

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of July 7, 2011

**SUBJECT: City Pets Veterinary Clinic Special Exception Use (1723 Plymouth Road)
File No. SEU11-004**

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), subject to limiting the size of the operation to a maximum of 2,430 square feet, and, therefore, approves the City Pets Veterinary Clinic Special Exception Use.

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.

LOCATION

The site is located on the north side of Plymouth Road west of Upland Drive. This site is located in the Traver Creek watershed.

DESCRIPTION OF PETITION

The petitioner seeks special exception use approval to locate a 2,212 square foot veterinary clinic in the Courtyard Shops retail center, which is zoned C1 (Local Business District). There are no substantive physical improvements proposed to the site or exterior of the building.

Per Chapter 55 (Zoning Ordinance), Section 5:10.12, veterinary hospitals and kennels providing medical, surgical, boarding, grooming and bathing facilities for small non-farm animals such as dogs, cats and birds are permitted as a special exception use pursuant to Section 5:104. All facilities shall be completely enclosed in a sound proof building in such a way as to produce no objectionable odors at the lot lines. The petitioner proposes installing sound attenuating insulation and space ventilation sufficient to abate all sound and odors resulting from the operation.

The clinic's hours of operation are proposed to be weekdays from 8:00 a.m. to 5:00 p.m. and Saturday from 9:00 a.m. to 12:00 p.m. The petitioner proposes possible weekday evening hours expanded until 6:30 p.m. In addition to veterinary services, the clinic may provide temporary animal/pet boarding on site, however such service would be limited to: (i) animals/pets requiring 24-hour monitoring for medical reasons, (ii) a maximum 48-hour boarding of pets in the event of a pet-owner emergency, and (iii) a maximum of five (5) animals/pets

under forty (40) pounds for non-medical oversight and in no event may dogs be boarded (unless for medical reasons or an owner emergency as aforementioned).

A site layout plan has been submitted to accompany the special exception use application. Staff has determined that the existing conditions are consistent with the approved site plan from 1985.

The petitioner mailed a notification letter (attached) to owners and occupants within 500 feet of the property.

COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	C1 (Local Business District) and C1B (Community Convenience Center)	C1 & C1B	C1 & C1B
Gross Lot Area	162,326 sq ft	162,326 sq ft	2,000 sq ft
Floor Area	31,200 sq ft (19%)	31,200 sq ft (19%)	64,930 sq ft (40% MAX)
Height	2 story	2 story	3 stories MAX
Setback - Front	25 ft Upland Dr 70 ft – Plymouth Rd	25 ft - Upland Dr 70 ft – Plymouth Rd	10 ft MIN 25 ft MAX
Setback – Side(s)	8 ft	8 ft	None
Setback – Rear	80 ft	80 ft	None, except 30 feet where abutting residentially zoned land
Parking – Automobile	188 spaces*	188 spaces*	150 spaces MIN 1178 spaces MAX
Parking – Bicycles	10 spaces – Class C*	10 spaces – Class C*	8 spaces MIN - Class B 8 spaces MIN - Class C

*Existing Non-conforming

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Self-storage facility, Single-Family Dwelling	PUD & R1C (Planned Unit Development and Single-Family Dwelling District)
EAST	Service Station, Mixed-Use Office/Residential	C3 & C1A (Fringe Commercial District and Campus Business District)
SOUTH	Retail, Service Station and Multiple-Family Dwellings	C3 & PUD
WEST	Restaurant and Car Wash	PUD

HISTORY

The three original buildings on this site, totaling 15,600 square feet, were constructed prior to site plan requirements. Site improvements and additions were approved in 1985 to create the 31,200 square foot Courtyard Shops development. At that time, a variance was approved by the Zoning Board of Appeals to defer 25 parking spaces for the site, and cross easements were approved with the adjacent development to share parking as part of site plan approval.

PLANNING BACKGROUND

The Master Plan Land Use Element recommends commercial use for this site.

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;

This will be retail use, which is dictated in the zoning (C1).

The Master Plan Land Use Element recommends commercial use for this site. The existing C1 zoning allows veterinary clinics as a special exception use.

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

The shopping center is existing and is zoned C1.

The use and outside appearance of the site are not changing. The petitioner has also indicated a maximum of four employees will be on site.

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;

The shopping retailer already has retailers, salons and other services.

This site is surrounded by commercial uses as it is located within a retail center. No topographical or building modifications are being proposed.

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

We have spoken to the neighbors and other business owners who have all agreed this use is not only fine, but will be an asset to the area.

Neighbors have been contacted by the petitioner to discuss the proposal. At the time this staff report was written, no comments have been received.

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

There are no exterior changes being made. We have designated a specific area for dogs to use the bathroom, with a Pet Waste Control System in place that will be maintained by staff daily.

(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;

The center is already established with sidewalks and 188 parking spaces.

The petitioner indicates there will be no more than four employees on site seeing no more than one to three clients at a time. Employees will park at the rear of the complex, leaving spaces at the eastern front of the business entrance.

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

There will be no change from the current use.

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

There is no change from current use.

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

There is ample parking on site. The center has 188 parking spaces and is rarely near capacity.

Traffic impact will be less than 50 vehicle trips per day during peak traffic hours. This site is zoned commercial and the traffic for the proposed veterinary clinic traffic will remain largely unchanged from previous uses of these tenant spaces. Staff agrees with the petitioner that sufficient automobile and bicycle parking exists on site.

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.

This site is already on city water and sewer, no additional public services required.

This site will not require sanitary sewer mitigation since it is not a site plan and is less than 6,000 square feet of floor area. The petitioner has agreed to bag all dog waste and dispose on site with a pet waste control system.

(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.

None required.

DEPARTMENT COMMENTS

Planning – Staff supports the proposed veterinary clinic in a commercially-zoned district since this site has adequate parking, is located away from residential uses and is compatible with the existing surrounding uses. Building permits will be required for any interior alterations to the existing building.

The current owners of the building indicate that there are no parking shortages in this shopping center, and the petitioner indicates employees will initially be one vet and two assistants at any given time. All employees are to park in the rear of the center, with only one vet seeing appointments at a time; therefore, there will likely be between 1-3 clients parking in the lot at any given time.

The petitioner responded that all solid waste is bagged and disposed of on a daily basis by their employees. The Pet Relief Area is located in the landscape area north of the building and shall provide a minimum of one pet waste control system.

Prepared by Christopher Cheng
Reviewed by Wendy Rampson
mg/6/30/11

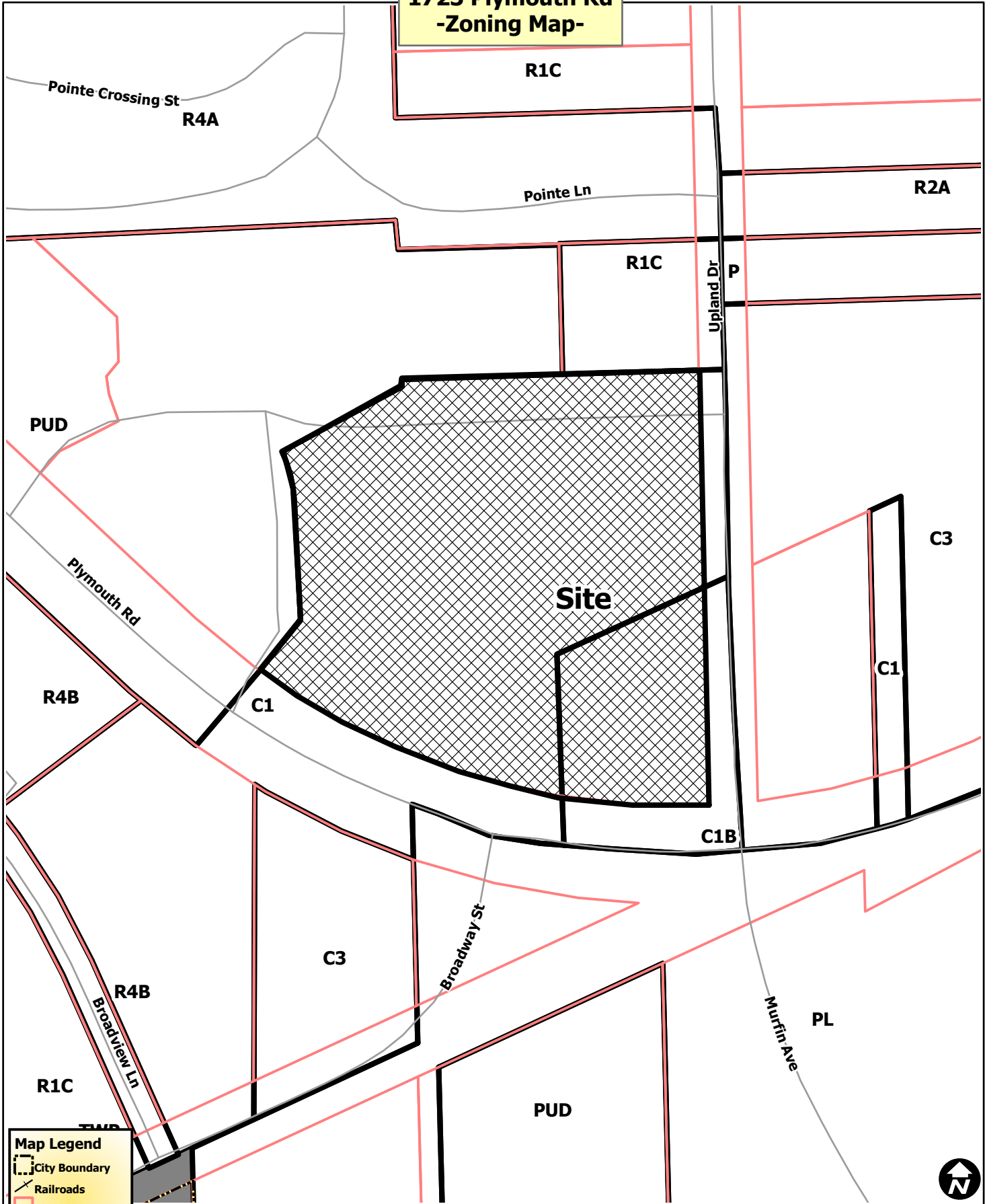
Attachments: Zoning/Parcel Maps
Aerial Photo
Courtyard Shops Plot Plan
Public Notification Letter

c: Petitioner: City Pets Vet Clinics, PLLC
1723 Plymouth Road
Ann Arbor, MI 48105

Owner: Courtyard Shops, LLC
260 E. Brown Street, Suite 200
Birmingham, MI 48009

Systems Planning
File No. SEU11-004

**1723 Plymouth Rd
-Zoning Map-**



Map Legend

- City Boundary
- Railroads
- Parcel Property
- Zoning**
- Township
- City of Ann Arbor



City of Ann Arbor Map Disclaimer:
 No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.
 This map complies with National Map Accuracy Standards for mapping at 1 inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information on this map.
 Map Created: 6/15/2011

1723 Plymouth Rd -Aerial Map-



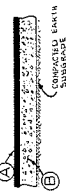
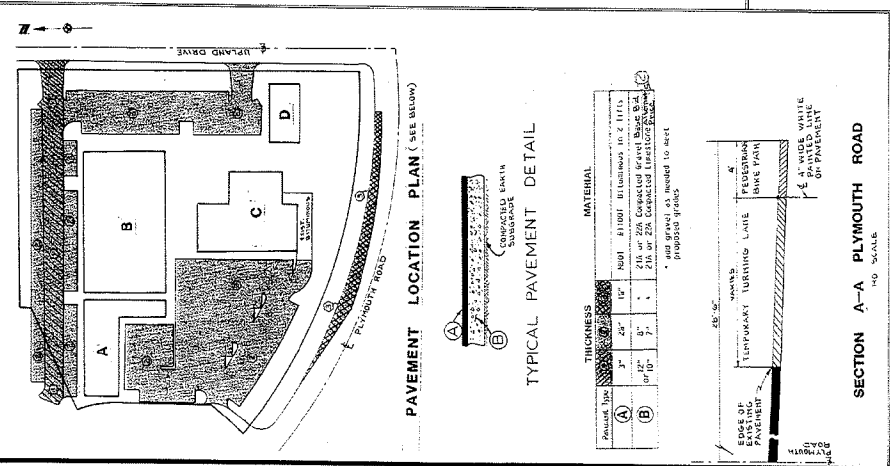
Map Legend

- City Boundary
- Railroads
- Parcel Property

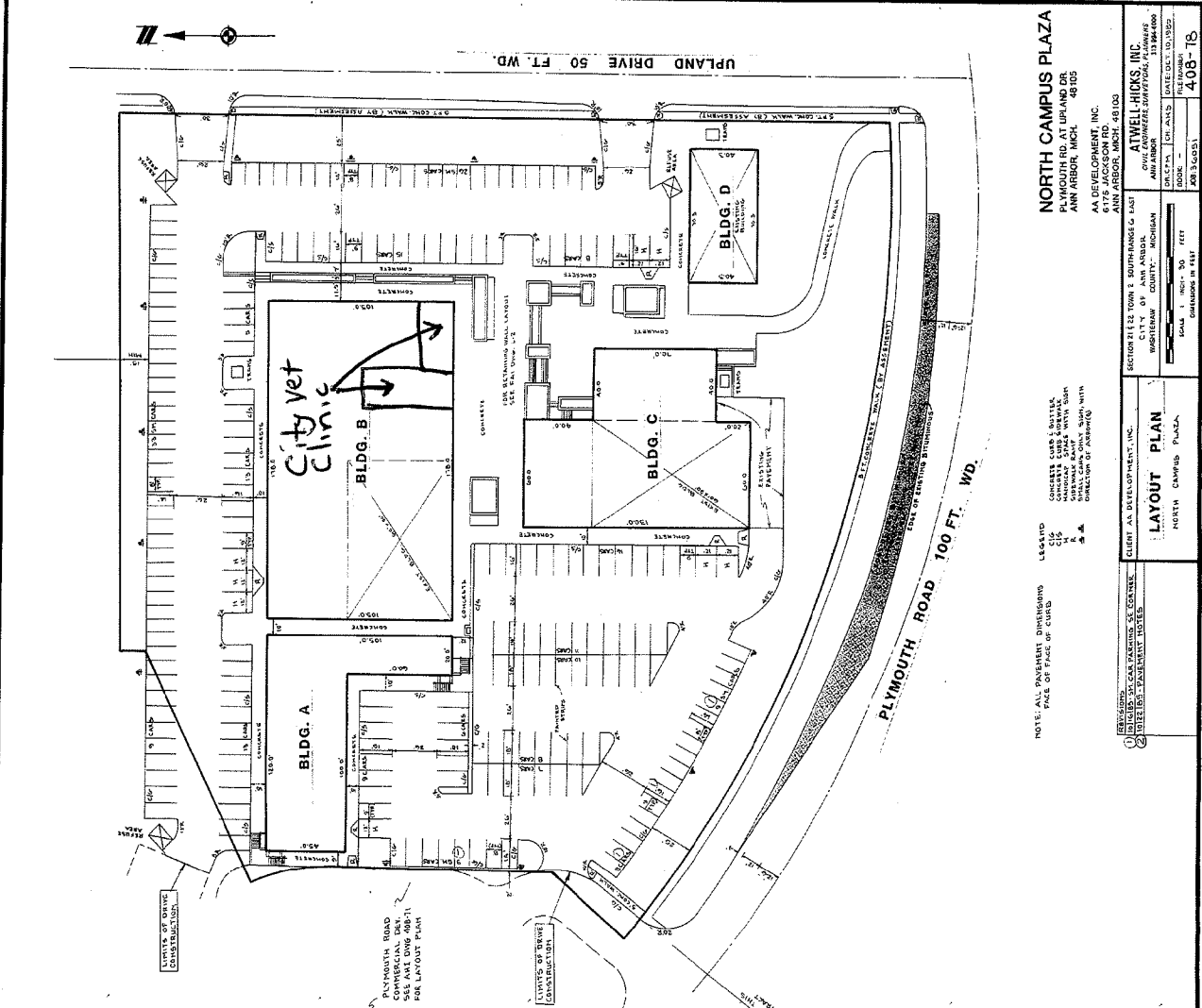
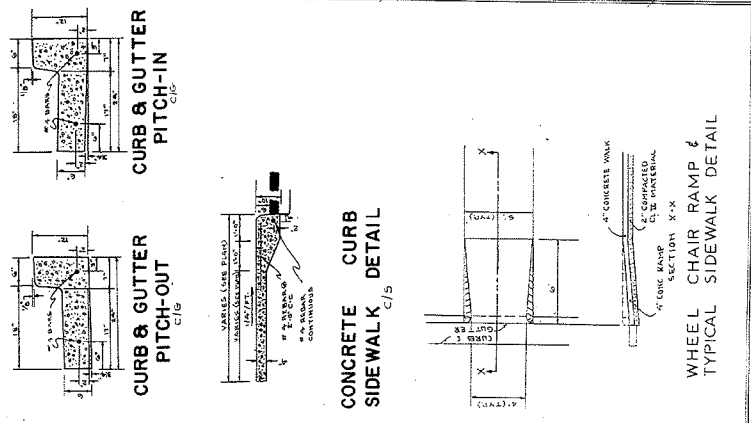
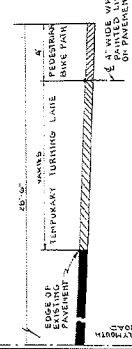


City of Ann Arbor Map Disclaimer:
No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.
This map complies with National Map Accuracy Standards for mapping at 1 inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information on this map.
Map Created: 6/15/2011

Courtyard Shops Site Plan



THICKNESS	MATERIAL
3"	ASPHALT
2"	1/2" 20# OR 2 1/2" 40# COMPACTED GRAVEL BASE
12"	2 1/2" OR 2 3/4" COMPACTED LIMESTONE SAND
4"	4" OR 5" GRAVEL



NOTE: ALL PAVEMENT DIMENSIONS ARE TO FACE OF CURB

LEGEND
 (1) CONCRETE CURB & GUTTER
 (2) ASPHALT PAVEMENT WITH 2" 20# OR 2 1/2" 40# COMPACTED GRAVEL BASE
 (3) 2 1/2" OR 2 3/4" COMPACTED LIMESTONE SAND
 (4) 4" OR 5" GRAVEL

CLIENT: A.A. DEVELOPMENT, INC.
 1220 W. SOUTH HAVEN RD.
 ANN ARBOR, MICH. 48106

CLIENT: A.A. DEVELOPMENT, INC.
 1220 W. SOUTH HAVEN RD.
 ANN ARBOR, MICH. 48106

PROJECT: NORTH CAMPUS PLAZA
 CITY OF ANN ARBOR
 SOUTHERN COUNTY, MICHIGAN

DATE: 10/15/2013
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 PROJECT NO.: 408-78

ATWELL-HICKS, INC.
 CIVIL ENGINEERS/SURVEYORS/PLANNERS
 1220 W. SOUTH HAVEN RD.
 ANN ARBOR, MICH. 48106
 PHONE: 734.769.1000
 FAX: 734.769.1002
 WWW.AHWELLHICKS.COM

Notification Letter for Application for Special Exception Use

*City Pets Veterinary Clinic, PLLC
1723 Plymouth Road
Ann Arbor, MI 48105*

Dear Neighbor:

We are pleased to announce that City Pets Veterinary Clinic, PLLC is planning on opening a small animal and exotics veterinary clinic at the Courtyard Shops 1723 Plymouth Road Ann Arbor, MI 48105. As required by The City of Ann Arbor Planning and Development Services we are notifying all property owners and occupants within 500 feet of our proposed location.

This is to notify you that City Pets Veterinary Clinic, PLLC and Courtyard Shops, LLC have applied to the City of Ann Arbor for a Special Exception Use approval to permit the operation of a veterinary clinic specializing in small animals and exotics. City Pets will be occupying 2212 square feet in suites B25 & B-26 which will include a reception and waiting area, client restroom, examination rooms, a treatment area, x-ray room, pet recovery/ observation area and a surgery room. The construction build out of the space will incorporate extra measures of sound attenuating insulation and air space ventilation to abate all sound and odors. There will not be boarding of any dogs at the location.

Should you have any questions, concerns or comments about the proposed operation of City Pets you may contact the City of Ann Arbor Planning and Developments Services Department 100 North Fifth Avenue P.O. Box 8647, Ann Arbor, MI 48107-8647 planning@a2gov.org. Or you may contact City Pets Veterinary Clinic, PLLC, 405 Potter Avenue Ann Arbor, MI 48103. Dr. Stacey Weinrick, DVM- phone (734)645-6801, email sweinrick@gmail.com, Dr. Gretchen Hui, DVM- phone (517)819-2879, email huigdvm@hotmail.com .

Sincerely,

*Dr. Stacey Weinrick, DVM and Dr. Gretchen Hui, DVM
Owners of City Pets Veterinary Clinic*