to apply for a renewal of its Bike Friendly Community award. The Committee plans to resubmit the Walk Friendly Community once the Non-Motorized Plan is updated.

- City Council Budget – Committee members attended the annual City Council budget meetings providing non-motorized project recommendations to Council.

- Bike Friendly Business program – The Committee, with the support of the Downtown Association of Ypsilanti, continued to sign up participants for a local Bike Friendly Business (BFB) program as a way to promote active and healthy lifestyles for employees and customers in the Ypsilanti area. The campaign will honor corporations, organizations, associations, government agencies or non-profit groups located in Ypsilanti that actively promotes bicycling for transportation, recreation, exercise and sport. Business participants receive a BFB window sticker and are listed on the Bike-Bus-Walk Ypsi (www.bbwypsi.org) web site.

- Bike Lanes –In 2018 the Committee also started researching areas where additional bike lanes would be used in the City, with the top two locations being West Cross Street (west of Wallace) and Harriet/Spring/Factory/Maus Streets. In March 2018 the Committee forwarded a resolution to the Planning Commission noting that "the lack of a center turn lane on Cross Street at the intersection of Mansfield Street is a real safety factor" and urging that "as part of a West Cross Street repaving project, a two-lane, plus center turn lane, configuration going as far west as practical that would include bicycle lanes on both sides of the road as well as vehicle parking on the south side of West Cross Street."

- The Committee continues to promote, through social media to neighborhood groups, the City's "Speeding Concerns" web page - https://cityofypsilanti.com/699/Speeding-Concerns - that gives the process for citizen petitioning to have traffic calming (such as signage, pavement markings, speed bumps) on a specific street section.

- Three-Foot Passing Law – In the spring of 2019, the Committee placed basic information on the Mayors Newsletter and the Committee Facebook page about the Michigan 3-foot bicycle passing law that took effect in September 2018. The Committee plans to conduct a safe biking drive every upcoming April and May.

- Bike repair Station – The Committee worked with the Friends of the Border To Border (B2B) Trail to obtain and have installed a bike repair station (containing a work stand, tools and an air pump), as well as a donated bike parking loop, on the south plaza of the non-motorized bridge over the Huron River just east of downtown. It should be noted the bike repair station came from a grant that the Friends of the B2B Trail received from the REI Co-Op and the bike parking stand was a donation from the Friends.

- I-94/Huron – Hamilton Streets Non-Motorized Projects - The Committee continued to follow these items closely as there are a fair number of pedestrians and bicyclists using Huron Street over I-94 with no dedicated non-motorized facilities.

- Bike Bus-Walk Week (May 12-18) – With the intent to have individuals try alternative transit in the hope that such modes of transportation would become a habit, the Committee coordinated events during this week (also known as national Bike To Work Week). Events during this week included a "Ride Of Silence" (sponsored by Bike Ypsi, the Ann Arbor Bicycle Touring Society and the Ypsilanti-headquartered Program To Educate All Cyclists) starting from Recreation Park to memorialize cyclists injured or killed and urging motorists and cyclists show respect for each other. The Friday of Bike-Bus-Walk Week is also known nationally at Bike To Work Day and a bike commuting station was set up that morning at Beezy's Café by the Committee offering free bike maps, literature, coffee snacks, etc. In 2019, twenty-five cyclists stopped by the Ypsi Bike-To-Work Day table.

- City Ordinance On Non-Motorized Device Rentals – In February the City began working towards having an ordinance dealing with dockless bicycle/scooters – With work beforehand between the City Attorney and the Non-Motorized Advisory Committee, City Council unanimously approved a first reading of a new Shared Mobility Device ordinance at its March 4th meeting that contained input from the Committee. Passage of this Ordinance was a priority for 2019 of the Committee.

- Parkridge bike repair station – The Committee worked with the Washtenaw Bicycling & Walking Coalition on an AARP Community Challenge grant application and matching fund contribution to fund a Dero bicycle repair stand for the Parkridge Community Center. Unfortunately the AARP did not award the City with a grant for a repair stand in 2019.

- Neighborhood Connectors (also known as "Bike Boulevards") – The Committee is exploring designating a small number of local streets, with lower traffic volume, which pedestrians, the disabled and bicyclists are encouraged to use to travel within the City. These would be a low cost project consisting of signage and road markings. Possible routes could be Mansfield Street, Congress Street and Adams Street.

- The Committee has pledged to work with the City Sustainably Commission on projects and areas of concern.