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ORDINANCE NO. O-1819-30

ITEM NO. 8

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Craig Blankenship
REQUESTED ACTION	Rezoning to CCPUD, Center City Planned Unit Development
EXISTING ZONING	Center City Form-Based Code, Urban General
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: CCFBC, Urban General South: CCFBC, Urban Storefront West: CCFBC, Urban General
LOCATION	421 West Gray Street
SIZE	5,600 square feet, more or less
PURPOSE	Cultivation, Processing, Researching and Dispensing Medical Marijuana
EXISTING LAND USE	Vacant Building (Previously a paint store)
SURROUNDING LAND USE	North: Single Family Residential East: Medical and Law Offices South: Republic Bank, Copelin's Office Supply and Sprouts Grocery Store West: Vacant - Retail Building (formerly L & B Yarn)
LAND USE PLAN DESIGNATION	Current Urban Service Area

**REQUEST SUMMARY/CCFBC EXCEPTIONS:** The applicant is requesting to rezone this property from Center City Form Based Code, Urban General (CCFBC) to Center City Planned Unit Development, CCPUD to allow for the cultivation/growing, processing, research and dispensing of medical marijuana.

The applicant is also requesting an increase in the height of the allowable wall sign from two to three feet in order to accommodate the tall round logo, the letters within the sign will remain ten inches in height.

**ANALYSIS:** Currently, dispensing of medical marijuana is an allowed use within the CCFBC District; however, cultivation/growing, processing, and research uses all require approval of a CCPUD.

**PARTICULARS OF THIS CCPUD:**

**USES:** This applicant plans to utilize the vacant building at 421 W. Gray Street for cultivating, processing, research and dispensing of medical marijuana. While a medical marijuana dispensary is currently allowed by right under the CCFBC, the cultivating, processing and research proposal requires approval through the CCPUD process. Therefore the applicant is requesting the following uses for this CCPUD:

Cultivation, Processing, Researching and Dispensing of Medical Marijuana

Additional guidelines per this CCPUD are as follows: Processing and growing shall be in a facility with a Fire Department Connection (FDC), riser room, and fire sprinklers; in addition, the building has exterior walls with a minimum 3-hour fire rating. The processing machine for "Bio Mass Extraction" shall use non-flammable Co2 as an extraction solvent. These requirements are self-imposed by the applicant out of a concern for safety for his employees and the general public.

The applicant is also requesting an increase in the height of the allowable wall sign from two feet to three feet to accommodate the round logo but the letters of the sign will remain at ten inches in height.

**DISCUSSION:** Staff reviewed this CCPUD and does not see a negative impact on the intent of the CCFBC. The existing building has been vacant for some time and the applicant's proposed use will help bring commercial activity back to this section of Gray Street. The applicant will be housing all activities within the existing building with no outside storage or activity beyond the customer and employee parking.

The applicant proposes two additional parking spaces in the existing parking lot to accommodate customers. Along with the additional parking, the applicant is proposing to significantly improve the landscaping for the property with the installation of 7 trees and 2-4 shrubs in front of the building and around the parking lot. A street tree will be installed in the right-of-way on the west side of the driveway, clear of the existing fire hydrant.

While the applicant is requesting to increase the size of the allowed sign height, the applicant will not be increasing the height of the sign letters. The applicant makes this request in order to accommodate the round company logo. It should be noted that since the structure sits 65 feet from the curb the allowance of a taller sign will permit the sign to be seen easily from the street.

**STAFF RECOMMENDATION:** The proposed ordinance comes to the Planning Commission for a recommendation to City Council. Staff recommends approval of Ordinance No. O-1819-30.