

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 20, 2008

**SUBJECT: Bombay Grocers Planned Project Site Plan (3070 Packard Road)
File No. 12112X4.5**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Bombay Grocers Planned Project Site Plan.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the proposed modifications to the conflicting land use buffer requirements of Chapter 62 (Landscape and Screening Ordinance), Section 5:603(1).

STAFF RECOMMENDATION

Staff recommends that the site plan be **approved** because it would comply with all applicable federal, state, and local laws, ordinances, standards and regulations; and would not have a detrimental effect on the public health, safety or welfare.

Staff recommends that the proposed modifications to the conflicting land use buffer requirements be **approved** because the proposed landscaping and screening will achieve the spirit and intent of Chapter 62.

LOCATION

This site is located on the south side of Packard Road, east of Platt Road and west of US-23 (South Area and Malletts Creek watershed).

DESCRIPTION OF PETITION

The petitioner proposes to build a 4,960-square foot single-story retail building on the vacant 14,866 square foot site. It previously contained a four-bay car wash, which has been demolished, leaving behind a nearly completely impervious site. The site is in the C2B zoning district. A total of 16 parking spaces are proposed behind the building, including one barrier-free space. Two bicycle parking spaces are required and two are proposed, one near the front of the building and another at the rear.

Access to on-site parking is provided from Creek Drive via a 20 foot easement across the parcel to the east. An existing curb cut on St. Aubin Avenue would be removed and 30 feet of new curb installed. Existing front sidewalks would be re-poured. Internal sidewalks are proposed along the east side of the building to the rear parking area and to a back door.

8f

An existing private storm sewer lead is to be made public. One footing drain disconnect is required by the project. Underground storm water detention will be located beneath the parking area and will serve this site and 2,025 square feet from the neighboring site to the east. There are no natural features on the site.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Commercial (Retail)	C3 (Fringe Commercial District) and C1 (Local Business District)
EAST	Commercial (Piano Shop)	C2B (Business Service District)
SOUTH	Single-Family Residential	R1C (Single-Family Dwelling District)
WEST	Commercial	C2B

COMPARISION CHART

		EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning		C2B	C2B	C2B
Gross Lot Area		14,866 square feet	14,866 square feet	4,000 square feet
Lot Width		85 feet	85 feet	40 feet
Setback	Front	NA	3 feet	40 feet
	Side	NA	0 feet west/15 feet east	0 feet
	Rear	NA	77 feet	0 feet
Height		NA	18 feet	60 feet/4 stories
Floor Area Ratio		NA	33.4%	200%
Vehicle Parking		NA	16 spaces	Min 16, max 19
Bicycle Parking		NA	1 Class B, 1 Class C	1 Class B, 1 Class C

PLANNED PROJECT STANDARDS

The applicant is requesting a front setback reduction from 40 feet to zero feet. The application states that “The modification will allow a building location that is most suitable for the site. It will allow the use of a rear access route that will eliminate a curb cut, bring the proposed building into conformity with adjacent buildings while also allowing a greater rear setback to buffer the adjacent residential district.”

Based upon compliance with the following standards, the Planning Commission may recommend approval, and City Council may approve modifications of the area, height and placement regulations of the Zoning Chapter in the form of a planned project site plan: (Petitioner comments are in plain type; *staff comments are in italics.*)

- (1) **The lot or lots included in the planned project must meet the minimum gross lot size requirement of the zoning district in which they are located. In residential zoning districts, the minimum gross lot size shall be the combined total of the minimum gross lot sizes for each dwelling on a parcel. However, the following exceptions may apply:**

a. For purposes of this section, zero lot line duplex or townhouse development shall mean a development containing attached single-family units on individual lots. If a planned project for a zero lot line duplex or townhouse development provides affordable housing for lower income households, the minimum gross lot size and width requirements may be reduced. The number of dwelling units permitted shall not exceed the maximum permitted density in the zoning district in which the proposed development is located.

Not applicable.

b. In any residential zoning district allowing three or fewer dwelling units per acre, when 20 percent or more of the total area of a development is set aside for permanent open space preservation, the gross lot size may be reduced below the minimum lot area per dwelling unit and width requirements for the zoning district in which it is located, as provided in this section.

Area and height requirements of the district have been met as well as floor area ratio and lot coverage requirement which have been exceeded.

Staff concurs that area, height, and placement standards have been met, with the exception of the front setback (for which this planned project is being proposed).

(2) The proposed modifications of zoning requirements must provide one or more of the following:

a. Usable open space in excess of the minimum requirement for the zoning district. Where no minimum usable open space standard is required by the zoning district, a minimum usable open space standard shall be established by the approval of the planned project.

Not applicable.

b. Building or parking setback(s) in excess of the minimum requirement for the zoning district. Where no minimum building or parking setback is required by the zoning district, a minimum setback standard shall be established by the approval of the planned project.

Moving the building to the front of the property allows for a greater rear setback from the abutting residential properties.

Staff agrees that this is desirable at this location.

c. Preservation of natural features that exceeds ordinance requirements, especially for those existing features prioritized in the land development regulations as being of highest and mid-level concern.

Not applicable.

d. Preservation of historical or architectural features.

Not applicable.

e. Solar orientation or energy conserving design.

Not applicable.

f. An arrangement of buildings which provides a public benefit, such as transit access, pedestrian orientation, or a reduced need for infrastructure or impervious surface.

The proposed building arrangement allows the parking area to be accessed from an existing rear right-of-way thereby reducing the need for impervious surface.

The proposed building is pedestrian oriented in its placement near the street, in line with neighboring buildings. It will fill a gap in the existing row of storefronts and provide retail streetscape continuity that is currently interrupted by this site.

g. Affordable housing for lower income households.

Not applicable.

h. A recorded conservation easement or similar binding instrument providing for permanent open space of 20 percent or more of the planned project, in any residential zoning district allowing three or fewer dwelling units per acre.

Not applicable.

(3) The planned project shall be designed in such a manner that traffic to and from the site will not be hazardous to adjacent properties.

The proposed access is via an existing right-of-way to the site. An existing curb cut along St. Aubin Avenue will not be utilized. All proposed parking is located on the property. Therefore, potential traffic conflicts have been avoided and traffic to and from the site should not be hazardous to adjacent properties.

(4) The proposed modifications shall be consistent with the proper development and use of adjacent land and buildings.

The proposed modification, a zero setback, allows conformance with adjacent buildings as well as others along St. Aubin Avenue.

(5) Required off-street parking and landscaping must be provided in accordance with the provisions of Chapters 59 and 62.

Off-street parking requirements have been satisfied. A waiver is being requested for one screening requirement but all other requirements of Chapter 62 have been complied with.

Information on the requested landscape waiver follows in this report.

(6) The standards of density, allowable floor area and required usable open space for the zoning district(s) in which the project is located must be met.

All requirements have been met.

(7) There shall be no uses within the proposed project which are not permitted uses in the zoning district(s) in which the proposed project is to be located.

The proposed use is permitted in the C2B district.

CHAPTER 62 LANDSCAPE AND SCREENING ORDINANCE STANDARDS FOR MODIFICATION APPROVAL

The Planning Commission may allow flexibility in the application of the landscaping requirements if the modifications are associated with one or more of the following site conditions [Section 5:608(2)(c)]:

- (i) The site is located in a special parking district as designated by Chapter 59.**
- (ii) Strict application of this Chapter will result in a loss of existing parking spaces required by Chapter 59 where the parking does not abut residential uses.**
- (iii) The topographic features of the site create conditions so that the strict application of the provisions of this Chapter will result in less effective screening and landscaping than alternative landscape designs.**
- (iv) Existing buildings provide adequate screening for the purposes of Section 5:602(1).**
- (v) Existing vegetation and landscaping are located in such a manner that the addition of required landscaping would be detrimental to the plant material or create undesirable conditions.**
- (vi) The use of xeriscaping would prevent strict application of this Chapter.**
- (vii) In the case of planned projects or planned unit developments, a rearrangement of the landscaping elements will achieve the spirit and intent of this Chapter.**

(Petitioner's comments are in regular text, staff's responses are in *italic text*.)

1. What are the specific site conditions that necessitate this request and how do they warrant the modifications of Chapter 62 requirements?

An existing right-of-way and access drive abuts the property right at the rear property line. The proposed driveway then conflicts with the 15-foot wide buffer for plus or minus half its length. Arrangement of the required plant material allows for full compliance with that part of Chapter. With the addition of a screening wall the spirit and intent of the chapter has been achieved per 5:608(2)(vii).

2. How does the proposal meet the spirit and intent of Chapter 62?

The proposed 6-foot high screening wall can be accomplished without the 15-foot buffer. In addition, all required plant material has been provided in the 15-foot buffer that has been proposed.

Staff believes the requested modification meets the spirit and intent of Chapter 62.

PLANNING BACKGROUND AND HISTORY

The site is located in the South Area. The South Area Plan, adopted in 1990, recommends commercial uses for the site. Surrounding areas are recommended for office and commercial use to the north, commercial to the east and west, and single family detached to the south.

SERVICE UNIT COMMENTS


Public Services Area, Systems Planning – The proposed 12-inch storm sewer shall be moved to the north side of the curb. A main line valve is required on the water main to provide separation between the fire service lead to the Fire Department Connection and its supporting fire hydrant.

The dumpster detail does not show a minimum clear opening of ten feet per dumpster, as indicated in the cover letter.

Planning and Development Services (Planning) – The neighbor immediately to the south of the site has requested that the existing six-foot wooden privacy fence along the back of the site remain in place instead of the proposed masonry wall. Existing mature shrubs along the fence on the neighbor's side act as an effective privacy screen and construction of the masonry wall would probably damage or kill the shrubs. The applicant has agreed to use the existing fence instead of the wall shown on the plans.

Planning staff supports the proposed planned project to reduce the front setback from 40 feet to zero. Bringing the building to the street improves its pedestrian orientation and results in a much larger buffer between the building and residential properties to the south. Staff also supports the landscape waiver.

Prepared by Jill Thacher
Reviewed by Connie Pulcifer and Mark Lloyd
jsj/5/14/08



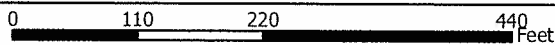
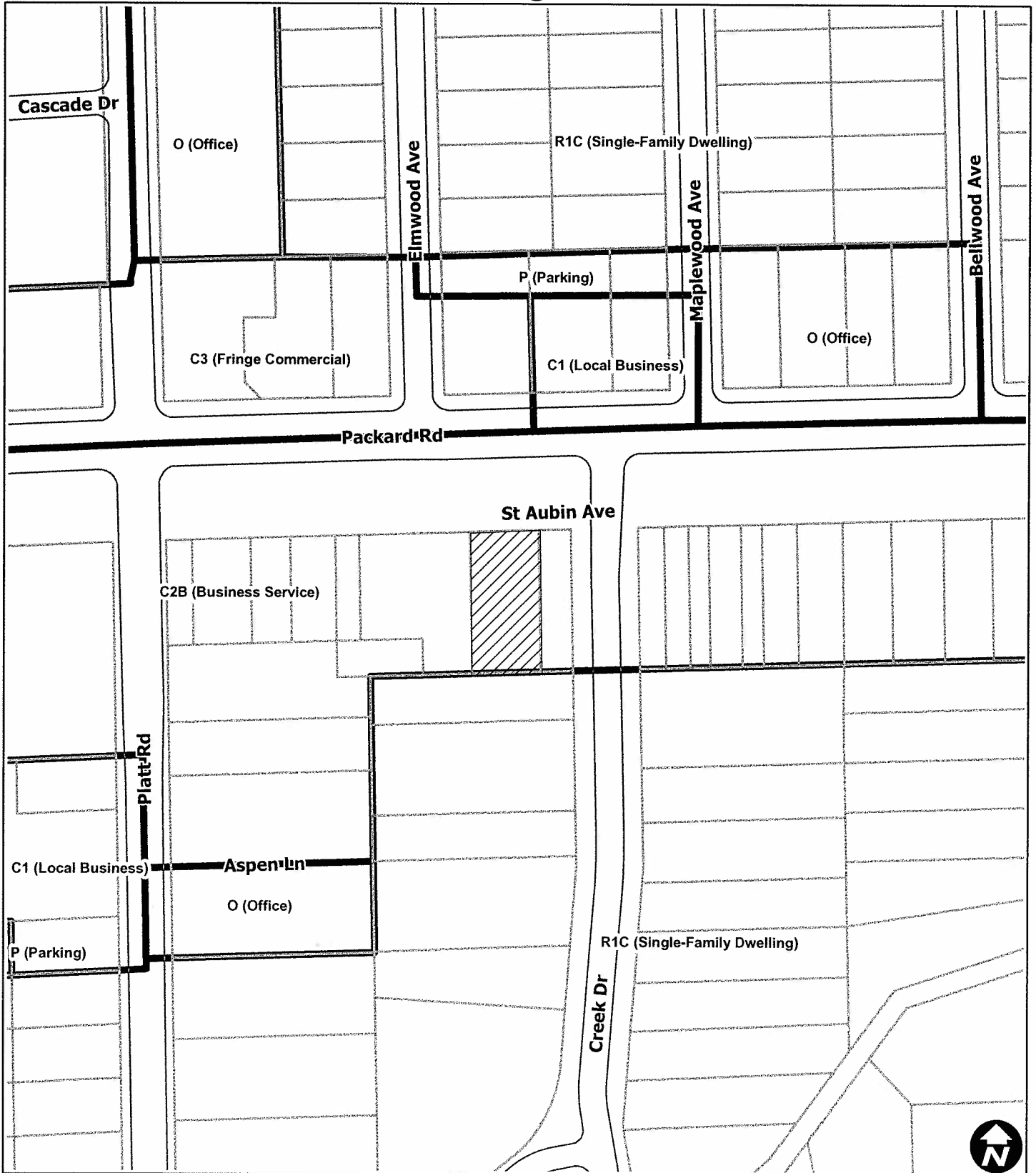
Attachments: Parcel/Zoning Map
Aerial Photo
Site Plan
Landscape Plan
Building Elevations

c: Petitioner: Washtenaw Engineering Company
3250 West Liberty Street
Ann Arbor, MI 48103

Owner: Mukeshkumar Patel
3022 Packard Road
Ann Arbor, MI 48108

Systems Planning
File No. 12112X4.5

307(Packard Road: Bombay Gardens Zoning



Map Legend	
	Historic Districts
	Railroads
	Edge Of Pavement
	Parcels



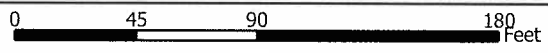
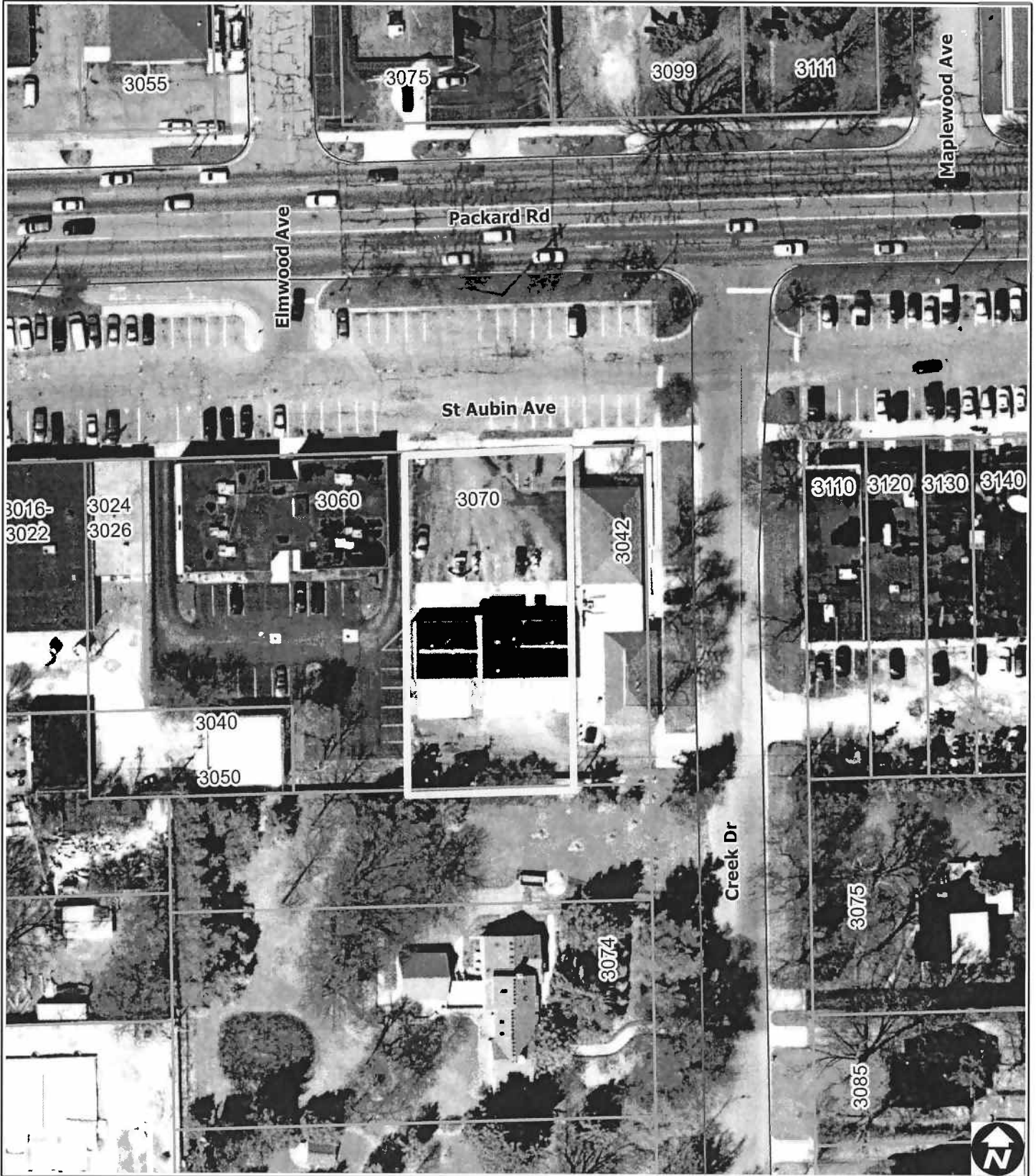
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

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3070 Packard Road Aerial Photograph



Map Legend

-  Historic Districts
-  Railroads
-  Edge Of Pavement
-  Parcels



Maps available online:
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REVISIONS

NO. DATE BY DESCRIPTION

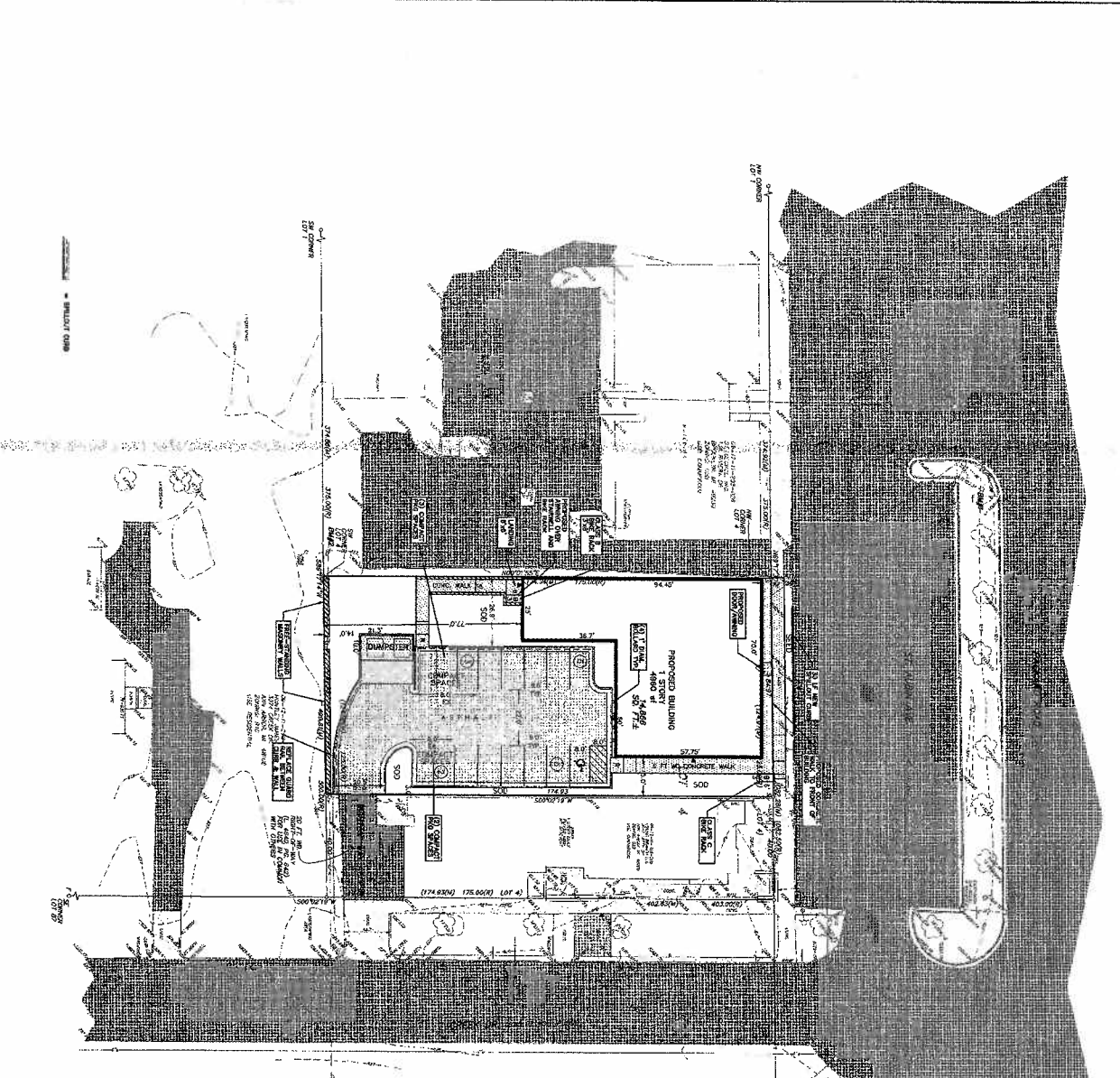
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SCALE

1" = 20'

SCALE: 1"=20'

DESIGNED BY: [unclear]



NOTE:

FOR CHANGES TO SECTION 408 OF THE CITY CODE, ALL SIGNAGES OF THE LAND DEVELOPER TO BE PLACED IN THE SAME POSITION AS THE SIGNAGES ON THE PLANS. THE SIGNAGES SHALL BE PLACED IN ACCORDANCE WITH CITY STANDARDS.

SOILS NOTE:

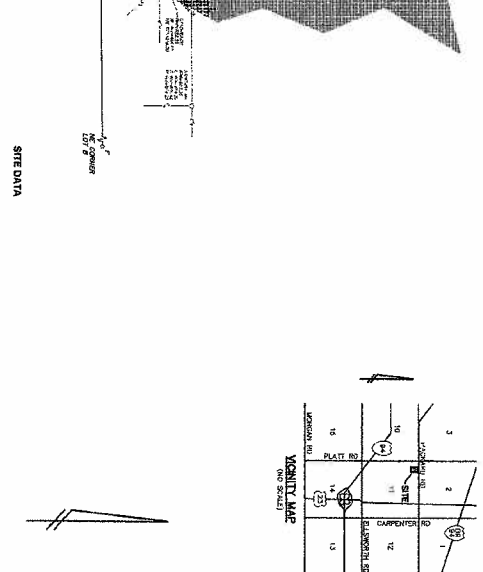
PER THE WASHTENAW COUNTY SOIL SURVEY, LOAD SOILS WITH SLOPES OF 2:1 OR GREATER SHALL BE CONSIDERED AS SUCH.

Off-Street Parking Calculations

Category	Requirement	Spots	Required	Provided	Notes
Automobile Parking	1 space per 300 sq ft of floor area - min. 4,000 sq ft	16	16	16	16 spaces provided
Bus/Truck Parking	1 space per 500 sq ft of floor area	1	1	1	1 space provided
Accessibility	ADA compliant - min. 1	1	1	1	1 space provided
Handicapped	1	1	1	1	1 space provided

SITE DATA

Category	Value
Lot Area	14,898 sq ft
Building Footprint	14,898 sq ft
Setback (Front)	10 ft
Setback (Side)	5 ft
Setback (Rear)	5 ft
Height	10 ft
Use	Commercial - Retail
Zone	C-2
Compliance	Compliant



SECTION 11, TOWN 2 SOUTH, RANGE 6 EAST

CITY OF ANN ARBOR
WASHTENAW COUNTY - MICHIGAN
DATE 11-14-07
JOB NO. 32602
DWG NO. 905-SITE
FLD BOOK 835
FILE NO. PROJECT (8552)

BOMBAY GROCERS

SITE PLAN

CLIENT

BOMBAY GROCERS
3225 PLYMOUTH ST
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TEL. 734-971-7707

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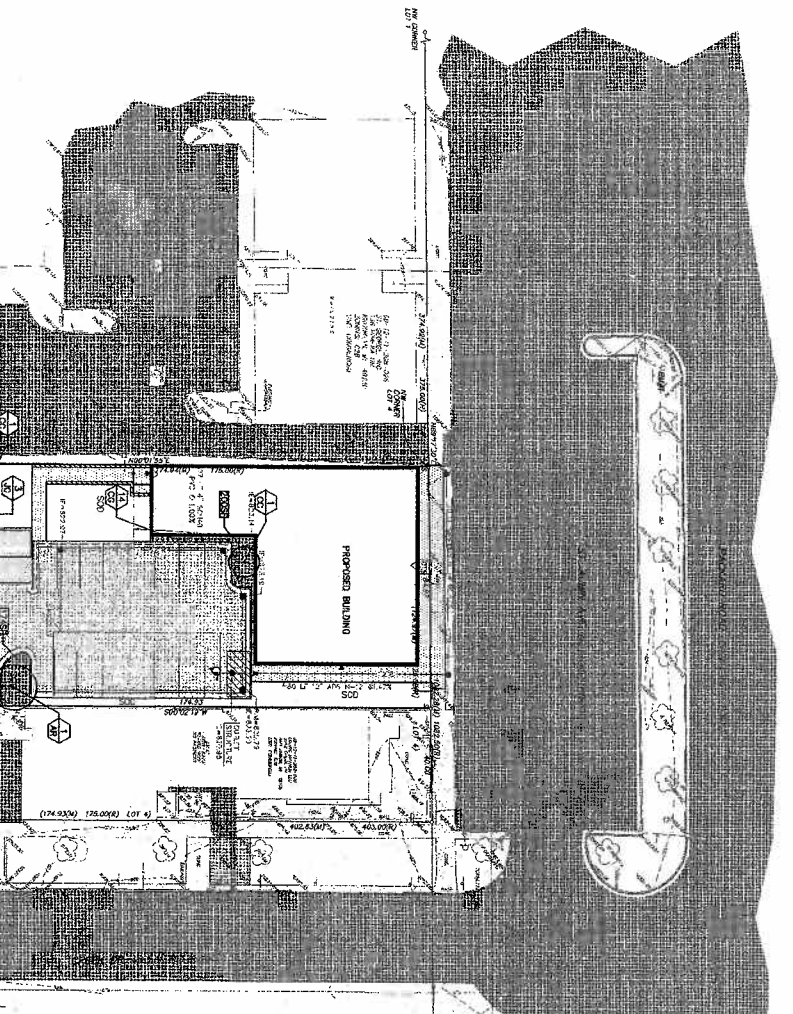
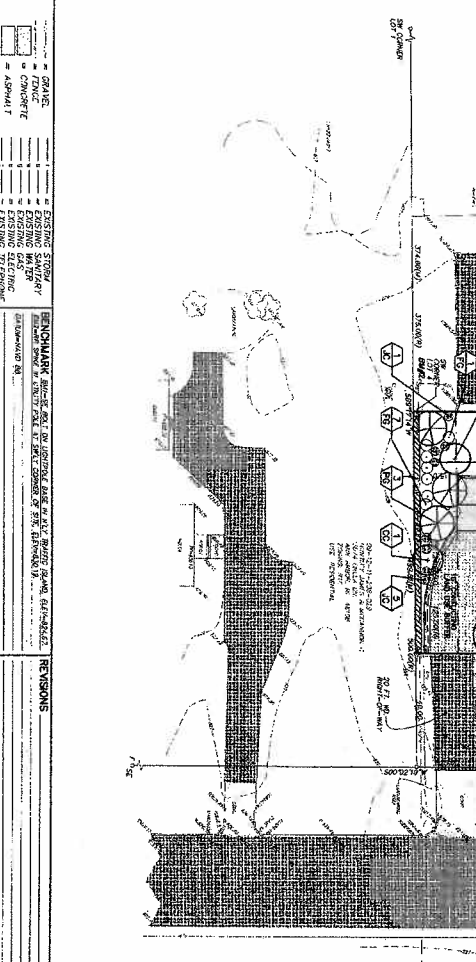
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- LEGEND**
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 - 1" = 10'
 - 1" = 5'
 - 1" = 2.5'
 - 1" = 1.25'
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REVISIONS

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SCALE

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1" = 20'

DESIGNED BY: MANISH E. SHUKLA, R.L.D., LIC. NO. 1289

LANDSCAPING REQUIREMENTS

NO.	QUANTITY	SCHEMATIC	COMMON NAME	SIZE	COMMENTS
1	1		Asiatic Garden Juniper	5.5' ROUND CONT.	REAR
2	1		Red Bud Tree	8.5' ROUND CONT.	REAR
3	1		Black Olive	5.5' ROUND CONT.	REAR
4	1		Prickly Pear	12" ROUND CONT.	REAR
5	1		Japanese Spindle Tree	36" ROUND CONT.	REAR
6	1		Compound Fringe Tree	36" ROUND CONT.	REAR
7	1		Flame Tree	36" ROUND CONT.	REAR
8	1		Flame Tree	36" ROUND CONT.	REAR

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7	1		Flame Tree	36" ROUND CONT.	REAR
8	1		Flame Tree	36" ROUND CONT.	REAR

PROJECT
BOMBAY GROCERS

LANDSCAPE PLAN

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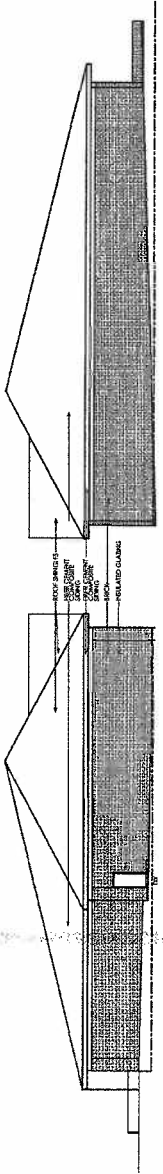
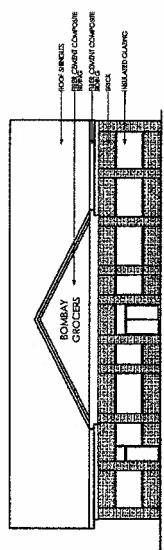
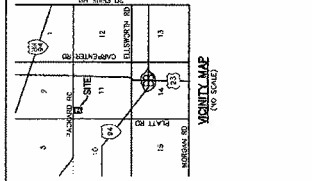
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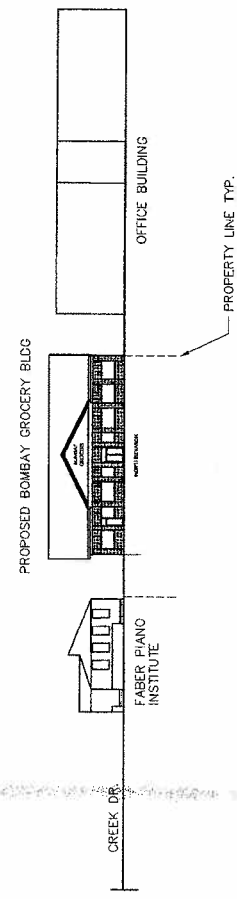
ARCHITECTURAL PLANS
BOMBAY GROCERY

PROJECT: CITY OF ANN ARBOR
 SHEET: 11-14-07
 DATE: 11-14-07
 DRAWN BY: SCS-ARJH
 FILE NO. PROJECT (0503)
 FIELD BOOK 635

SECTION	11	TOWN	3	QUART	RANGE	E	EAST
PREPARED BY							
SCALE	1" = 20'						



BUILDING ELEVATIONS
 SCALE: 1" = 10'



LEGEND
 1 = 1" = 20'
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