

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of March 15, 2016

**SUBJECT: Circle K Site Plan for City Council Approval
(1420 East Stadium Boulevard)
File No. SP11-037**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Circle K Site Plan, subject to approval of two variances (driveway width and rear setback) from the Zoning Board of Appeals and approval of sanitary calculations.

STAFF RECOMMENDATION

Staff recommends that this petition be **approved**, because, with the requested variances, the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; comply with local, state and federal laws and regulations; would not cause a public or private nuisance; and would not have a detrimental effect on public health, safety or welfare.

LOCATION

The site is located on the southwest corner of East Stadium Boulevard and Packard Road (South Area, Mallets Creek Watershed).

DESCRIPTION OF PETITION

The petitioner seeks to demolish the existing 2,360 square foot gas station/convenience store building and construct a new 3,394 square foot, single-story gas station and convenience store with four gasoline dispensing pumps capable of servicing 8 cars. The gasoline pumps will be covered by a 53 foot by 43 foot building canopy. There will be 17 vehicle parking spaces provided for the convenience store, plus an additional 8 spaces for vehicles at the gas pumps. A total of 2 Class C bicycle spaces (1 bicycle hoop) will be located along the northeast side of the building and adjacent to the sidewalk leading to Packard. There are currently 4 curb cuts leading to the site, two curb cuts will be removed as a result of this project.

Based on the total of impervious surface on the site, the petitioner is required to provide first flush, bankfull and 100 year storm detention capacity. The storm water treatment system will be designed for infiltration and will be located under the parking lot along the East Stadium Boulevard frontage, in between the gas pumps and the front property line. There currently is no storm water management system for the site.

The underground storage tanks were replaced approximately 4 years ago and the petitioner was required to remediate any environmental contamination consistent with the standards of the Michigan Department of Environmental Quality.

There are eight landmark trees located on the site; three will be removed for construction. All trees removed will be mitigated as required. The petitioner is required to bring the site up to current landscaping standards. This will result in right-of-way buffer vegetation, a 30 inch high screening wall along the front property line, and additional landscape islands and site landscaping, including 42 new trees and numerous shrubs being added to the site.

The petitioner will construct a new 8-foot high wood fence along the south and western property lines for additional screening to the adjacent neighborhoods. There is some fencing of various heights along the property line currently, There are numerous existing trees along the property boundary, while they are mostly invasive and volunteer species, they do help screen the property. Most of these trees will remain after construction.

The site currently has two zoning designations P (Parking) and C3 (Fringe Commercial). The western approximately one third of the site is zoned P. Due to a deed restrictions filed when the existing gas station was constructed, this area can not contain a structure of any type and must remain parking until said deed restriction is released. As a result, the building and gas canopy must be constructed on the remaining eastern two thirds of the site which is zoned C3; no rezoning is required.

The site plan as proposed requires that two variances be granted from the Zoning Board of Appeals (ZBA). The first variance is for the driveway width to East Stadium. This drive is designed wider than the maximum required width in order to allow for solid waste and gasoline tanker trucks to enter the site safely and most efficiently. A variance for the rear setback is also required. Due to the unique constraints of the deed restriction for the western third of the site, vehicle circulation and the requirement for employees to have direct eye contact with the gas pumps, the petitioner feels the proposed location is the best to minimize impacts to the neighborhood and light pollution from the gas pump canopy.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Commercial	C3 (Fringe Commercial District)
EAST	Commercial	C3 (Fringe Commercial District)
SOUTH	Residential	R1C (Single-Family Residential District)
WEST	Residential	R1C (Single-Family Residential District)

COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED
Zoning	C3 (Fringe Commercial District) and P (Parking)	C3 (Fringe Commercial District) and P (Parking)	C3
Gross Lot Area	37,589 sq ft	37,589 sq ft	6,000 sq ft MIN

	EXISTING	PROPOSED	REQUIRED	
Floor Area in % of Lot Area	6.3% (2,360 sf)	9% (3,394 sf)	200% MAX	
Setbacks	Front (East Stadium)	45.85 ft	74.50 ft	10 ft MIN 25ft MAX
	Front (Packard)	44.90 ft	10 ft	10 ft MIN 25ft MAX
	Side(s)	119.95 ft	173 ft	0 ft MIN
	Rear	62.40 ft	15 ft	30 ft MIN (adjacent to res.)
Height	15 ft/1 story	19 ft/1 story	55 ft/4 stories MAX	
Parking - Automobiles	13 spaces	17 spaces 8 spaces (gas pumps)	17 spaces MIN	
Parking – Bicycles	None	2 spaces – Class C	2 spaces MIN total - Class C	

HISTORY

The existing building was constructed in the mid-1950's and no site plan exists on file.

PLANNING BACKGROUND

The City of Ann Arbor Master Plan: Land Use Element identifies this parcel as part of the South Area and recommends continued commercial uses. The plan contains design recommendations for commercial development, including the use of masonry, extensive landscaping, reduced setbacks along the street and public access linkage.

The Non-motorized Transportation Plan recommends eliminating unnecessary curb cuts and ensuring adequate non-motorized access to the site. Packard Road was recently resurfaced, as a result, there is a street cut moratorium in effect until 2018.

STAFF COMMENTS

Systems Planning (Engineering) – Sanitary mitigation calculations require revisions. The final mitigation amount required(if any) is pending, additional information is required.

Systems Planning (Landscaping) – Several plants within the bioretention areas shall be replaced with salt tolerant species.

Systems Planning (Soil Erosion and Stormwater) – Minor revisions are needed to the grading plan in order to ensure proposer drainage to the bioretention areas as well as proper overflow to the storm catch basins on the site.

Planning –Over the last couple years, the petitioner has worked through many different versions of the plan in order to address concerns of the neighborhood and city staff, while working with

unique constraints of the proposed use and existing deed restriction. The building will be constructed with brick and masonry elements with a hipped roof for a more residential style. The placement of the building to the rear helps to screen the neighborhood from headlights as well as some site lighting. Additional neighborhood buffer elements include the construction of an eight foot high fence that will be constructed along the west and south property line. A total of 26 new trees, including 13 evergreens, will be planted between the parking area, gas pumps and building. Many existing mature trees will remain along the property line as well.

Site lighting, in particular canopy lighting, was a major concern for the adjacent neighbors. In order to address this concern, the petitioner has constructed the canopy as far away from the adjacent residential as possible. They have also submitted an extensive photometric plan conducted by an outside consultant. The plan details lighting levels and fixtures that reduce light pollution well beyond the code requirement. The lighting plan uses fixtures and screening to reduce off site light trespass, these elements are part of the submitted site plan and must be constructed as shown on the plan.

The proposed site design and redevelopment is consistent with the Master Plan: Land Use Element retail design recommendations, including the use of masonry, pedestrian access, extensive landscaping, and reduced setbacks along the street. The site provides public access linkages from the public sidewalks to the proposed building.

Prepared by Matt Kowalski
Reviewed by Ben Carlisle

Attachments: Parcel/Zoning Map
Aerial Photo
Site Plan
Landscape Plan
Elevations

c: Petitioner: Todd Quatro
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City Attorney
Systems Planning
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