

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of January 5, 2010

SUBJECT: Gallup One Stop Gas Station Rezoning, Site Plan and Special Exception Use (2955 Packard Road) File Nos. Z09-016 and SP09-018

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Gallup One Stop Gas Station Rezoning from C1 (Local Business District) to C2B (Business Service District).

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the Special Exception Use for an automobile service station pursuant to the standards of Chapter 55 (Zoning), Section 5:104, subject to City Council approval of the Gallup One Stop Gas Station Site Plan and C2B zoning.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Gallup One Stop Gas Station Site Plan, dated 12/21/09, subject to the Zoning Board of Appeals granting two variances from Chapter 62 (Landscaping and Screening) regulations and subject to receipt of a street tree escrow of \$188.50 prior to the issuance of building permits.

STAFF RECOMMENDATION

Staff recommends that the rezoning, special exception use, and site plan be **approved** because the petition complies with all the applicable local, state and federal laws, ordinances, standards and regulations; and the development would not have a detrimental affect on the public health, safety, or welfare.

LOCATION

The site is located on the north side of Packard Road, west of Platt Road (Malletts Creek watershed).

DESCRIPTION OF PETITION

The petitioner is requesting to rezone the property from C1 (Local Business) to C2B (Business Service). The existing station is a nonconforming use in the C1 zoning district, and as a result, cannot be expanded or altered without permission from the Zoning Board of Appeals. The rezoning is being requested to allow the use and expansion of the existing automobile service station as a special exception use in the C2B district. Rezoning to C2B and the granting of the special exception use will permit the expansion of the building and permit the gas station use as a conforming use, subject to the special exception use standards.

The petitioner proposes to construct a 464-square foot addition to an existing 1,835-square foot convenience center of a gas station. A total of 14 parking spaces are proposed, including a barrier-free space. Two Class C bicycle parking spaces are proposed near the main entrance to the store. The existing pump islands are proposed to be relocated approximately 30 feet to the west. A new canopy is proposed to be installed. The face of the existing canopy is 5.5 feet from the right-of-way; the new canopy is proposed to be seven feet from the right-of-way. The canopy lighting is proposed to be recessed and face directly downward to minimize light flowing off-site. (The existing canopy lights are not recessed into the canopy.) Light fixtures on light poles will be replaced with "full cutoff panels" to direct lighting downward and further reduce the amount of light flowing off the site.

Storm water is proposed to be detained underground on the east side of the site. The petitioner proposes to remove a total of eight trees, including five non-native invasive trees (Tree of Heaven) on the north property line, one 8-inch crabapple tree near the southwest corner of the site, and two 8-inch Honey Locust trees (one to accommodate a new driveway near the southwest corner of the site and one to accommodate underground detention and re-grading near the northeast corner of the site). The petitioner proposes to install a total of 25 trees, including Red Oak, Red Maple and White Spruce trees. The petitioner proposes to provide additional landscaping along Packard Road, including new street trees and shrubs.

Access will continue to be provided by two curb cuts on Packard Road.

The following is a summary of proposed improvements to the site:

- Reduce amount of pavement by 207 square feet.
- Removal of dead, dying and invasive trees.
- Plant 25 trees and 35 shrubs.
- New siding, roof, and gutters to the building.
- Redirect storm water so that it no longer flows onto neighbors' property to the east.
- Repair existing fence and install new fencing along north property line.
- Add dumpster enclosure.
- Remove guardrail along north property line.
- Remove railroad ties on west side of site; replace with curb and gutter.
- Install new asphalt paving.
- Provide storm water detention.

VARIANCES REQUESTED

The plan, as presented, requires two landscaping variances from the Zoning Board of Appeals. The variances are described below:

1. A conflicting land use buffer is required on the west side of the property since the site abuts land principally used for residential purposes. Although four feet of landscaping is provided, 15 feet is required. A variance of 11 feet is needed for the conflicting land use buffer in this area. The petitioner points out that a private drive (Cascade Drive) is located immediately west of the site and serves residential units to the north and east, which reduces the likelihood of residential being constructed immediately adjacent to the site.

2. On the south side of the site, a ten-foot wide right-of-way screen is required. The petitioner proposes to install a 3.5-foot wide landscaping area between the two driveways, planted with shrubs. A variance of 6.5 feet from the required right-of-way screening is being requested.

Special exception use approval is required for the development petition. The petitioner has provided responses to the request for special exception use application below:

SPECIAL EXCEPTION USE STANDARDS

General Standards - The Planning Commission, in arriving at its decision relative to any application for a special exception, shall apply the following standards (petitioner's response in regular type, staff's comments in *italic type*):

- (a) The proposed use or uses shall be of such location, size and character as to be compatible with the appropriate and orderly development of the zoning district and adjacent zoning districts in which the site is situated. In applying this standard, the Planning Commission shall consider whether the proposed use:**

- 1. Will be consistent with the general objectives of the City Master Plan;**

Convenience store and gas station for surrounding residential neighborhood and offices.

- 2. Will be designed, constructed, operated, and maintained in a manner that is compatible with the existing and planned character of the general vicinity;**

It is an existing convenience store and gas station that is servicing the existing residential neighborhood surrounding it. Fence will be kept and replaced as needed to protect neighboring residential area and offices.

- 3. Will be consistent with the general character of the neighborhood considering population density, design, scale and bulk; and the intensity and character of activity;**

Site will be designed to handle the density of residential units and offices around the property.

- 4. Will not be detrimental to the use, peaceful enjoyment, economic value or development of neighboring property, or the neighborhood area in general;**

Existing gas station/convenience store will only help the neighboring residential and office buildings around it. Changes proposed to help make the site safer for motor vehicles and pedestrian clients.

- 5. Will not have a detrimental effect on the natural environment.**

It is an existing gas station/convenience store; no new detrimental effects proposed.

(b) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use or uses, the assembly of persons in connection therewith, and the effect of the proposed use on public services and facilities, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. In applying this standard the Planning Commission shall consider, at minimum:

1. The location of and access to off-street parking and the safe provisions for pedestrian traffic;

Off-street parking to be located close to the convenience store to provide pedestrians with the safest path in and out. A six-foot sidewalk will be provided in front of the building to protect patrons entering and exiting the store.

2. The relationship of the proposed use to main traffic thoroughfares and to streets and road intersections;

Two existing driveways are proposed to remain active to keep any congestion from occurring from either patrons entering or exiting the site.

3. Vehicular turning movements in relationship to traffic flow routes;

There will be a minimum of 22-foot aisles behind parking spaces to ensure turning radius of vehicles entering and exiting the parking areas.

4. The intensity and character of traffic and parking conditions on the site, and in the general area;

The traffic intensity will not be changed. It is an existing gas station. The parking condition will give better accessibility with reconfiguration of parking and requiring less impervious area.

5. The requirements for additional public services and facilities which will be created by the proposed use will not be detrimental to the social and economic welfare of the community.

Existing gas station/convenience store to remain, no additional public services or facilities required.

(c) The standards of density and required open spaces for the proposed use shall be at least equal to those required by Chapter 55 in the zoning district in which the proposed use is to be located, unless a variance is granted.

The proposed project meets the maximum floor area ratio requirement for the C2B zoning district. The petitioner is seeking variances from Chapter 62 (Landscaping and Screening Ordinance).

COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	C1	C2B	C2B
Gross Lot Area	21,868 sq ft	21,868 sq ft	C1: 2,000 sq ft MIN C2B: 4,000 sq ft MIN
Floor Area in Percentage of Lot Area	8%	10%	C1: 40 % MAX C2B: 200% MAX
Setback - Front	67.75 feet	67.75 feet	C1: 25 ft MIN C2B: 40 ft MIN
Setback - Side(s)	46 ft – east 79 ft – west	46 ft – east 63 ft – west	C1: 20' abutting res zoned land; otherwise none* C2B: none*
Setback - Rear	13.3 feet	15 feet	C1: 20 ft MIN; except 30 ft when abutting res zone* C2B: none*
Height	15 feet	15 feet	C1: 25 ft MAX C2B: when abutting residential zone, height shall not exceed distance to residential lot line; otherwise 60 feet
Parking - Automobiles	10 (unstriped)	14 spaces	8 spaces MIN
Parking – Bicycles	None	2 spaces (Class C)	1 space MIN (Class C)

* 15-foot conflicting land use buffer is required when abutting residential uses.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Residential	R4A (Multiple-Family Dwelling District)
EAST	Residential	R4A
SOUTH	Packard Road and Residential	O (Office District)
WEST	Vacant	O

HISTORY

The 1960 aerial photographs show the site being used for truck storage. The petitioner indicated that the gas station has existed on the site since 1967. The gas station was constructed prior to annexing the site into the City and is currently a CITCO station with a small convenience center. A variance was approved in 2008 for a new canopy to be located in the front setback.

PLANNING BACKGROUND

The South Area Plan recommends commercial uses for this site. The site is currently zoned C1. Drive-in uses such as gasoline stations are not permitted in the C1 district as either a permitted use or special exception use. The petitioner is requesting rezoning to C2B, which requires special exception use approval for an automobile service station use. Future expansion of the project would also require special exception use approval. Another commercial zoning district, C3 (Fringe Commercial District) allows automobile service station uses by right, precluding the added layer of special exception use review. Other C2B zoning exists in the immediate vicinity (south side of Packard Road on both sides of Platt Road).

CITIZEN PARTICIPATION

The petitioner mailed 770 invitations for the citizen participation meeting. The first of two citizen participation meetings was held on Friday, April 4, 2009 at 9:00 a.m. at 2141 South State Street (conference room of Veddor Electric). Fifteen citizens attended. A second meeting was held to provide an additional opportunity to review the proposed plan on Wednesday July 22, 2009 at 7:00 p.m. at the Pittsfield Branch Library. Six citizens attended. A summary of each of the citizen participation meetings was provided.

SERVICE AREA COMMENTS

Planning – The petitioner is required to obtain two variances from the Zoning Board of Appeals pertaining to Chapter 62 prior to the project being scheduled for City Council.

Systems Planning (Forestry) – A street tree escrow of \$188.50 is required prior to the issuance of building permits.

Land Development – The proposed project has addressed landscaping and screening requirements except for those issues identified in the variance requests.

Prepared by Jeff Kahan
Reviewed by Connie Pulcifer and Wendy Rampson
jsj/12/21/09 Revised 2/8/10

Attachments: Zoning/Parcel Maps
 Aerial Photo
 Site Plan
 Landscaping Plan
 Elevations
 Citizen Participation Reports

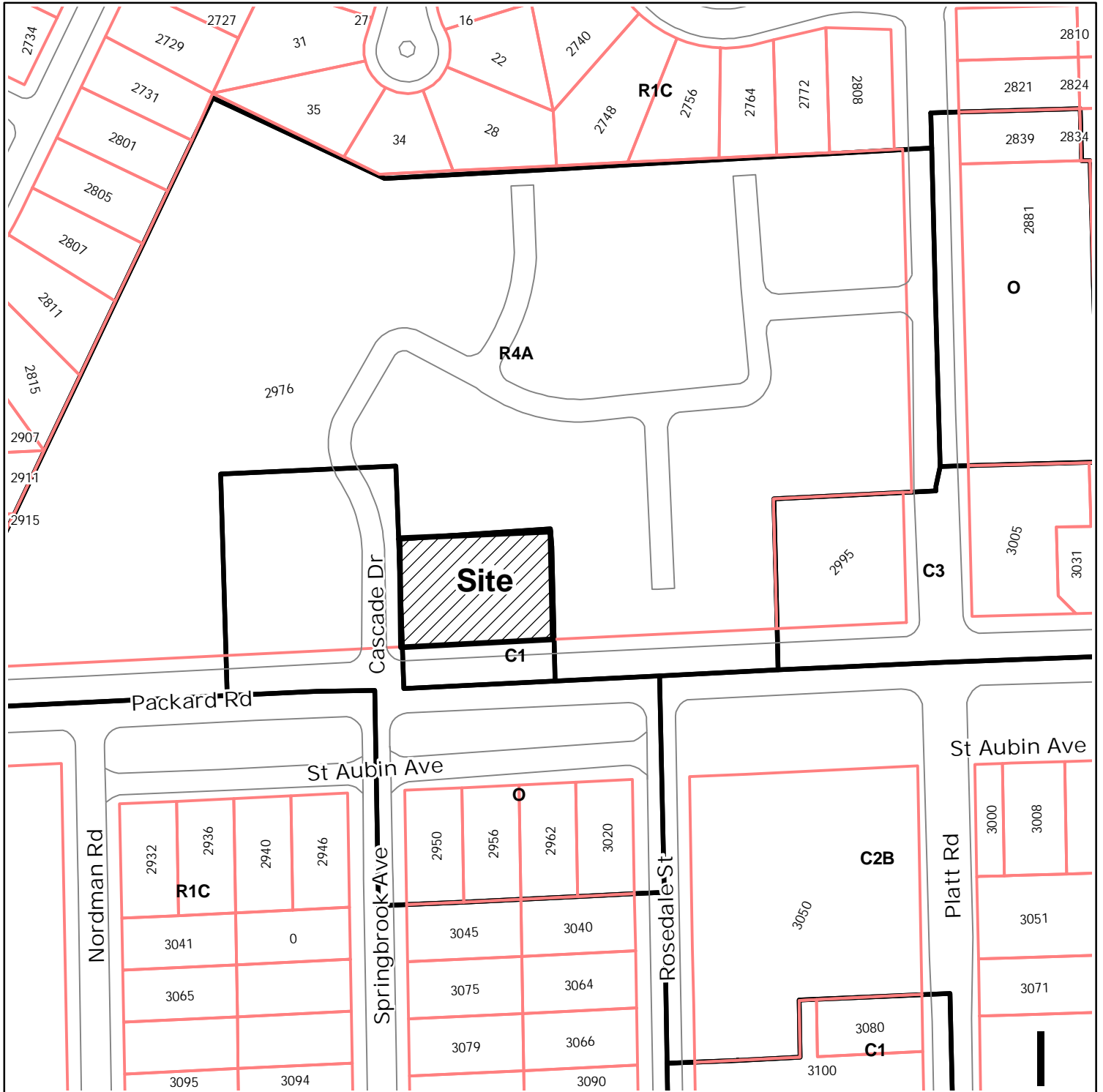
Gallup One Stop Gas Station
Page 7

c: Petitioner/Owner: Gallup Properties
2151 S. State Street
Ann Arbor, MI 48106

Petitioner's Representative: Todd Quatro
T.S. Quatro Company, Inc.
201 N. Park Street
Ypsilanti, MI 48198

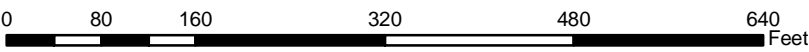
Systems Planning
File No. SP09-018 and Z09-016

Gallup One Stop Gas Station -Site Plan & Special Exception Use-



Map Legend

- Parcels
- Edge Of Pavement
- Railroads
- Zoning District Boundary



Maps available online:
<http://gisweb.ewashtenaw.org/website/mapwashtenaw/>

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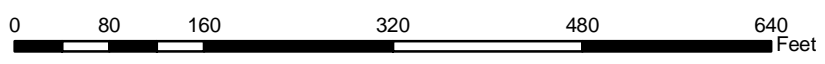
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Gallup One Stop Gas Station Site Plan & Special Exception Use -Aerial Photo-



Map Legend

- Parcels
- Edge Of Pavement
- Railroads
- Zoning District Boundary



Maps available online:
<http://gisweb.ewashtenaw.org/website/mapwashtenaw/>

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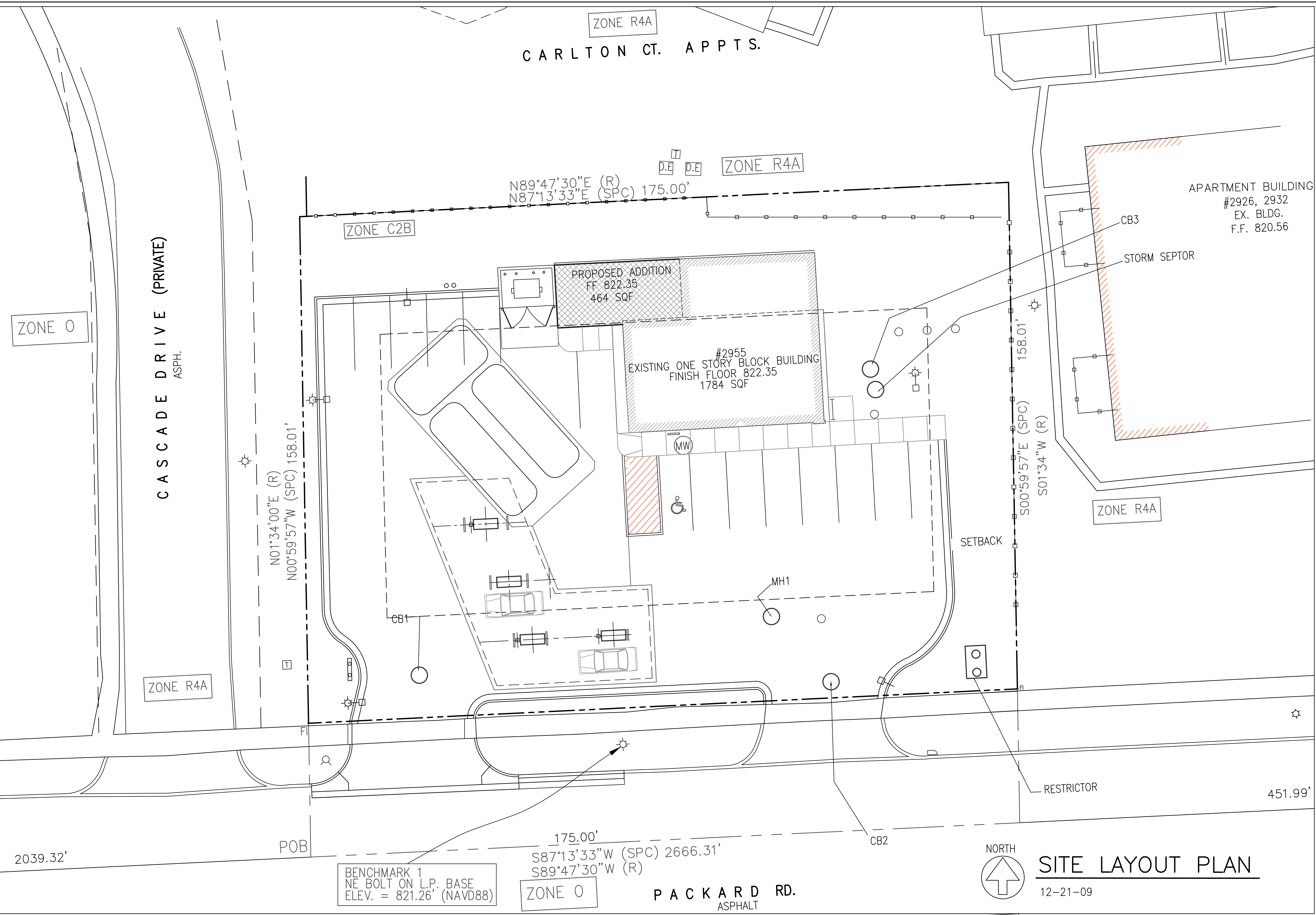
GALLUP ONE STOP
SITE PLAN
2955 PACKARD ROAD
ANN ARBOR, MICHIGAN 48108

ISSUE DATE	

12-21-09
DRAWN BY: V.R./R.S.
CHECKED BY: B.N.
APPROVED BY: B.N./T.Q.

ARCHITECTURAL SEAL:

PROJECT NO.: **2321**
SHEET TITLE:
SITE LAYOUT PLAN
SHEET NO.: **C-2**



SITE LAYOUT PLAN

12-21-09

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GALLUP ONE STOP SITE PLAN
2955 PACKARD ROAD
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ISSUE DATE
04/28/08
06/29/09
07/16/09
07/27/09
10/12/09

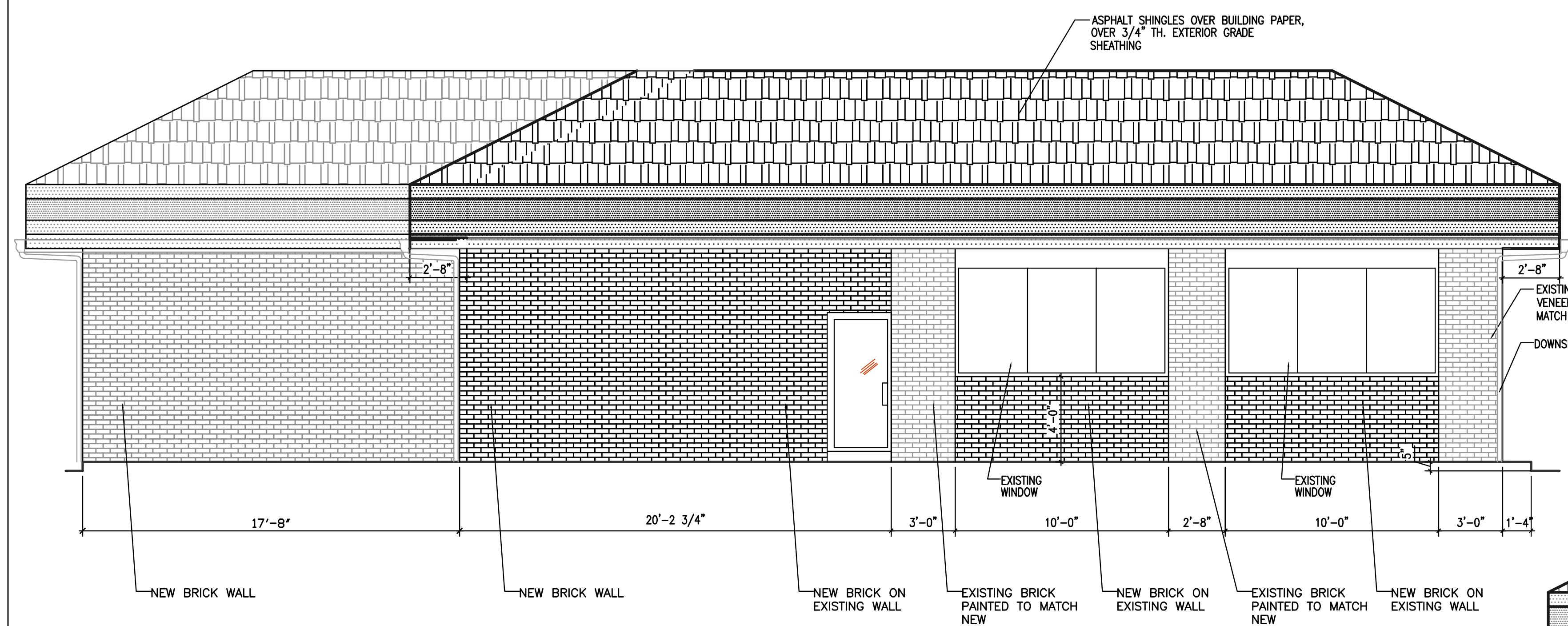
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CHECKED BY: B.N.
APPROVED BY: B.N./T.Q.

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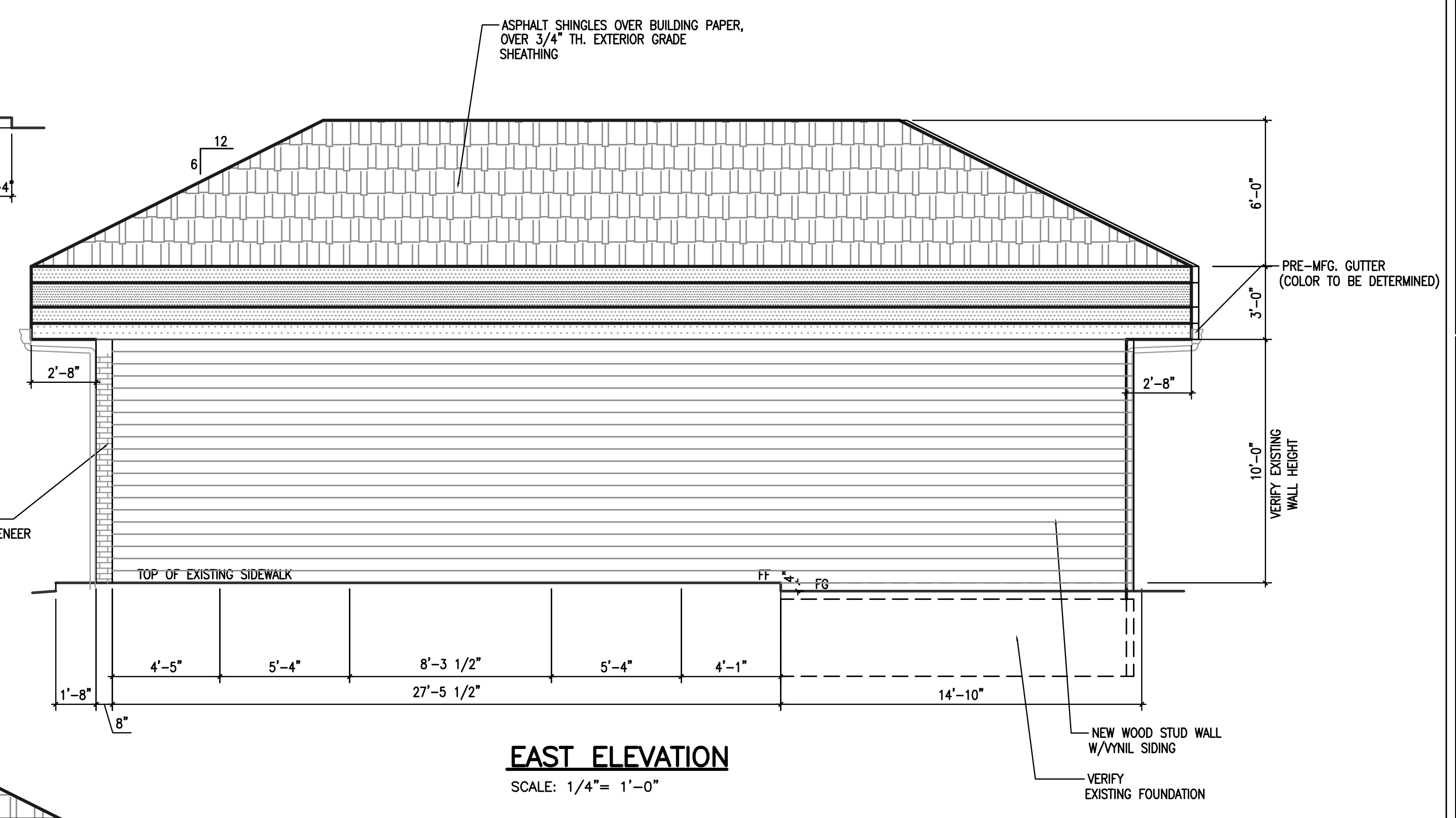
PROJECT NO.: 2321

SHEET TITLE: PROPOSED ELEVATIONS

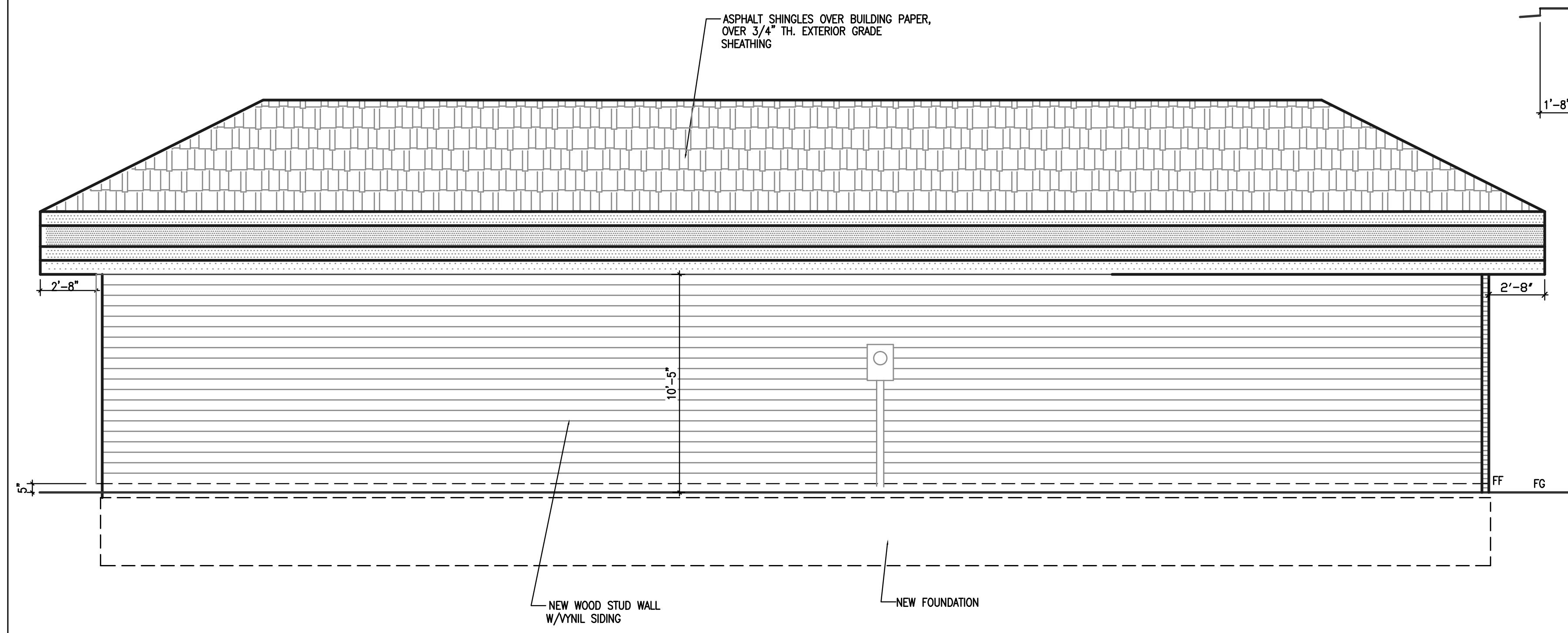
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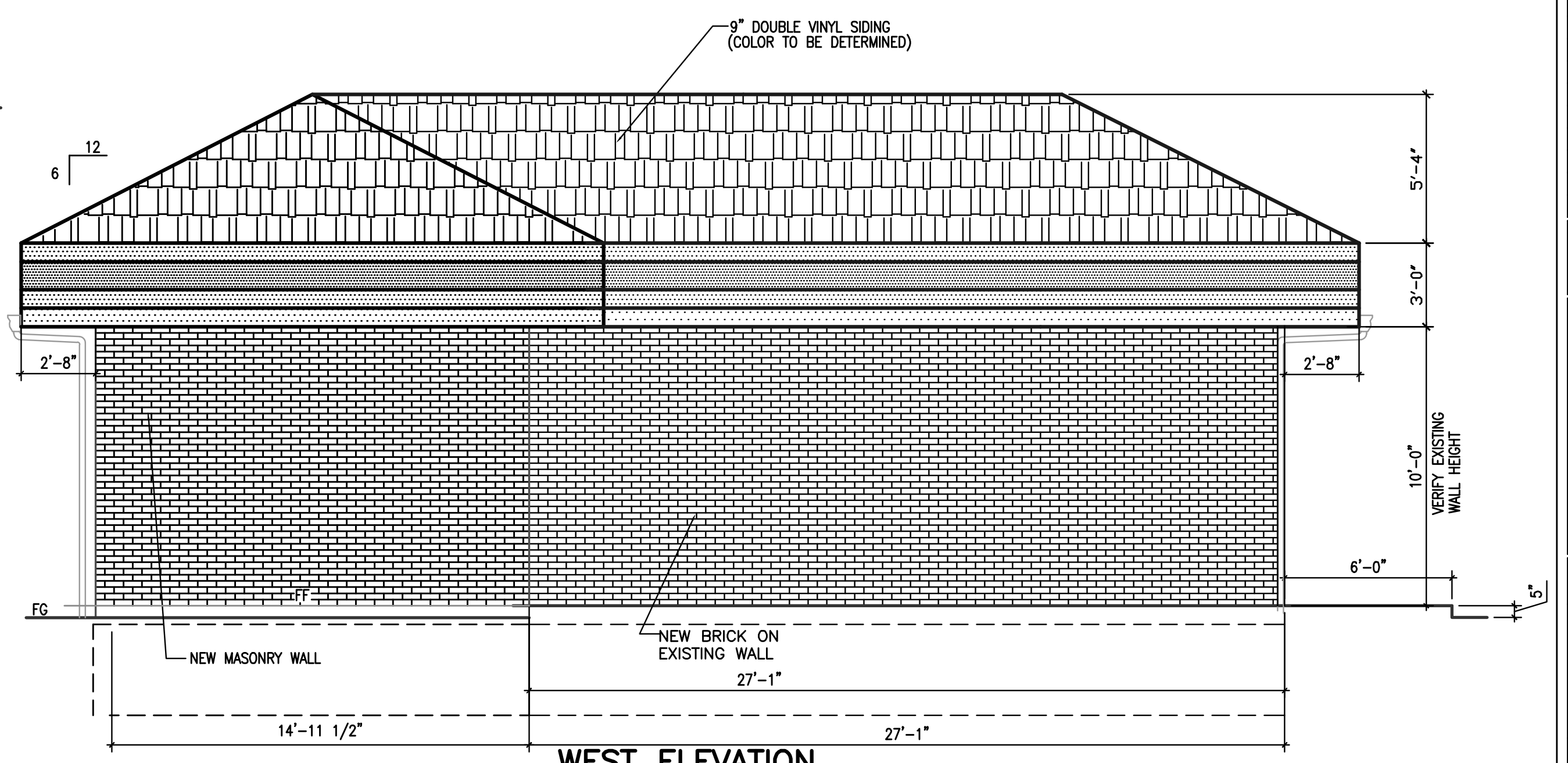
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



Citizen Participation Meeting

Date: 7-22-09

Location: Pittsfield Branch Library

Attendance: Six Citizens Attended

Petitioners:

Todd Quatro T.S. Quatro Company

Charles Gallup Gallup Properties

Doug Aikenhead Gallup Properties

Meeting Minutes:

Items of Concern:

Q.) Will the lighting in the ceiling be recessed in order to eliminate glare at night?

A.) Yes, after the remodel the lights will be recessed.

Q.) Does the rezoning from C-1 to C213 allow different uses?

A.) Yes it does, but I felt the uses allowed are less intense than those in the C2-B. I recommended that they contact city planning.

Q.) One citizen indicated the rezoning was at our request. He talked to Matt Kowalski and was told the city does not request that we rezone. We needed it to expand our present use.

A.) I indicated the city was in favor of the rezoning after my discussions concerning planning. I was under the impression the property was zoned improperly since there was an established gas station there since 1957. The C-2B zoning allowed this only with special use.

Q.) It was brought to my attention that under C-2B, special use can be granted without contacting the surrounding community, is this correct?

A.) To my understanding everyone within 300 ft. of the property will be contacted. They are able to express any concern they might have to the planning commission.

Q.) Will rezoning add value to the property?

A.) I do not believe that rezoning the property would add any value to it.

Q.) There was a genuine concern in regards to the future development under C2-B by everyone. There was no one particular type of development in C-2B that the citizens were opposed to, however they seemed a bit confused on the subject.

A.) I encourage all citizens who attended to conduct research and talk to the planner to decipher what the differences in uses are.

Q.) A citizen informed us that we could Deed restrict the property to not allow any use in the C-2.

A.) I was not sure that was possible or something we would consider.

Q.) What will the hours of operation be?

A.) The citizens were informed this could be established in conditional use approval.

Q.) Will there be music playing through the speakers in the canopy?

A.) I informed them that we could restrict the music playing through the speakers in the canopy. This may be another item to be established during conditional use approval.

Q.) Are we adding additional light additional lights to the site?

A.) We are restricted by city ordinance to avoid any light pollution.

Q.) Will you be adding any light poles for security purposes?

A.) There will be one light pole in the rear of the property.

Summary
Citizen Participation Report

City of Ann Arbor
Planning Department
4/3/09

We sent out 770 of invitations and received 34 back undeliverable there were 15 people in attendance. During the meeting there were several issues raised. I believe most can be addressed .The issues were primarily as follows.

I.) The meeting was held at 111 state street of Friday at 9:00. The citizens asked we reschedule at a later time in the evening at the library.

A) We were given no parameters on where to hold the meeting, just close to the site we were 2 miles away

I) The citizens in attendance did not object to the gas station as much as they were concerned about the re-zoning allowing additional operations they might be objectful of.

A) We discussed with them of what additional uses that may be permitted under C-2 and would not be under C-1. We also ask that they contact the city planner's office for more complete information. After discussions with Matt Kowalski and Alexis DiLeo in the planning department we thought it would be better to re-zone to C-2b in-lieu of C-2 with a special use this would be closer fit the C-1 permitted uses.

- I. One citizen brought up the glare from the windows in to her bedroom
- II. It was determined her window was located on the opposite side of Packard with the street between. I informed the citizen we were restricted by ordinance as to how many lumens we may project
- III. Several citizens were requesting a rendering of the finished project
- IV. We were requested to have the citizen participation meeting because of rezoning the property, not for construction. We did have a 8 1/2" x 11" versions faxed over and passed them to all in attendance in order to discuss there issues.

In summary there were two major items that all citizens in attendance had in common

1. The time and place of the meeting
2. added uses allowed with the new zoning

T.S. QUATRO COMPANY, INC.

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1. I feel these items have been addressed. We checked with the city planner prior to scheduling the meeting as to time and place and informed them of where and when. We also asked for a list of any potential meeting places they might recommend and we were told it was our responsibility to locate the facility and set the time.

2. This I believe to be the citizen's primary issue, and we have went to great lengths to rectify no one in attendance at the meeting indicated a problem with the gas station being updated at this location. After several meetings with city planners we believe to C-2b rectified most of their issues.

Attached is a copy of the request for attendance dated 3/23.09.

Sincerely,



Todd Quatro
President
T.S. Quatro Company