



**CITY OF ALBANY
PLANNING AND ZONING COMMISSION
NOTICE OF ACTION**

SUBJECT: **Planning Application 09-064. Conditional Use Permit.** The subject property is an existing three story commercial building. The applicant is requesting a Conditional Use Permit to allow operation of a medical marijuana dispensary. The dispensary would be located on the ground floor and offices on the second and third floor.

SITE: **1019 Solano Avenue**

APPLICANT/OWNER: **Erik & Bret Van Den Akker**

ZONING: **Solano Commercial**

DATE OF ACTION: **October 12, 2010**

APPEAL DEADLINE: **October 26, 2010**

COMMISSION ACTION: The Commissioners voted 3-0 to deny the application based on the inability to make the required finding below.

I. Special Findings for Medical Marijuana Dispensary approval (Per section 20.20.110.H of the AMC)

Required Finding	Explanation for Denial
4. All standards for facility location, as stated in this subsection, are met.	Standards for facility location were not met because: 1. The Commission received information that the proposed dispensary is located less than 1,000 feet from the YMCA at 921 Kains Avenue, which is a youth-oriented facility; and 2. The Commission received information that more than 70 children pass by the proposed dispensary location on a daily basis to and from school.