

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of January 6, 2009

**SUBJECT: Gas Station/Tim Hortons Site Plan (3240 Washtenaw Avenue)
File No. PLNG080064**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Gas Station/Tim Hortons Site Plan, subject to payment of street tree escrow of \$631.65 prior to issuance of building permits and subject to the disconnection of one footing drain prior to issuance of certificates of occupancy.

STAFF RECOMMENDATION

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

STAFF REPORT

This petition was tabled at the May 20, 2008 meeting to address outstanding staff comments as well as issues raised by the Planning Commission. As a result, the planned project modification request has been withdrawn.

Revised Site Layout - This site is currently zoned C3 (Fringe Commercial District) and was previously proposed with planned project modifications to accommodate parking within the front setbacks of both Washtenaw Avenue and Huron Parkway. The petitioner has removed parking within the front setbacks and the need for planned project modifications.

The proposed building has been reduced from 4,512 square feet to 4,507 square feet and the proposed parking reduced from 26 spaces to 18 spaces. The revised building floor area and setbacks have been noted in the attached comparison chart. Michigan Department of Transportation (MDOT) reviewed and approved the proposed right turn in and right turn out curb cut on Washtenaw Avenue. The previous curb cut proposal impacting the existing 66-foot wide right-of-way along the west side of the site has been removed. There are no changes proposed to this right-of-way.

REVISED COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	C3	C3	C3
Gross Lot Area	1.32 acres (57,500 sq ft)	1.32 acres	0.137 acres MIN 6,000 sq ft MIN
Maximum Usable Floor Area in Percentage of Lot Area	2,340 sq ft (3.7%)	4,507 sq ft (7.8%)	28,749 sq ft MAX (50% MAX)
Setback – Front	78 feet Washtenaw 66 feet Huron Pkwy	110.5 feet Washtenaw * 40.1 feet Huron Pkwy *	40 ft MIN
Setback – Side(s)	68 ft – South	34 ft - South	0 ft MIN
Setback – Rear	120 ft – West	104.4 ft- West	20 ft MIN
Height	1 story	21 ft	35 ft MAX
Parking – Automobile	10 spaces	18 spaces	15 spaces MIN 18 spaces MAX
Parking – Bicycle	N/A	Class B – 5 spaces	Class B – 2 spaces MIN Class C – 3 spaces MIN

* Setbacks to building.

COMMENTS PENDING, DISMISSED OR UNRESOLVED

Forestry - In accordance with Chapter 57 (Subdivision and Land Use Control Ordinance), Attachment C, developers are required to pay a street tree escrow fee for the purpose of maintaining trees on the public street right-of-way abutting the new development. Based on the 485.88 feet of street frontage on this project the requirement for this site is \$631.65. This amount must be paid prior to issuing building permits

Systems Planning - One footing drain disconnection is required prior to the issuance of certificates of occupancy.

Planning – City staff continues to explore revisions to the Area, Height and Placement standards to Chapter 55 (Zoning Ordinance). At this time, there are no revisions immediately pending. The proposed draft language for the C3 district would require a range of a ten-foot minimum and a 40-foot maximum front setback. This proposal meets this proposed draft language.

Prepared by Christopher Cheng
 Reviewed by Connie Pulcifer and Mark Lloyd
 jsj/12/29/08

Attachments: Revised Site Plan
 Revised Landscape Plan
 Elevations
 5/20/08 Staff Report
 Neighborhood Notification