

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of November 17, 2020**

**SUBJECT: 2060 W. Stadium Special Exception Use, Rezoning, Landscape Modification Request and Site Plan  
File Nos. SEU20-001, Z20-050 & SP20-019**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), conditioned upon approval of the corresponding site plan; and, therefore, approves the 2060 W. Stadium Special Exception Use for a three-lane drive-thru bank facility.

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve 2060 W. Stadium rezoning from P (Parking District) to C2B (Business Service District).

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 2060 W. Stadium Site Plan, subject to 1) combining the subject lot with 2040 W. Stadium; 2) approval of reduced required parking, relocation of street trees outside the public right-of-way, and elimination of bioretention islands by the Zoning Board of Appeals.

**STAFF RECOMMENDATION**

Staff recommends that the special exception use be **approved** because the proposed use is of such location, size and character as to be compatible with the zoning district in which the site is situated; and the location and size of the proposed use, its nature and intensity, the site layout and access, and effect of the proposed use on public services would not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic or the neighborhood.

Staff recommends that the zoning be **approved** because the proposed uses permitted under the C2B zoning district are consistent with the recommendations of the Master Plan: Land Use Element and the Transportation Master Plan Update (2009).

Staff recommends that the site plan be **approved** because, if the proposed conditions are satisfied, 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.

### **LOCATION**

The site is located on the east side of West Stadium Boulevard, south of West Liberty Street (West Area, Allen Creek Watershed, Ward 5).

### **REZONING**

The petitioner proposes rezoning the rear third of this lot from P (Parking District) to match the existing C2B (Business Service District) for this site. Historically, P zoning was used as a buffer from commercial uses adjacent to residential uses and used for automobile storage. P Zoning requires a 2.5 foot rear setback with a maximum height of 30 feet. The Master Plan, Land Use Element recommends commercial uses for this site.

The proposed self-storage building is setback 72.6 feet from the rear lot line and has a northwestern finger that is one-story high with the remainder of the building is four stories high. The currently vacant, one-story auto sales and repair facility has a rear setback of 112.8 feet.

The 1965 approved site plan shows this rear area zoned P and used for employee, customer and car storage. If this site remained P, a smaller structure could be built (e.g. removal of approximately 25 by 100 feet of the four-story structure).

### **SITE PLAN**

A proposal to demolish the existing 16,500-sq foot structure on this 2.32 acre parcel and constructing a three-story, 23,315sq. ft. bank/non-medical office building, with a three-lane drive-thru and a 4-story, 120,687-sq foot self-storage building. The 5,900 sq. ft. triangular parcel to the southwest of this site, which was previously used for automobile parking, will be combined with this site.

This site will be accessed from two curb cuts off W. Stadium Blvd. A one-way entry is proposed near the south property line to facilitate access to the bank and drive-thru aisles and the parking lot. The main entry leads to the central portion of the site and provides access to the self-storage facility and parking lot. One solid waste enclosure is proposed at the southeastern portion of the site and include trash and recycling dumpsters. Bicycle parking is located near the entrances off W. Stadium Blvd.

One-hundred-year storm water detention is required and provided under the southeastern corner of the parking lot. Runoff will be collected through catch basins and routed to the underground chambers and slowly released in the city storm sewer. The Washtenaw County Water Resources Commissioner approved the layout.

A 15-ft wide conflicting land use buffer is required along the eastern property to screen from the residential uses. This screening includes a 6-ft tall fence. No regulated natural features exist on site.

Construction is proposed in two phases with each building consisting of a phase. The estimated cost of construction is \$15,000,000.

### **SPECIAL EXCEPTION USE**

The proposed bank includes a three-lane drive-thru facility, which requires Special Exception Use approval per the C2B zoning district requirements. The drive-thru lanes may not be located between a street and the principal building, and the vehicular circulation to enter and exit the facility may not impair the general vehicular circulation on the site or pedestrian circulation on and off the site. The drive-thru lanes and one-way drive off W. Stadium are covered by the second floor of the building and lead to the on-site parking and the primary curb cut used for ingress and egress. The petitioner submitted justification for this drive-thru and is attached.

The proposed three drive-thru lanes are located on the east side of the bank building screened from W. Stadium Blvd by the walls and roof of the second floor. The proposed use will have no effect on local streets and meets the general objectives of the City's Master Plan. Staff responses to the special exception use requirements are in *italics* below.

- a. Will be consistent with the general objectives of the City Master Plan.

*The Master Plan: Land Use Element recommends commercial uses for this site. The C2B zoning allows bank drive-ins as a special exception use.*

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

*Numerous banks with drive thrus exist in the Liberty/Stadium corridor. This project replaces a vacant automobile sales and service business.*

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

*The bank use is consistent with the neighborhood in that the proposed project is similar in size and use to other bank and commercial uses in the area.*

- d. Will not be detrimental to the use, peaceful enjoyment, economic value or Development of neighboring property, or the neighborhood area in general.

*The proposed three-lane drive thru is located behind the building and hidden from view along W. Stadium. The anticipated amount of new trips to this site is minimal.*

- e. Will not have a detrimental effect on the natural environment.  
*This site is already developed and the proposal is to demolish the existing structure and construct a bank/office/self-storage facility. There are no natural features on site.*

### VARIANCES

The bank use requires a minimum of 20 automobile parking spaces, the general office use requires 57 spaces, and the self-storage facility requires a minimum of 60 spaces for a total of 137 parking spaces. Thirty percent of the 102 proposed spaces are small car.

The petitioner is requesting a variance of 35 spaces from the Zoning Board of Appeals. A variance from 12 parking spaces are requested from the bank/office uses. The bulk of the requested reduced parking spaces comes from the parking standards required for self-storage. Per the petitioner, based on several of their self-storage buildings they have developed, many of the required parking spaces are not necessary due to the number of vehicular trips to the business.

The petitioner also states in the Institute for Transportation Engineers, Common Trip Manual, that the PM Peak hours for Code 151, Mini-Warehouse has a trip per unit of .17 per 1,000 SF. Based upon the planned SF of the storage building of 120,687 SF, the required parking for the units should be 21 spaces ( $120,687/1000 \times .17$ ) plus 5 spaces for employees and visitors for a total of 26 spaces. A copy of the table from that Manual is attached for reference.

Staff requested the petitioner contact the neighboring business to the north for a potential shared parking arrangement. The neighbor declined this request.

Landscape variances are requested to eliminate bioretention islands on site due to contamination and for planting the required amount of street trees outside of the public right-of-way.

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Social Club & Residences	C2B (Business Service District) &
EAST	Single-Family Residences	R1C (Single-Family Dwelling District)
SOUTH	Retail & Residential	C2B & R2A (Two-Family Dwelling District)
WEST	Strip Center & Auto Services	C2B

### COMPARISON CHART

	EXISTING (INCLUDES P DISTRICT)	PROPOSED (NEW SITE)	REQUIRED/PE RMITTED	REQUIRED/PERMITTED
Zoning	C2B (Business Service)	C2B	P (Parking)	C2B
Gross Lot Area	100,857 sq ft (2.32 acres)	100,857 sq ft (2.32 acres)	None	4,000 sq ft MIN
Maximum Usable Floor Area in Percentage of Lot Area	16.4% (16,542 sq ft)	142.8% (144,042 sq ft)	None	200% MAX (201,714 sq ft MAX)
Setback – Front	21 feet-W. Stadium	10 ft – W. Stadium	10 ft – MIN	10 ft MIN 25 ft MAX
Setback – Side(s)	23 ft – North	30 ft - North	2.5 ft **	0 ft MIN 30 ft abutting Residential
Setback – Rear	113 ft – East	72.6 ft	2.5 ft	53.5 ft MIN*
Height	1 story	52 ft – Storage Units 55 ft – Bank/Office	Equal to lowest maximum height of abutting residential zoning district (30 feet)	55 ft MAX 4 stories
Parking – Automobile	202 spaces (Not including service bays)	102 spaces (35 spaces requested for variance)	NA	137 spaces MIN 161 spaces MAX
Parking – Bicycle	N/A	Class A – 2 spaces Class B – 4 spaces Class C – 6 spaces	NA	2 Class A – MIN 4 Class B - MIN 6 Class C – MIN

\*30 ft where abutting residentially zoned land plus one foot of additional setback for each foot of building height above 30 feet

\*\*15 ft when abutting residentially zoned land

### HISTORY

A site plan for this site was approved in 1965 and the building was constructed in 1966. A site plan for minor modification was approved by the City Planning Commission in 1991 to expand the auto display area into the .1-acre triangular parcel at the southwest corner of the site. A variance to allow parking in the front setback was approved in 1992.

### PLANNING BACKGROUND

The MPLUE (Master Plan: Land Use Element) Future Land Use Map recommends commercial uses for this site. The C2B zoning district was created as a buffer zone between commercial and residential land uses. This site is also located in the Liberty/Stadium General Commercial District and serves the local neighborhood residents along with a wider, regional population. The MPLUE stresses pedestrian access between the neighborhood and the commercial area.

This can be achieved by physical improvements to this subarea by installing brick pavers or other easily identifiable improvements at crosswalks at the Liberty/Stadium intersection to emphasize this intersection as a preferred crossing for pedestrians and cyclists and during site plan review, create pedestrian and bicycle access from the rear of businesses fronting Stadium Boulevard.

### **DEPARTMENT COMMENTS**

Systems Planning – The water main easement for the existing fire hydrant, up to the proposed building shall be executed prior to the issuance and any permits.

The mitigation calculations for the increase in sanitary sewer flow have been reviewed and are approved. Flow equivalent to 17 GPM, will need to be removed from the sanitary sewer system in order to mitigate new flow from this proposed development alternatively, a payment in lieu of performing actual flow removal may be made.

As the project proposes new domestic and fire service connections, the applicant must submit a backflow prevention and metering arrangement drawing for the City to review and approve prior to the start of construction. Approval of site or construction plans by the City does not relieve the applicant of complying with City standards on backflow prevention of the applicant to submit appropriate plans to the City for review when available, and no later than the start of construction.

Transportation - The petitioner has shown that the new trips will contribute a small amount of new trips to the system. This small amount will not have a significant effect on the transportation network.

Forestry – Staff supports the requested variances since street trees are a requirement of city code and there isn't room for street trees between the sidewalk and road. Street trees are proposed near the ROW line to meet the spirit of the code. Since the site is contaminated, infiltration of stormwater runoff should be minimized to reduce the risk of spreading contamination into the groundwater table.

Street Tree Canopy Loss Fee rate is \$207.00.

Planning – When this proposal was submitted, staff made comments regarding the 35-space parking requirement variance, the rezoning from P to C2B and self-storage layout, and the proposed 3-lane drive-thru lanes. The petitioner did not make substantive changes to their site layout and their responses to these comments are attached. The petitioner also provided a supplemental drive-thru letter supporting their proposal and is attached.

At the time this staff report was written, it was determined variances and not landscape modifications were necessary for street tree plantings and bioretention requirements. Staff is coordinating with the petitioner to update the ZBA application.

In anticipation of the Electric Vehicle Ordinance being passed, the petitioner meets and exceeds the anticipated requirements with 8 EV-Installed stations, 13 EV-Ready Stations, and 14 EV-Capable Stations.

The petitioner responded with the contamination mitigation with the following statement.

Based on the previous site investigations conducted on the property between 2008 and 2020, the following contamination was identified onsite.

1. *Petroleum Compounds (Various VOCs and PNAs; Refer to the Tables included in the Documentation of Due Care Compliance (DDCC) report dated June 23, 2020 for specific analyses)*

*Per our Due Care Plan the following generally summarizes strategies that will be conducted to mitigate unacceptable exposures and prevent exacerbation of existing contamination:*

1. *PM Environmental (i.e., Environmental Professional) may be present during construction activities that entail the exposure and/or excavation of contaminated soil/or management of contaminated groundwater.*
2. *Third party contractors will be provided notice of contamination so they may take necessary precautions to prevent exposure to contaminated soil and/or groundwater.*
3. *Appropriate dust control procedures will be in place during construction activities.*
4. *Track-out control procedures will be implemented to prevent contaminated soils from being inadvertently tracked offsite.*
5. *Contaminated soil will be characterized and removed as needed utilizing direct-load methods to the extent possible and transported offsite for proper disposal at a licensed disposal facility.*
6. *Contaminated soil may be re-used on site in similarly contaminated areas from which they are sourced during excavation activities.*
7. *Contaminated groundwater will not be discharged to any ground surface, ditch, swale, or sanitary/storm sewer. If dewatering is necessary for construction purposes, groundwater will be properly characterized, and contaminated groundwater will be transported offsite to a licensed disposal facility.*
8. *Utilities will be installed in a manner to prevent the potential for offsite migration of existing contamination.*
9. *Vapor intrusion systems will be installed in each of the buildings to prevent potential exposures to future occupants via the indoor air inhalation exposure pathway.*
10. *The proposed surface cover (i.e., building slabs, concrete and/or asphalt paved parking areas, drives, and walkways) will prevent potential dermal contact with contaminated soils to future occupants.*

Prepared by Christopher Cheng  
Reviewed by Brett D. Lenart  
mg/11/13/20

Attachments: [Zoning Map](#)  
[Aerial Map](#)  
[Site Plan/Landscape Plan/Utilities](#)  
[Special Exception Use Application](#)  
[ZBA Application](#)  
[Self-Storage Elevations](#)  
[Bank Elevations](#)  
[WCWRC Approval Letter](#)  
[Citizen Participation Report](#)  
[Drive-Thru Letter](#)

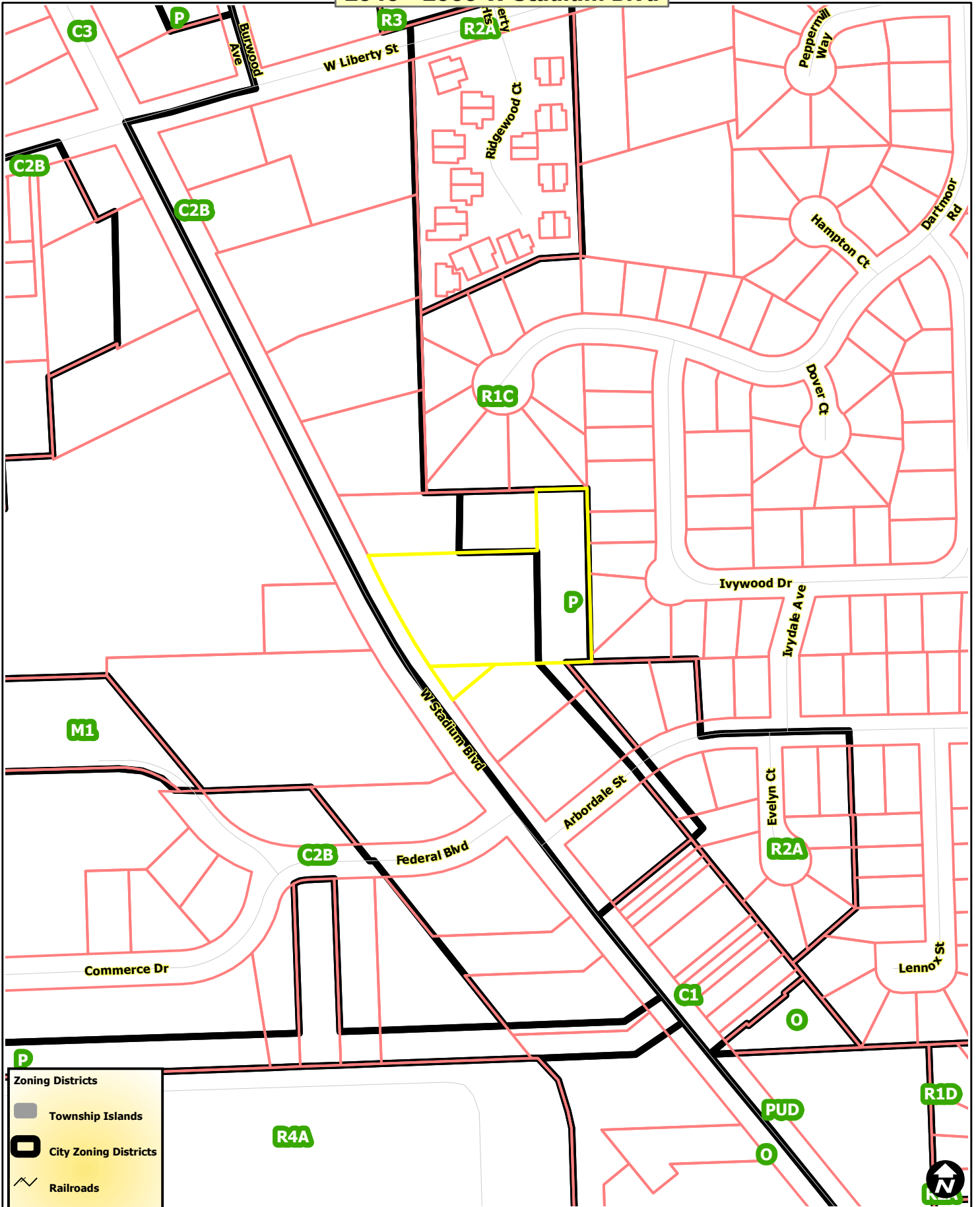
C: Owner: Northstar Ann Arbor Properties, LLC  
175 Thompson Road, Suite B  
Bad Axe, MI 48413

Petitioner: NorthStadium, LLC  
attn.: Sean T. Havera  
30100 Telegraph Rd., Suite 220  
Bingham Farms, MI 48025

Petitioner's Agent: Tom Covert, AICP  
Midwestern Consulting, LLC  
3815 Plaza Dr.  
Ann Arbor, MI 48108



# 2040 - 2060 W Stadium Blvd



**Zoning Districts**

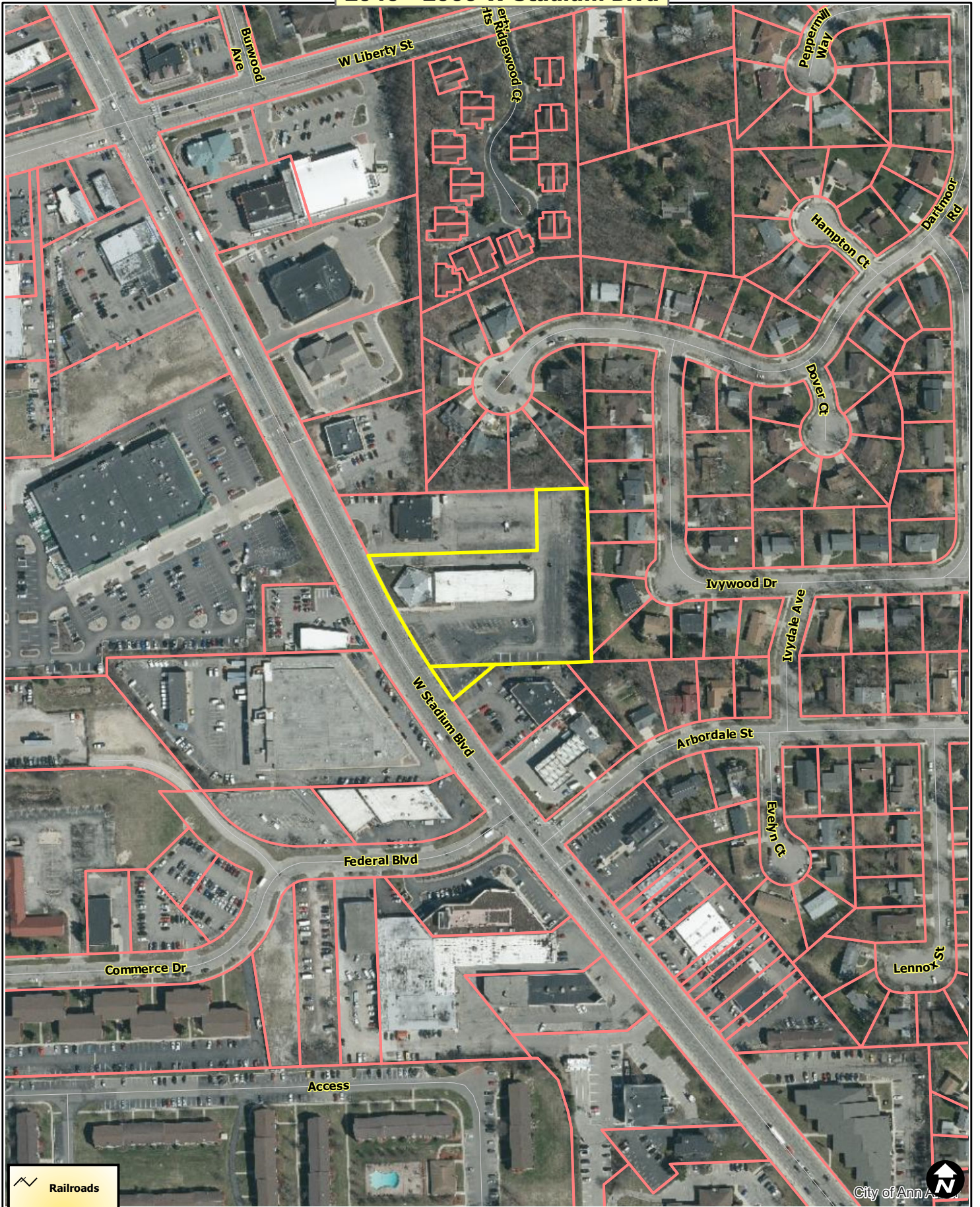
- Township Islands
- City Zoning Districts
- Railroads
- Huron River
- Tax Parcels






Map date: 5/1/2020  
 Any aerial imagery is circa 2018  
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# 2040 - 2060 W Stadium Blvd



-  Railroads
-  Huron River
-  Tax Parcels



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2040 - 2060 W Stadium Blvd



- Railroads
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