PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of March 6, 2012

SUBJECT: Tim Hortons Site Plan for City Council Approval

(3965 South State Street)

File No. SP11- 029

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Tim Hortons Site Plan, subject to the submission of a Tree Health Evaluation form and approval of a land division prior to issuance of any permits for construction of the new building.

STAFF RECOMMENDATION

Staff recommends that the site plan be **approved** because, if the proposed condition is satisfied, it would comply with all local, state and federal laws and regulations, and the development would not cause a public or private nuisance and would not have a detrimental effect on public health, safety or welfare. There are no protected natural features on this site.

LOCATION

The site is located north of Ellsworth Road, east of South State Street (South Area, Malletts Creek Watershed).

DESCRIPTION OF PETITION

The petitioner proposes demolishing the existing 9,558-square foot restaurant building on this 2.23-acre site and constructing a one-story 1,953-square foot restaurant with drive-thru facilities on a 1.18-acre site divided from the parent parcel. The proposed restaurant will face West Ellsworth and use the existing shared drive opening on South State Street and a relocated drive opening on West Ellsworth.

The new restaurant will include a one-lane drive-thru facility, which is permitted per the C3 zoning district requirements. The drive-thru window will be located on the south side of the building, and stacking of vehicles occur along the south and west sides of the building. The drive-thru will provide a maximum queue length of 11 vehicles.

An outdoor seating area is also proposed on the east side of the restaurant. A striped pedestrian link is proposed connecting the east pedestrian entrance with the public sidewalk along West Ellsworth, which will be extended eastward from the existing drive approach to connect with the segment at the current east property line. Public sidewalk currently exists across the South State frontage.

The restaurant use requires a minimum of 20 automobile parking spaces, and this requirement is met with 21 parking spaces located on the interior of this site, along with a bike locker and 4 bicycle hoops.

100-year storm water detention is required and provided between the parking lot and northern property line. There are no natural features on the site; a 20-inch maple tree on the property north of the site is being assessed to determine if it tree protection fencing is required along the property line.

Approval of this site plan is contingent upon the successful completion of this land division, and is noted in the proposed Planning Commission motion.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING	
NORTH	Vacant	C3 (Fringe Commercial)	
EAST	Vacant and Research Offices	C3 & RE (Research District)	
SOUTH	Auto Services	TWP (Township)	
WEST	Auto Services	C3	

COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	C3 (Fringe Commercial District)	C3	С3
Gross Lot Area	97,139 sq ft	51,400 sq ft	6,000 sq ft MIN
Maximum Usable Floor Area in Percentage of Lot Area	9,558 sq ft (9.8%)	1,953 sq ft (3.8%)	28,749 sq ft MAX (200% MAX)
Setback – Front	94 feet – West Ellsworth	23 feet - West Ellsworth	10 ft MIN 25 ft MAX
Setback - Side(s)	113 ft	47 ft	0 ft MIN
Setback – Rear	15 ft	150 ft	0 ft MIN
Height	1 story	20 ft	55 ft MAX
Parking – Automobile	129 spaces	21 spaces	20 spaces MIN
Parking – Bicycle	N/A	Class A – 2 spaces Class C – 8 spaces	Class B – 2 spaces MIN Class C – 2 spaces MIN

HISTORY

This site was annexed from Pittsfield Township in 1973. The site plan was approved as a PUD in 1977. The site was originally zoned PUD to allow a restaurant building and an adjacent two-story 10,000-square foot office or business service building on the same parcel. The restaurant building was built in 1978 and the office building was never constructed. This site was then rezoned to C3 in 2008 to allow uses other than a restaurant for the existing building.

PLANNING BACKGROUND

The <u>Master Plan: Land Use Element</u> supports continued commercial uses for this site. The Plan recommends that retail centers be designed with pedestrian access as a primary goal. It also helps encourage mass transit and reduce the demand for parking. Surface parking should be placed at the rear of the building and should not be a dominant element along public streets.

The <u>Non-Motorized Plan</u> recommends bicycle lanes and sidewalks on both sides of the street for South State Street and Ellsworth.

The <u>Transportation Plan</u> Short-term Recommendations propose intersection improvements at State and Ellsworth intersection along with a traffic corridor study on Ellsworth from State Street to Platt Road. The Mid-term Recommendations propose a traffic corridor study along South State Street between Eisenhower and Ellsworth Blvd. The Long-term Recommendations propose intersection improvements north and south of I-94.

STAFF COMMENTS

<u>Systems Planning</u> – One footing drain disconnection is required to mitigate sanitary flow as part of this development.

An existing 8" sanitary sewer on the proposed easterly parcel is not contained within a public sewer easement. The city is willing to accept this sanitary sewer into its system as a public main after confirmation that the sewer is in good condition. Upon confirmation of the sewer's acceptable condition, an easement would need to be granted.

The petitioner shall dedicate the southerly fifty feet of the parcel as Ellsworth Road right-of-way in a manner to be determined by the city attorney's office prior to the issuance of any permits.

<u>Traffic</u> – Per the conclusions of the Tim Horton's Traffic Impact Study, the intersection of State and Ellsworth currently operates at capacity and will continue to operate in a similar manner in the future without Tim Horton's. The City, Washtenaw County, and Pittsfield Township are moving forward with plans to reconstruct the intersection of State and Ellsworth Road as a modern roundabout. The analysis of future conditions with the proposed Tim Horton's indicates the intersection at State and Ellsworth would continue to operate in a manner similar to background conditions, with negligible increase in peak hour volumes and vehicle delays. Left turns from the South State drive opening should be restricted, due to the projected delay and length of the southbound traffic queue.

<u>Urban Forestry and Natural Resources</u> – A Tree Health Evaluation Form is to be completed for the 20-inch Maple on the property to the north. If this tree is not considered landmark, staff requires tree protection fencing be provided along the property line where this tree is located.

<u>Planning</u> – The Washtenaw County Road Commission (WCRC) held a public information meeting on Wednesday, February 29th to present and discuss the upcoming State Road at Ellsworth Road intersection improvement project. These proposed intersection improvements will replace the signalized intersection with a modern roundabout that includes bicycle and pedestrian facilities. Any relevant information pertaining to the Tim Horton's site plan will be presented at the City Planning Commission Meeting.

Some elements of the proposed drive-thru are not consistent with the draft amendments to Chapter 59 recommended by the Planning Commission in December 2011 and currently under consideration by City Council. A proposed 5-foot wide striped sidewalk linking the Ellsworth sidewalk to the outdoor seating area is provided, consistent with the amendments. However, this link is not raised, nor are bollards proposed at each corner to alert drivers of this pedestrian crossing. The petitioner is open to possible changes in color and/or materials of this sidewalk link and placing two bollards at the south side corners. Because the sidewalk link is leading to a fenced in seating area, bollards are not proposed at the northern corners.

Prepared by Christopher Cheng Reviewed by Wendy Rampson 3/1/12

Attachments: Zoning/Parcel Maps

Aerial Photo Site Plan

Landscape Plan Elevations

c: Petitioner: Mark Kellenberger

Tim Horton's

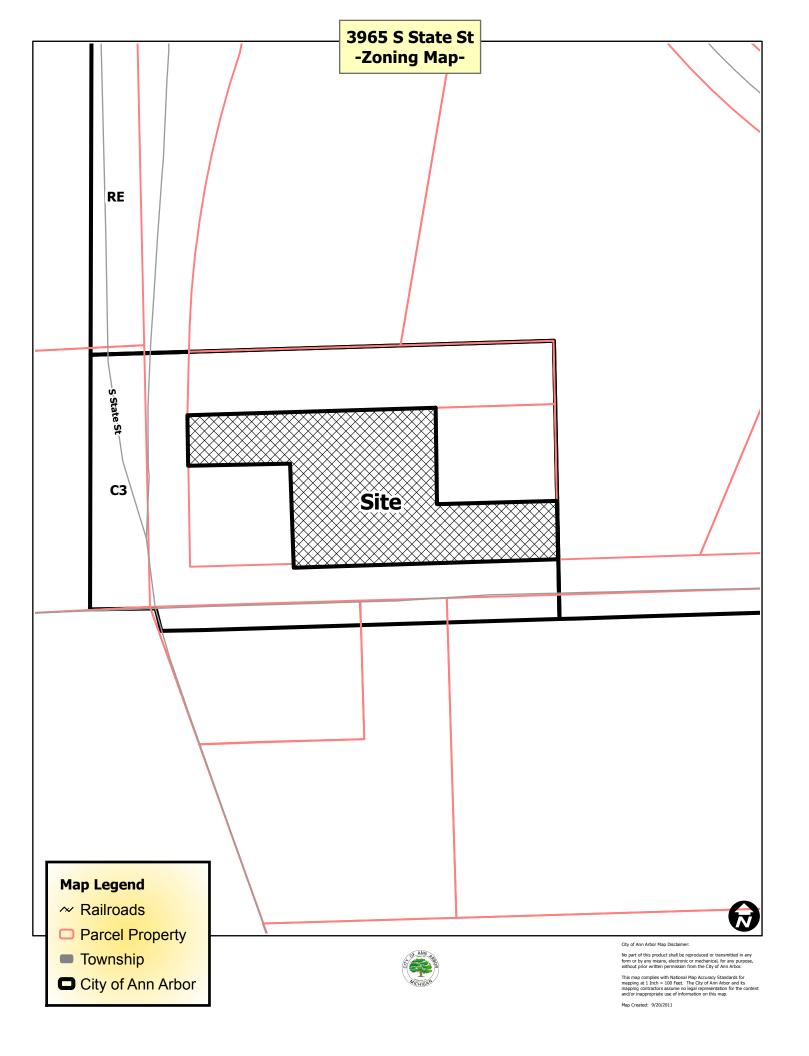
565 East Grand River Ave. Suite # 101

Brighton, MI 48116

Owner: 3965 South State LLC

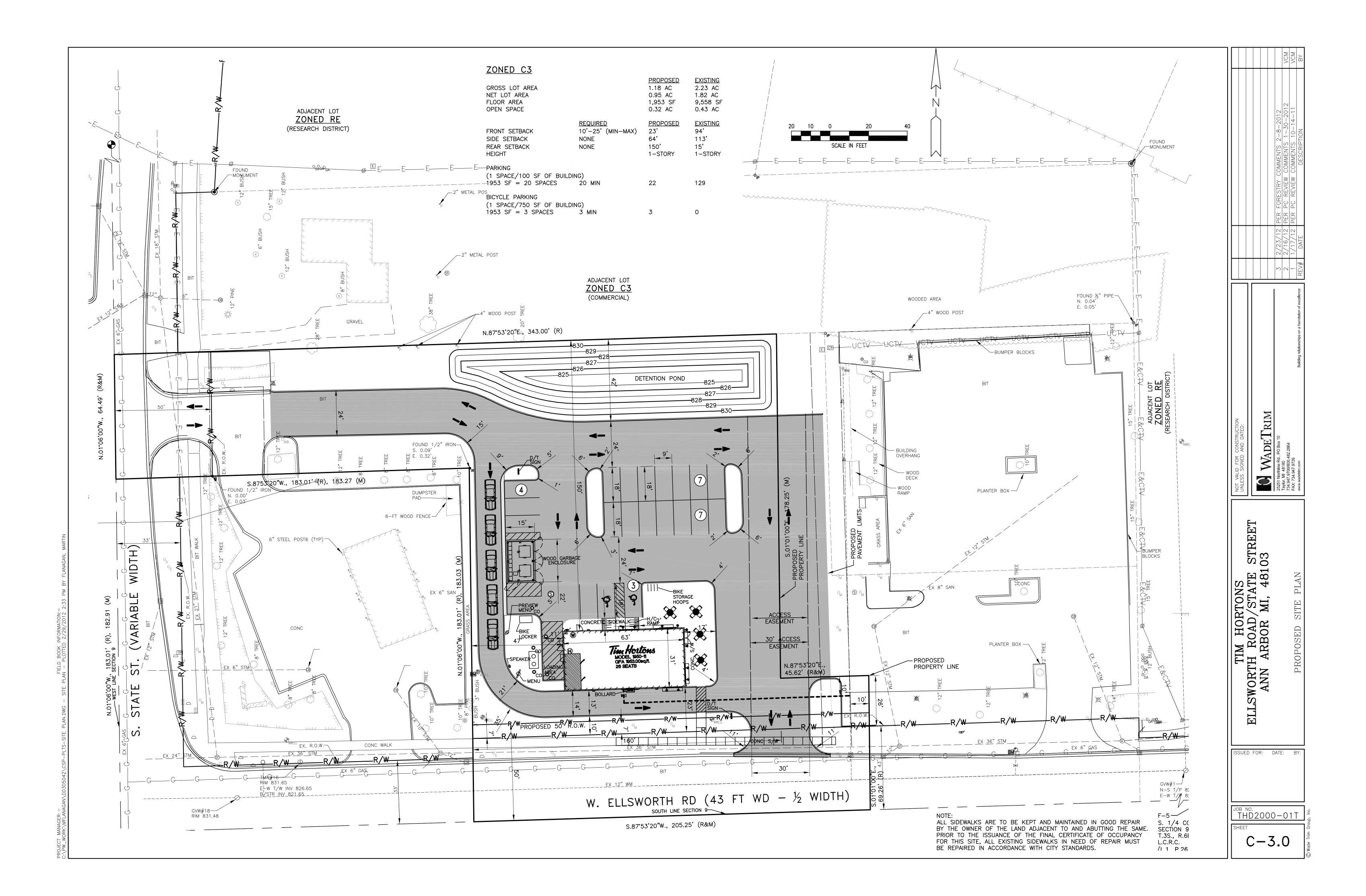
115 Depot Street Ann Arbor, MI 48104

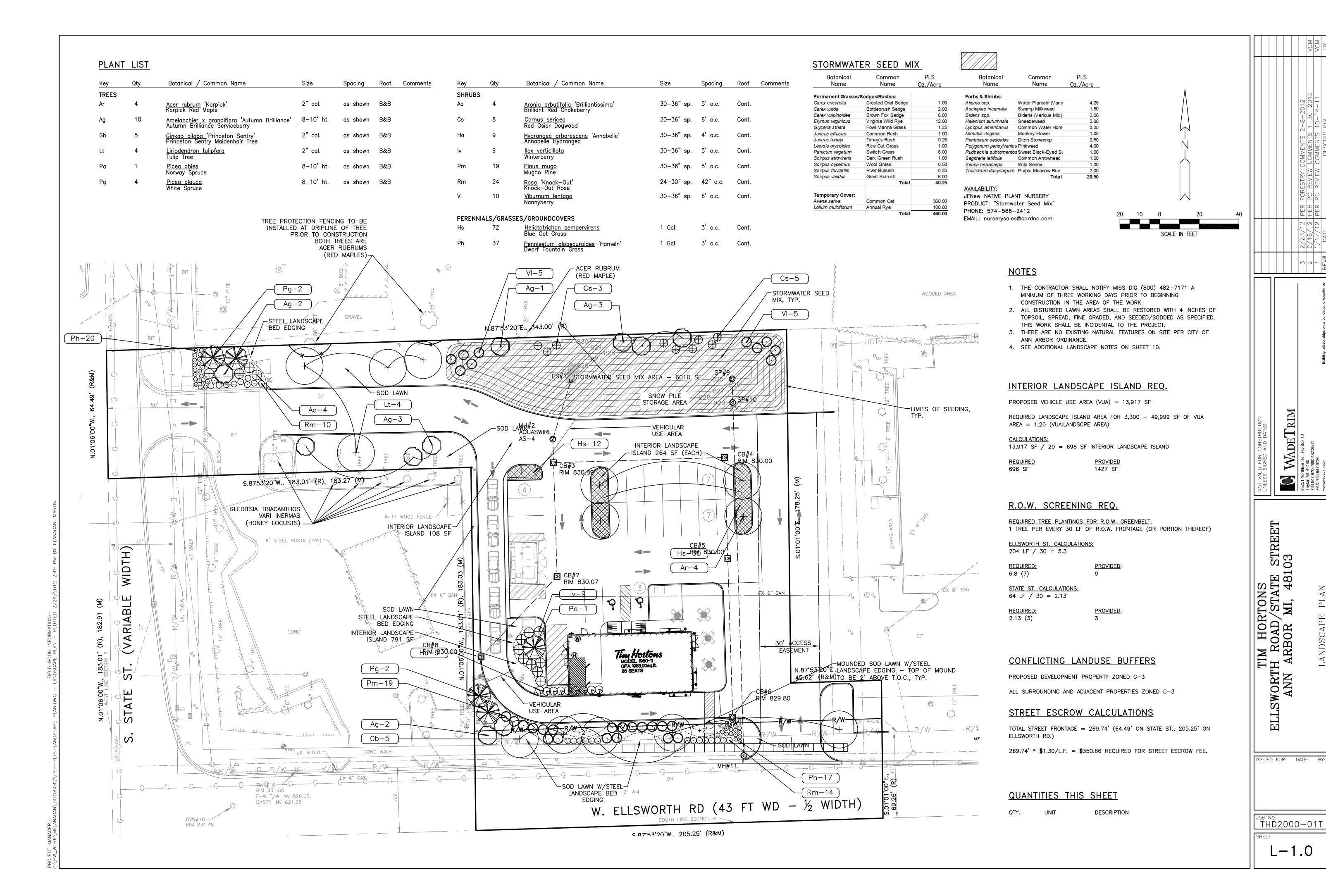
Systems Planning File No. SP11-029

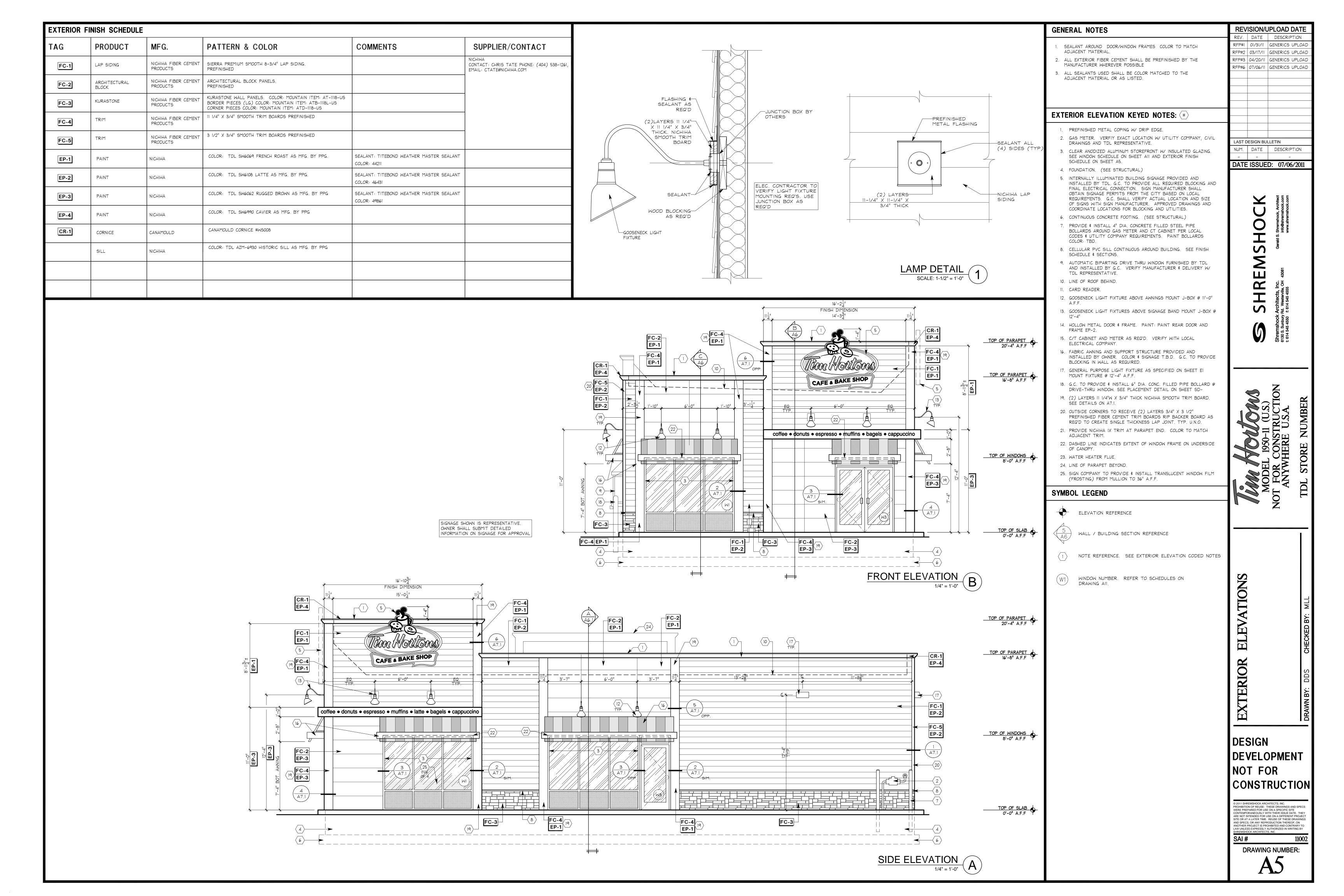




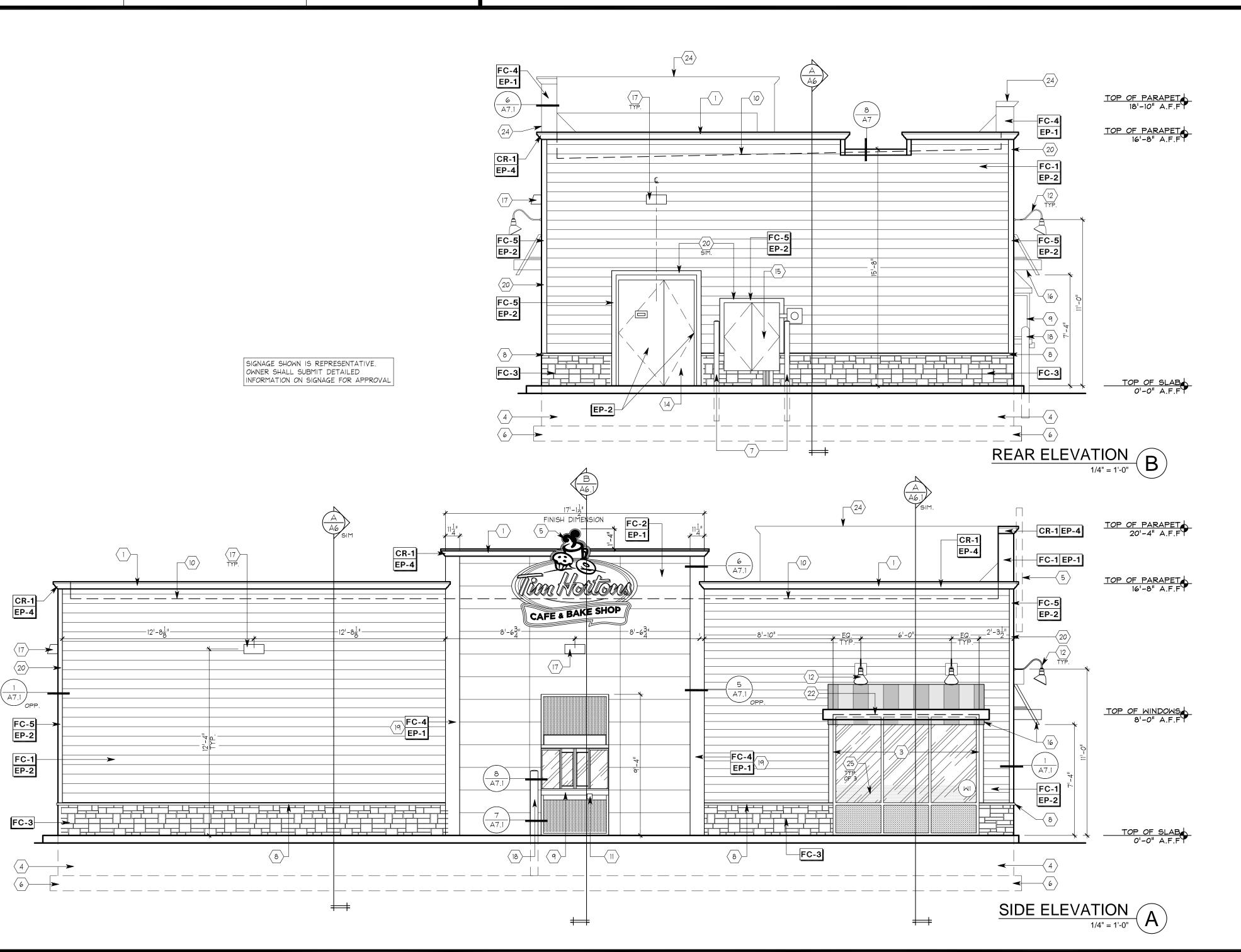
Parcel Property







TAG	PRODUCT	MFG.	PATTERN & COLOR	COMMENTS	SUPPLIER/CONTACT
FC-1	LAP SIDING	NICHIHA FIBER CEMENT PRODUCTS	SIERRA PREMIUM SMOOTH 8-3/4" LAP SIDING. PREFINISHED		NICHIHA CONTACT: CHRIS TATE PHONE: (404) 538-1261, EMAIL: CTATE@NICHIHA.COM
FC-2	ARCHITECTURAL BLOCK	NICHIHA FIBER CEMENT PRODUCTS	ARCHITECTURAL BLOCK PANELS. PREFINISHED		
FC-3	KURASTONE	NICHIHA FIBER CEMENT PRODUCTS	KURASTONE WALL PANELS. COLOR: MOUNTAIN ITEM: AT-1118-US BORDER PIECES (LG) COLOR: MOUNTAIN ITEM: ATB-1118L-US CORNER PIECES COLOR: MOUNTAIN ITEM: ATD-1118-US		
FC-4	TRIM	NICHIHA FIBER CEMENT PRODUCTS	11 1/4" X 3/4" SMOOTH TRIM BOARDS PREFINISHED		
FC-5	TRIM	NICHIHA FIBER CEMENT PRODUCTS	3 1/2" X 3/4" SMOOTH TRIM BOARDS PREFINISHED		
EP-1	PAINT	NICHIHA	COLOR: TDL SW6069 FRENCH ROAST AS MFG. BY PPG	SEALANT: TITEBOND WEATHER MASTER SEALANT COLOR: 44211	
EP-2	PAINT	NICHIHA	COLOR: TDL SW6108 LATTE AS MFG. BY PPG	SEALANT: TITEBOND WEATHER MASTER SEALANT COLOR: 46431	
EP-3	PAINT	NICHIHA	COLOR: TDL SM6062 RUGGED BROWN AS MFG. BY PPG	SEALANT: TITEBOND WEATHER MASTER SEALANT COLOR: 49861	
EP-4	PAINT	NICHIHA	COLOR: TDL SW6990 CAVIER AS MFG. BY PPG		
CR-1	CORNICE	CANAMOULD	CANAMOULD CORNICE #WS008		
	SILL	NICHIHA	COLOR: TDL AZM-6930 HISTORIC SILL AS MFG. BY PPG		



GENERAL NOTES

- SEALANT AROUND DOOR/WINDOW FRAMES COLOR TO MATCH ADJACENT MATERIAL.
- 2. ALL EXTERIOR FIBER CEMENT SHALL BE PREFINISHED BY THE MANUFACTURER WHEREVER POSSIBLE
- 3. ALL SEALANTS USED SHALL BE COLOR MATCHED TO THE ADJACENT MATERIAL OR AS LISTED.

EXTERIOR ELEVATION KEYED NOTES: (#)

- 1. PREFINISHED METAL COPING W/ DRIP EDGE.
- 2. GAS METER. VERFLY EXACT LOCATION W/ UTILITY COMPANY, CIVIL DRAWINGS AND TDL REPRESENTATIVE.
- 3. CLEAR ANODIZED ALUMINUM STOREFRONT W/ INSULATED GLAZING. SEE WINDOW SCHEDULE ON SHEET All AND EXTERIOR FINISH SCHEDULE ON SHEET A5.
- 4. FOUNDATION. (SEE STRUCTURAL)
- 5. INTERNALLY ILLUMINATED BUILDING SIGNAGE PROVIDED AND INSTALLED BY TDL. G.C. TO PROVIDE ALL REQUIRED BLOCKING AND FINAL ELECTRICAL CONNECTION. SIGN MANUFACTURER SHALL OBTAIN SIGNAGE PERMITS FROM THE CITY BASED ON LOCAL REQUIREMENTS. G.C. SHALL VERIFY ACTUAL LOCATION AND SIZE OF SIGNS WITH SIGN MANUFACTURER. APPROVED DRAWINGS AND COORDINATE LOCATIONS FOR BLOCKING AND UTILITIES.
- 6. CONTINUOUS CONCRETE FOOTING. (SEE STRUCTURAL)
- 7. PROVIDE \$ INSTALL 4" DIA. CONCRETE FILLED STEEL PIPE BOLLARDS AROUND GAS METER AND CT CABINET PER LOCAL CODES \$ UTILITY COMPANY REQUIREMENTS. PAINT BOLLARDS COLOR: TBD.
- 8. CELLULAR PVC SILL CONTINUOUS AROUND BUILDING. SEE FINISH SCHEDULE & SECTIONS.
- 9. AUTOMATIC BIPARTING DRIVE THRU WINDOW FURNISHED BY TDL AND INSTALLED BY G.C. VERIFY MANUFACTURER \$ DELIVERY W/ TDL REPRESENTATIVE.
- 10. LINE OF ROOF BEHIND. CARD READER.
- 12. GOOSENECK LIGHT FIXTURE ABOVE AWNINGS MOUNT J-BOX @ 11'-0"
- 13. GOOSENECK LIGHT FIXTURES ABOVE SIGNAGE BAND MOUNT J-BOX @
- 14. HOLLOW METAL DOOR \$ FRAME. PAINT: PAINT REAR DOOR AND
- 15. C/T CABINET AND METER AS REQID. VERIFY WITH LOCAL ELECTRICAL COMPANY.
- 16. FABRIC AWNING AND SUPPORT STRUCTURE PROVIDED AND INSTALLED BY OWNER. COLOR \$ SIGNAGE T.B.D. G.C. TO PROVIDE BLOCKING IN WALL AS REQUIRED.
- 17. GENERAL PURPOSE LIGHT FIXTURE AS SPECIFIED ON SHEET EI MOUNT FIXTURE @ 12'-4" A.F.F.
- 18. G.C. TO PROVIDE \$ INSTALL 6" DIA. CONC. FILLED PIPE BOLLARD @
- DRIVE-THRU WINDOW. SEE PLACEMENT DETAIL ON SHEET SD-19. (2) LAYERS 11 1/4"W X 3/4" THICK NICHIHA SMOOTH TRIM BOARD. SEE DETAILS ON A7.1.
- 20. OUTSIDE CORNERS TO RECEIVE (2) LAYERS 3/4" X 3 1/2" PREFINISHED FIBER CEMENT TRIM BOARDS RIP BACKER BOARD AS
- REQ'D TO CREATE SINGLE THICKNESS LAP JOINT. TYP. U.N.O. 21. PROVIDE NICHIHA IX TRIM AT PARAPET END. COLOR TO MATCH ADJACENT TRIM.
- 22. DASHED LINE INDICATES EXTENT OF WINDOW FRAME ON UNDERSIDE
- OF CANOPY. 23. WATER HEATER FLUE.
- 24. LINE OF PARAPET BEYOND.
- 25. SIGN COMPANY TO PROVIDE \$ INSTALL TRANSLUCENT WINDOW FILM (FROSTING) FROM MULLION TO 36" A.F.F.

SYMBOL LEGEND



A6 WALL / BUILDING SECTION REFERENCE

NOTE REFERENCE. SEE EXTERIOR ELEVATION CODED NOTES

WINDOW NUMBER. REFER TO SCHEDULES ON DRAWING AII.

REVISION/UPLOAD DATE REV. DATE DESCRIPTION RFP#1 01/31/11 GENERICS UPLOAD

RFP#2 03/17/11 GENERICS UPLOAD

RFP#3 04/20/11 GENERICS UPLOAD

RFP#6 07/06/11 GENERICS UPLOAD

LAST DESIGN BULLETIN NUM. DATE DESCRIPTION

DATE ISSUED: 07/06/2011

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TION STORE

ELEVATIONS EXTERIOR

DESIGN DEVELOPMENT NOT FOR CONSTRUCTION

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