

**Zoning Board of Appeals
September 27, 2017 Regular Meeting**

STAFF REPORT

Subject: ZBA17-027, 1420 E. Stadium Boulevard

Summary: Quatro Construction is requesting:

A variance from Chapter 61 (Signs and Outdoor Advertising) of 35.21 feet from the required setback of 38 feet for a detached identification sign along East Stadium Boulevard. A variance of 31.75 along the Packard Street side is also required for the sign.

Description and Discussion:

The site is located on the southwest corner of East Stadium Boulevard and Packard Road.

The petitioner seeks to demolish the existing 2,360 square foot gas station/convenience store building and construct a new 4,000 square foot, single-story gas station and convenience store with four gasoline dispensing pumps capable of servicing 8 cars. The gasoline pumps will be covered by a 24 foot by 95 foot building canopy. There will be 14 vehicle parking spaces provided for the convenience store, plus an additional 8 spaces for vehicles at the gas pumps. A total of 2 Class C bicycle spaces (1 bicycle hoop) will be located along the northeast side of the building and adjacent to the sidewalk leading to Packard. There are currently 4 curb cuts leading to the site, two curb cuts will be removed as a result of this project.

The site currently has an existing identification sign with a digital sign face. The petitioner plans on re-facing the digital cabinet and replacing with an LED (light emitting diode) cabinet and a new Circle K cabinet and logo. The structural components of the sign will remain the same, only the cabinets will be replaced.

The City's Traffic Engineer has reviewed and supports the variance requests as proposed. The petitioner was seeking to erect a monument style sign in the same location as the existing sign, however, after an on-site inspection with the traffic engineer it was determined that the current pylon style sign was more appropriate for the traffic conditions. A monument style sign would block vision for motorists at the intersection and pedestrians would be hidden behind this style of sign.

Standards for Approval - Chapter 55 (Zoning) Variance -

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

- (a). That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the City.**

The site currently has two zoning designations P (Parking) and C3 (Fringe Commercial). The western approximately one third of the site is zoned P. There is also a unique deed restriction filed with the existing gas station construction, the area zoned P cannot contain a structure of any type and must remain parking until said deed restriction is released. As a result, the building and gas canopy must be constructed on the remaining eastern two thirds of the site which is zoned C3. The site has spent several years in the planning stages and the proposed site layout is an outcome to address neighbors and petitioners concerns. This layout design has resulted in limited sign location possibilities.

- (b). That the alleged hardships or practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.**

The existing location of the sign is the best case scenario for the owner and failure to grant the variance would result in the sign needing to be removed.

- (c). That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.**

If the variance is granted, the new LED style sign will draw less power than the existing sign. The sign and the conditions are existing, the only change will be the style and design of the sign.

- (d). That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.**

As mentioned previously, a deed restriction placed in the 1950s on the property limits the area available on the site for construction of any structure. The site is small and located on a corner lot which limits possible locations for signage of this type.

- (e). A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure**

The variance requested allows the sign to remain in its current location which is

Zoning Board of Appeals
ZBA17-027
September 27, 2017 - Page 3

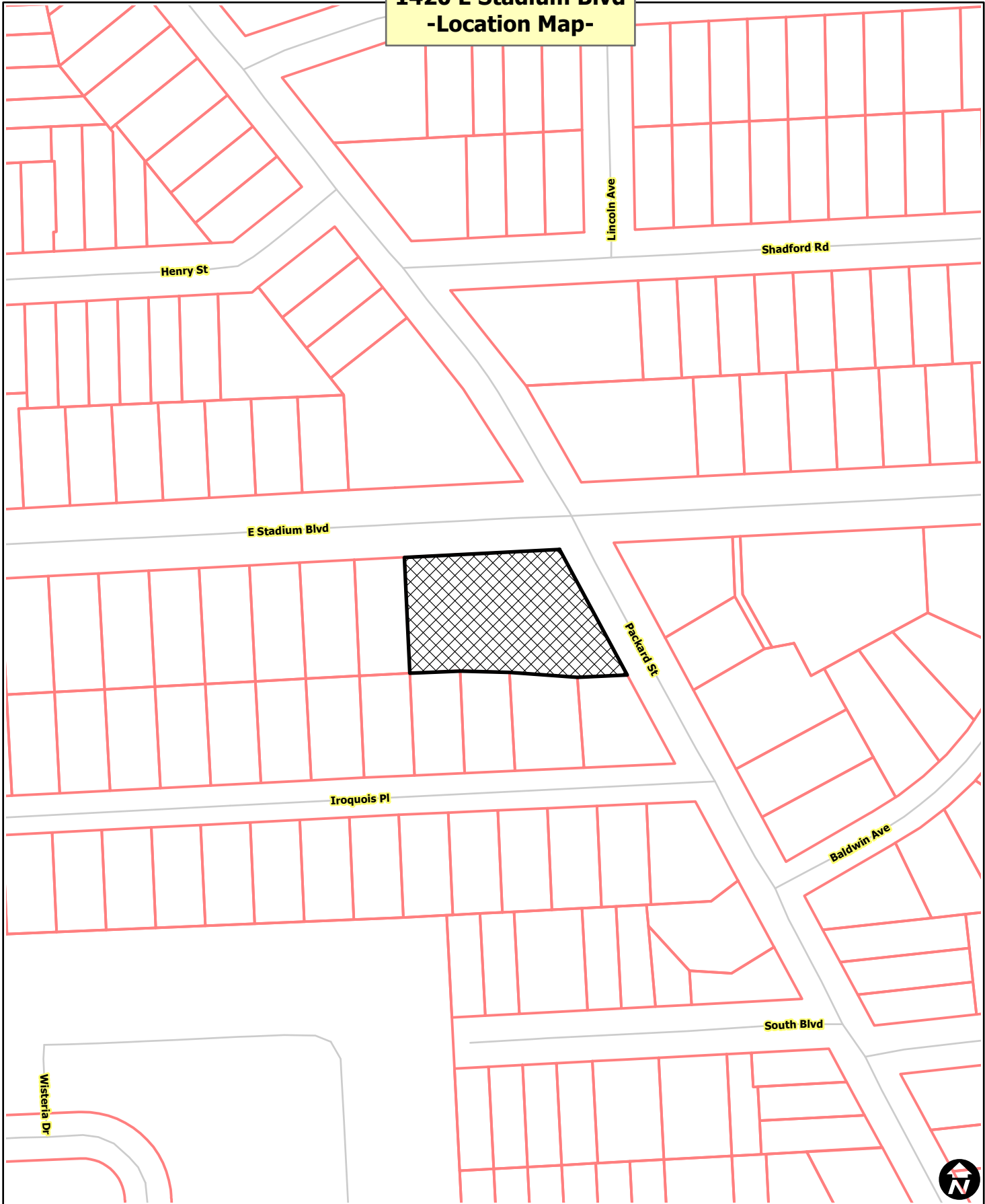
reasonable due to site layout and traffic concerns

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large, overlapping loops.

Jon Barrett
Zoning Coordinator

**1420 E Stadium Blvd
-Location Map-**



-  Railroads
-  Parcels
-  Huron River



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 Map Created: 1/29/2014

1420 E Stadium Blvd -Aerial Map-



-  Railroads
-  Parcels
-  Huron River



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 Map Created: 1/29/2014



**1420 E Stadium Blvd
-Aerial Map-**



-  Railroads
-  Parcels
-  Huron River



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 Map Created: 1/29/2014

APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE
ZONING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: Quatro Construction LLC - Rianna Szatkowski
 Address of Applicant: 201 N. Park Street, Ypsilatni MI 48198
 Daytime Phone: 734-485-7737 ext 225
 Fax: 734-485-7873
 Email: Rianna.lindsay@quatroconstuctionllc.com
 Applicant's Relationship to Property: Architect / Engineer

Section 2: Property Information

Address of Property: 1420 E. Stadium BLVD
 Zoning Classification: p/c-3
 Tax ID# (if known): 09-09-33-414-006
 *Name of Property Owner: Gallup Properties LLC

**If different than applicant, a letter of authorization from the property owner must be provided.*

Section 3: Request Information

Variance

Chapter(s) and Section(s) from which a variance is requested:
Chapter 61:5:502.2.b

Required dimension: PROPOSED dimension:
stadium : 38' start 2.79' start Variance of 35.21'
packard: 38' start 6.25' start Variance of 31.75'

Example: Chapter 55, Section 5:26

Example: 40' front setback

Example: 32'

Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary)

Refacing the existing gasoline price sign. requires variance because the site is very difficult and spent years in planning to get it layed out per ordinance and variances with the neighbor and city desires being met. the existing pole sign meets the required 8' clearance in the r-o-w and new sign is no larger than the existing it is replacing.

Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:98. A variance may be granted by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when **ALL** of the following is found **TRUE**. Please provide a complete response to each item below. These responses, together with the required materials in Section 5 of this application, will form the basis for evaluation of the request by staff and the Zoning Board of Appeals. (continued...)

1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

yes, the site is a difficult site plan that has spent years in planning to get the site and building layout in the best possible outcome for neighbors, city and Client.

2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return? (explain)

yes, there is no where else on site the price sign makes the appropriate sence for location. also no other space on site can accomodate the sign with the design we worked out with the city, neighbors and client

3. What effect will granting the variance have on the neighboring properties?

none, existing sign location remains the same, size remains the same, visibility clearance remains the same, only effect with be less power draw on the grid as led lights are proposed.

4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?

the site plan is devised 40/60 parking/c-3 business, this limited where we could place building, canopy and signage. this led to several years of site planning and the existing price sign is in a optimal location for the client.

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

again in years of site plan development, we are left with the existing non-compliance price sign. the sign was in compliance when it was constructed, but never made into a complaint sign, as no building work changed with the ordiance did.

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property Gas Fueling Station and Convienance store

The proposed change is allowed in accordance with Structure Non-Conformance, Section 5:87 (1) (a) & (b), which reads as follows:

- (1) A non-conforming structure may be maintained or restored, but no alteration shall be made to a non-conforming structure unless one of the following conditions is met:
 - a. The alteration is approved by the Zoning Board of Appeals upon finding that it complies as nearly as practicable with the requirements of this Chapter and that it will not have a detrimental effect on neighboring property.
 - b. The alteration conforms to all the requirements of this Chapter and is made to a building which will be a single-family dwelling on completion of the alteration and is located in an R1,R2, R3, or R4 district.
 - c. The structure is considered non-conforming due to the following reasons

(continued)

	<u>Existing Condition</u>	<u>Code Requirement</u>
Lot area	6000	37,589
Lot width	60	150
Floor area ratio	200% max	10.6%
Open space ratio		
Setbacks	F-108.5/10-S-141.8-R-8.17-17.62	F-10/25 S-30-R-30
Parking	14 stad 8 pump	20
Landscaping	10'min	10'
Other	Ground Sign Setback 1.75'	38'

Describe the proposed alterations and state why you are requesting this approval:

Proposing to replace existing ground mount price sign with new on existing poles. we are not requesting any change to the location of the pole, just to leave it where it is this day.

The alteration complies as nearly as is practicable with the requirements of the Chapter and will not have a detrimental effect on neighboring property for the following reasons:

the sign will have the r-o-w sight clearance just as the existing does. the size is the same as the existing, just new and now led. it will not have a detrimental effect on the neighboring property because it will be the same size and r-o-w clearance.

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit _____

Gound Mount Price sign for a fueling station to be updated to a new sign on the existing poles.

Section 6: Required Materials

The following materials are required for all variance requests. Failure to provide these materials will result in an incomplete application and will delay staff review and Zoning Board of Appeals consideration of the request. The materials listed below must accompany the application and constitute an inseparable part of the application.

All materials must be provided on **8 ½" by 11" sheets.** (Continued.....)

- Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.

Section 7: Acknowledgement

SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Ann Arbor City Code for the stated reasons, in accordance with the materials attached hereto.

734-604-85-7777 ext 225 Rianna Szaflowski
 Phone Number Signature
 Email Address rianna.lindrey@quattroconstructionllc.com Rianna Szaflowski
Print Name

I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.

Rianna Szaflowski
Signature

Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Zoning Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

Rianna Szaflowski
Signature

I have received a copy of the informational cover sheet with the deadlines and meeting dates and acknowledge that **staff does not remind the petitioner of the meeting date and times.**

Rianna Szaflowski
Signature

On this 5th day of Sept., 2017, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

MARK A ANDERSON
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MONROE
 My Commission Expires December 6, 2022
 Notary Commission Expires on Date Washtenaw
 Acting in the County of _____

Mark A Anderson
Notary Public Signature
Mark A Anderson
Print Name

Staff Use Only

Date Submitted: _____ Fee Paid: _____
 File No.: _____ Date of Public Hearing _____
 Pre-filing Staff Reviewer & Date _____ ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____



August 4, 2017

Re: Circle K Development at 1420 E Stadium, Ann Arbor, MI 48104

Attn: Ann Arbor Planning Dept.

To whom it may concern,

Quatro Construction is authorized to submit permit applications for the above referenced project.

Please contact me at 330-630-6300 x1830 if you have any questions.

Thank You,

A handwritten signature in black ink, appearing to read "Rich Lawrence". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rich Lawrence

Director of Real Estate and Development, Great Lakes Division

Mac's Convenience Stores, LLC (dba Circle K)

Revision Note:
 revise with new site plan attached labeled as 2017-07-06-sign. Please make the changes for the MID (A) location.
 revise canopy columns page 8 to the same brick layout as used on the attached BB.05.19.2017 brand book.

Conceptual

Information Required:

Master

Electrical

120V 347V
 Other _____

Customer Approval

Signature _____

MM/DD/YYYY _____

It is the Customer's responsibility to ensure that the structure of the building is designed and constructed to accept the installation of the signs being ordered. Please ask PSG to provide further details if required.

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249591
 Circle K
 1420 East Stadium Blvd
 Ann Arbor, MI 48104

Sign Item

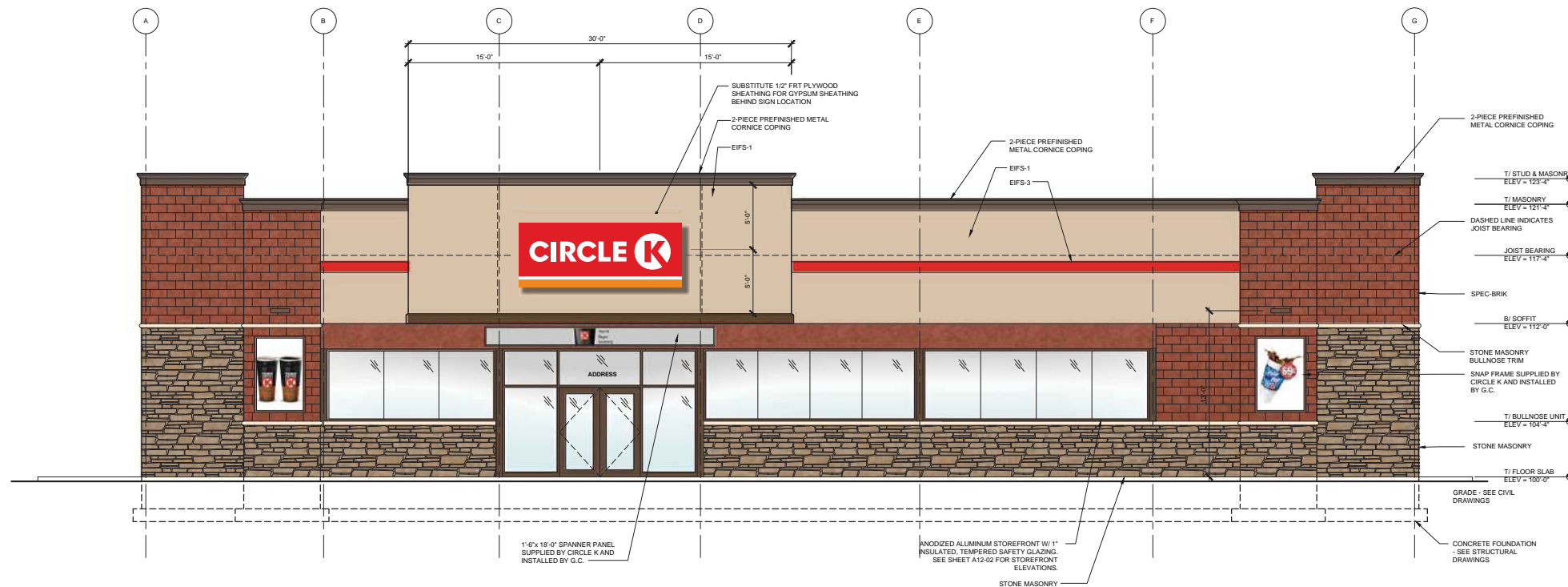
Cover Page



**1420 East Stadium Blvd
 Ann Arbor, MI 48104**

SITE# 249591

BRANDING LEVEL:	
BU:	Great Lakes
FUEL BRAND:	CIRCLE K
CASE #:	16653
ARCHETYPE:	
DATE:	6/1/2017



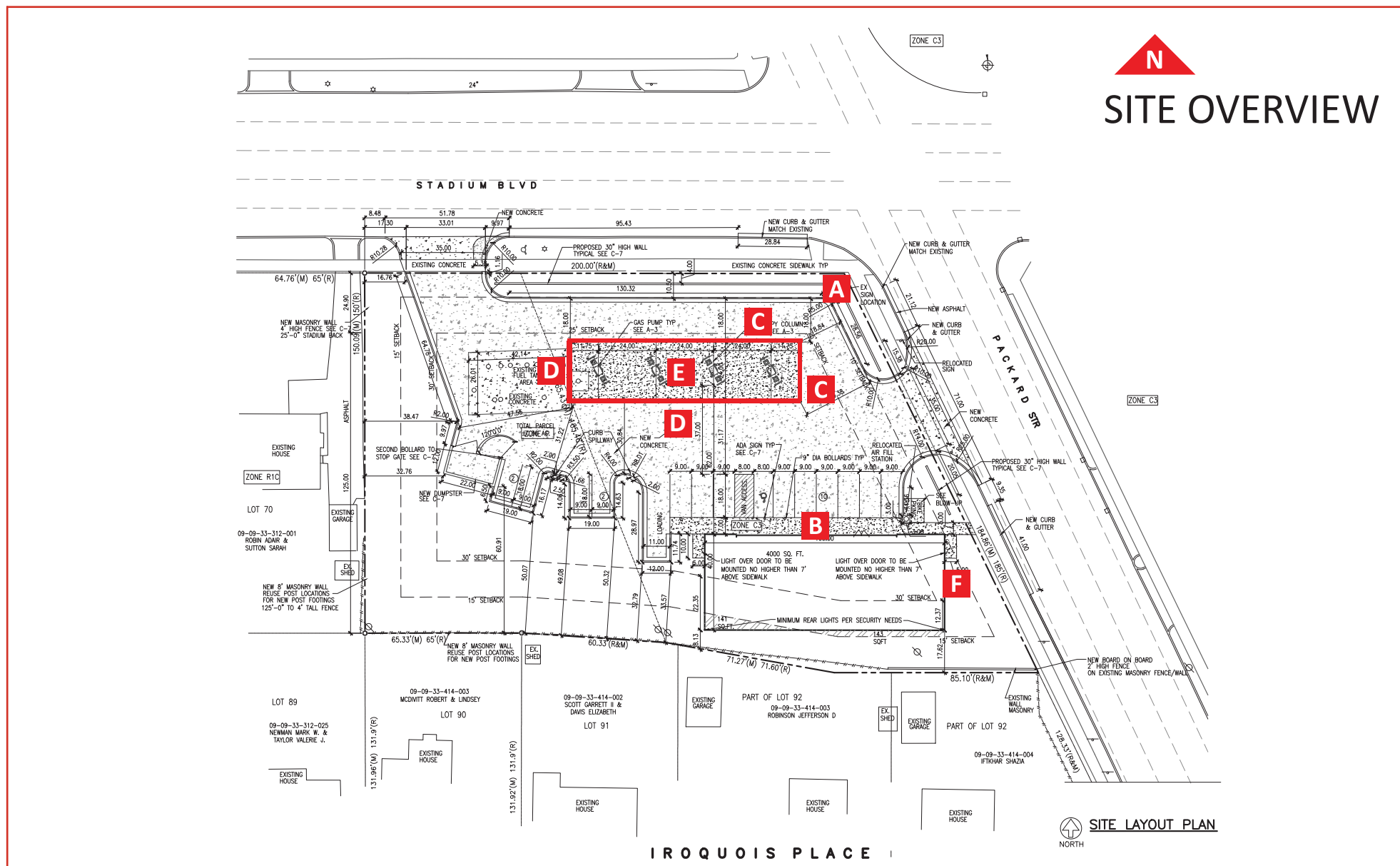
NORTH ELEVATION

This is for presentation only.

Detailed fuel branding specifications provided on supplementary attachment

SCOPE OF WORK	
A MID	- Reface CK logo with new image - Reface pricer panel with new ABLE LED pricer and variable message board. - Install LED retrofit lighting in all existing cabinets
B BUILDING	Install 5' x 12' Shop Sign
C CANOPY	- Install 36" A level Illuminated ACM on two sides of canopy - Install two 34" CK illuminated word marks
D CANOPY	- Install 36" B level Non-Illuminated ACM on two sides of canopy
E DISPENSERS & FORECOURT	- Reimage dispensers to fuel brand specifications - Replace trash cans to fuel brand specifications - Paint columns & islands to fuel brand specifications - Paint bollards to fuel brand specifications
F BUILDING	Install 4' x 10' Shop Sign

COLOR SPECIFICATIONS:								
Sample	Description	Applied to	Sample	Description	Applied to	Sample	Description	Applied to
	Primary Red Pantone 485 3M 3630-33 Red Vinyl	- MID Sign - Building Sign - Canopy Fascia - Dispenser Door Skirt - Car Wash Sign Copy		Egret White SW 7570 Semi-gloss finish	- 30" above grade to top of fascia. - Light poles		Green Pantone 355 3M 3630-156 "Vivid Green" Vinyl	- Diesel Door Skin - CK Pricer (Diesel) if Applicable
	Primary Orange Pantone 144 3M 3630-3540 Tangerine Vinyl	- MID Sign - Building Sign - Canopy Fascia - Dispenser Valance - Column Flags		Nuthatch SW 6088 Semi-gloss finish	- Main Building 30" to grade - Car Wash Building 30" to grade		Blue Pantone 287 3M 3630-157 "Sultan Blue" Vinyl	- Car Wash Panel - CK Pricer (Unleaded) if Applicable
	Safety Red SW #4081	- Bollards near store front		Grays Harbor SW 6236 "Grays Harbor" Semi-gloss finish	- Canopy Column Base (24" from ground) - Canopy Bollards		Shell Warm White RAL9016	- Columns



SCALE: NTS

Project ID

DB5-16653-R5

Date: 06-01-2017
Scale: as noted
Sales: G. Frenette
Designer: M. Holman

Rev. #: R5
Date: 07/20/2017

Revision Note:
revise with new site plan attached labeled as 2017-07-06-sign. Please make the changes for the MID (A) location.
revise canopy columns page 8 to the same brick layout as used on the attached BB.05.19.2017 brand book.

Conceptual

Information Required:

Master

Electrical

120V 347V

Other _____

Customer Approval

Signature _____

MM/DD/YYYY

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249591
Circle K
1420 East Stadium Blvd
Ann Arbor, MI 48104

Sign Item

Scope of Work

SCOPE OF WORK

- A MID**
 - Reface CK logo with new image
 - Reface pricer panel with new ABLE LED pricer and variable message board.
 - Install LED retrofit lighting in all existing cabinets

Project ID
DB5-16653-R5

Date: 06-01-2017
 Scale: as noted
 Sales: G. Frenette
 Designer: M. Holman

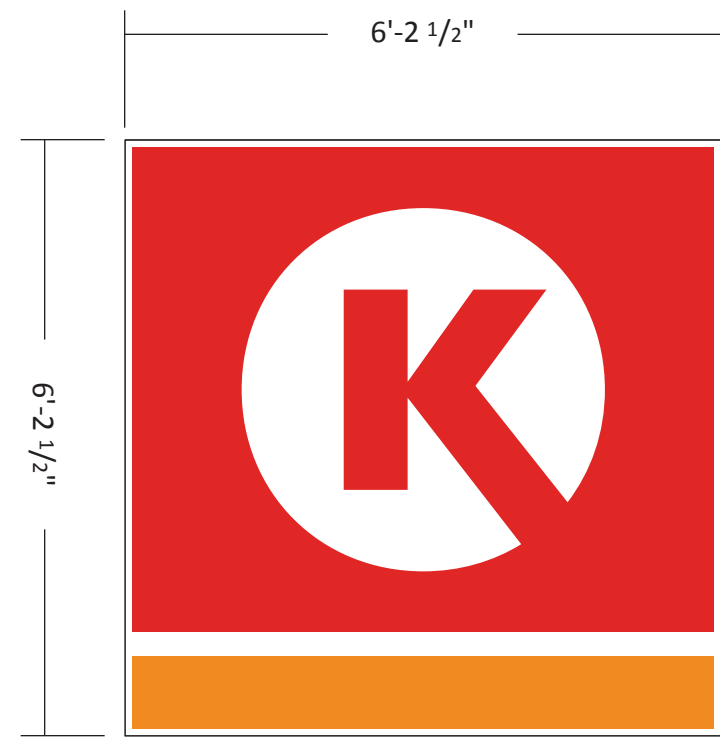
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EXISTING



PROPOSED



38.54 SF.
 1/2"=1'
 *survey needed to verify scale and Retainers

Note: Size of signage in relation to the surrounding area is approximate. This photo mock-up is intended for location purposes only. A site survey is required.

Conceptual

Information Required:

- Master**
- Electrical**
- 120V 347V
- Other _____

Customer Approval

Signature _____
 MM/DD/YYYY _____

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MAIN I.D.

249591
 Circle K
 1420 East Stadium Blvd
 Ann Arbor, MI 48104

Sign Item
 MID-1



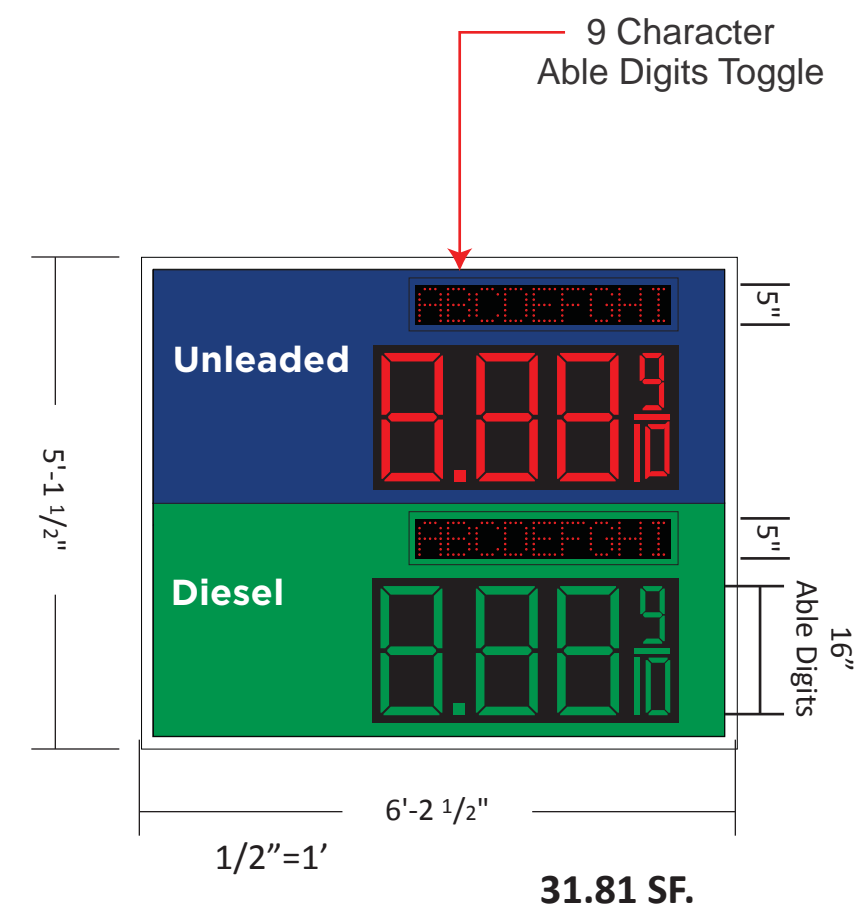
SCOPE OF WORK	
A MID	<ul style="list-style-type: none"> - Reface CK logo with new image - Reface pricer panel with new ABLE LED pricer and variable message board. - Install LED retrofit lighting in all existing cabinets

Project ID	
DB5-16653-R5	
Date:	06-01-2017
Scale:	NTS
Sales:	G. Frenette
Designer:	M. Holman
Rev. #: R5	
Date: 07/20/2017	
Revision Note: revise with new site plan attached labeled as 2017-07-06-sign. Please make the changes for the MID (A) location. revise canopy columns page 8 to the same brick layout as used on the attached BB.05.19.2017 brand book.	

EXISTING



PROPOSED



Note: Size of signage in relation to the surrounding area is approximate. This photo mock-up is intended for location purposes only. A site survey is required.

<input checked="" type="checkbox"/>	Conceptual
Information Required: Verify Retainers with tech survey.	
<input type="checkbox"/>	Master
<input type="checkbox"/>	Electrical
<input checked="" type="checkbox"/>	120V
<input type="checkbox"/>	347V
<input type="checkbox"/>	Other _____

Customer Approval

Signature _____

MM/DD/YYYY _____

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MAIN I.D.

249591
 Circle K
 1420 East Stadium Blvd
 Ann Arbor, MI 48104

STOREFRONT | SHOP SIGNS

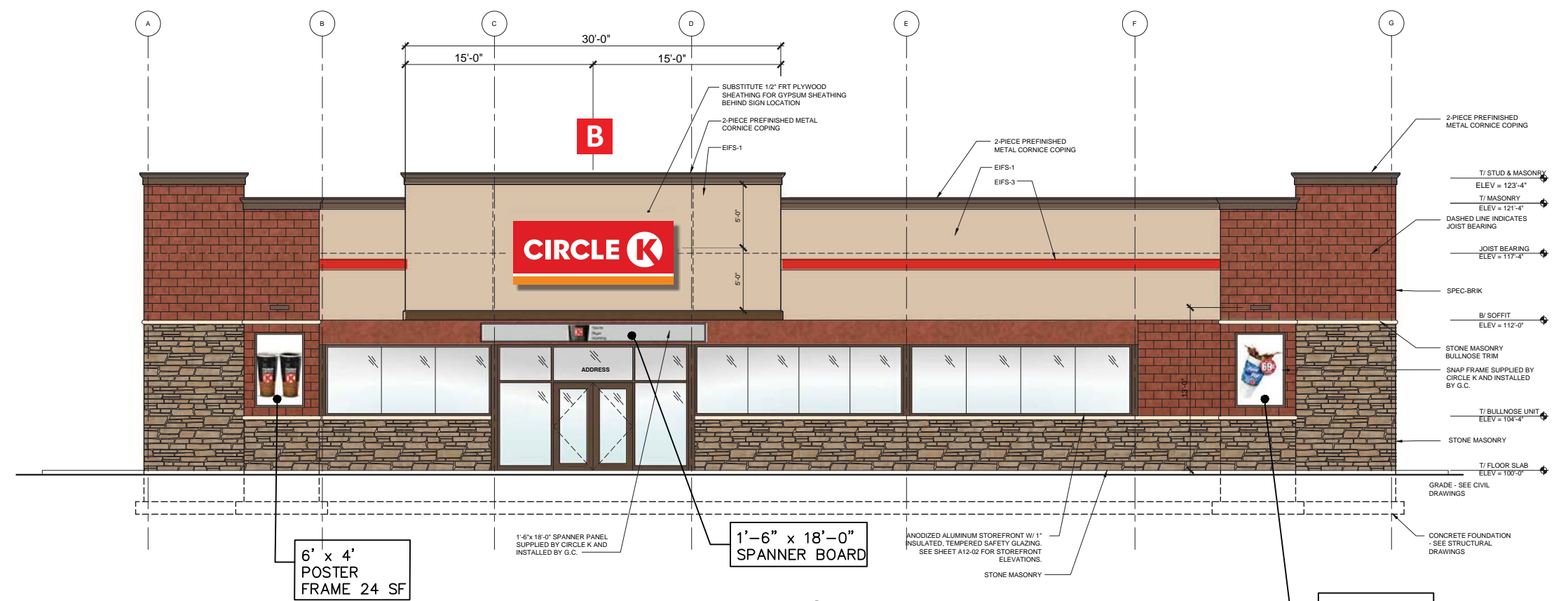
SCOPE OF WORK	
B BUILDING	<ul style="list-style-type: none"> - Install 5' x 12' Shop Sign. - Install Additional Poster Frames and Spanner Board

Project ID
DB5-16653-R5

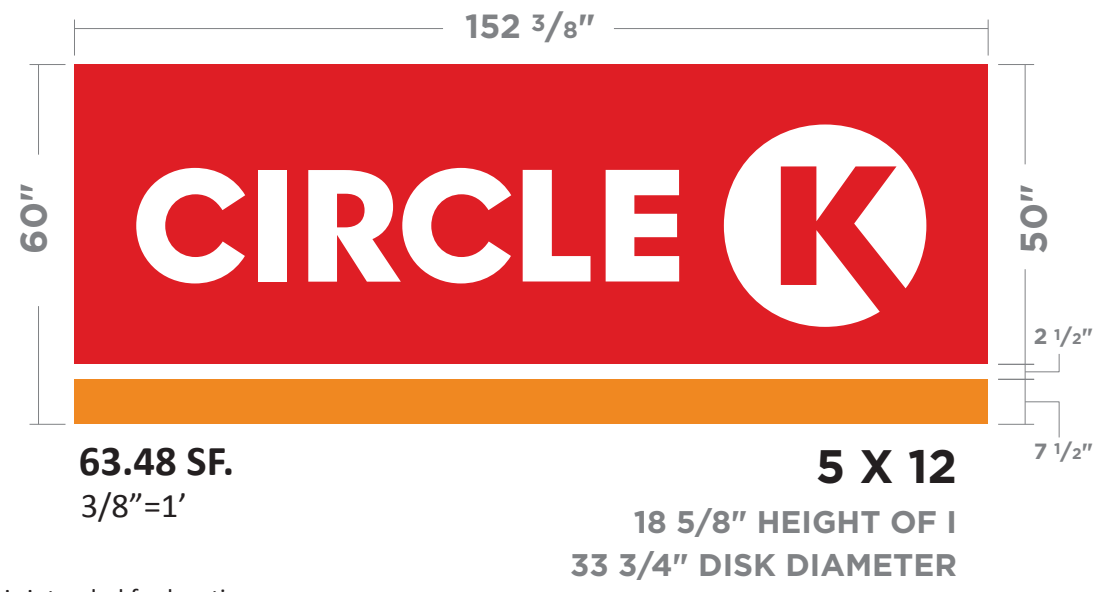
Date: 06-01-2017
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 Designer: M. Holman

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Revision Note:
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 revise canopy columns page 8 to the same brick layout as used on the attached BB.05.19.2017 brand book.



NORTH ELEVATION
 Scale: 3/32"=1'



Note: Size of signage in relation to the building is approximate. This photo mock-up is intended for location purposes only and may not accurately represent the scale of the proposed signage to the building. A site survey is required.

BUILDING

Conceptual

Information Required:

Master

Electrical

120V 347V

Other _____

Customer Approval

Signature _____

MM/DD/YYYY _____

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249591
 Circle K
 1420 East Stadium Blvd
 Ann Arbor, MI 48104

Sign Item
 Building Signage

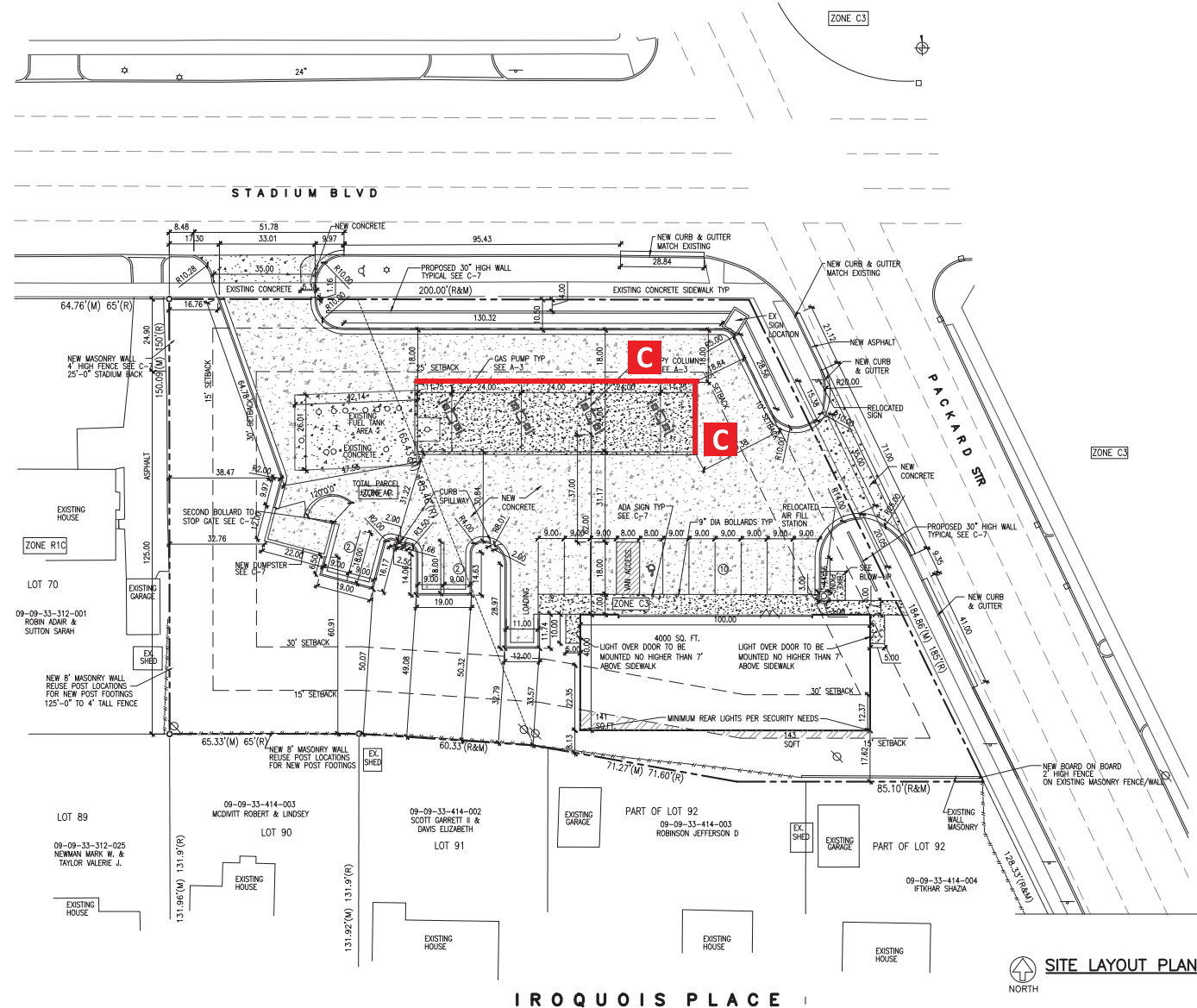
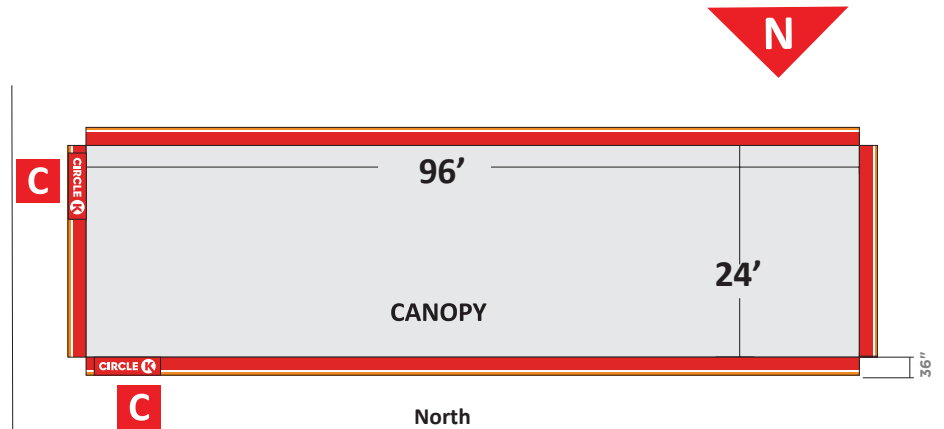
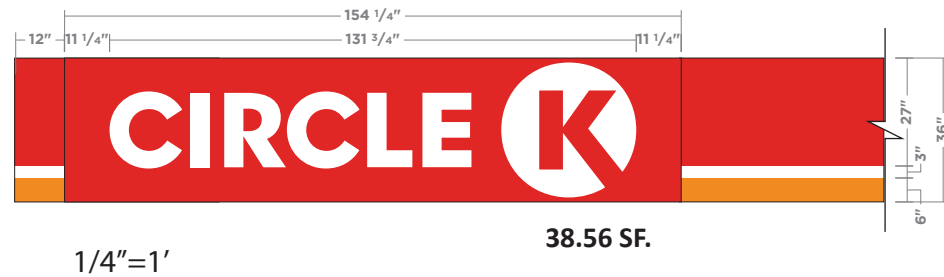
PROPOSED SIGNS PENDING CODE AND PERMITTING

CANOPY

SCOPE OF WORK

C
CANOPY

- Install 36" A level Illuminated ACM on two sides of canopy
- Install two 34" CK illuminated word marks



Project ID

DB5-16653-R5

Date: 06-01-2017
Scale: as noted
Sales: G. Frenette
Designer: M. Holman

Rev. #: R5

Date: 07/20/2017

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revise canopy columns page 8 to the same brick layout as used on the attached BB.05.19.2017 brand book.

Conceptual

Information Required:

Master

Electrical

120V 347V
 Other _____

Customer Approval

Signature _____

MM/DD/YYYY

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CANOPY

249591
Circle K
1420 East Stadium Blvd
Ann Arbor, MI 48104

Sign Item

Canopy - Illum. Work Mark

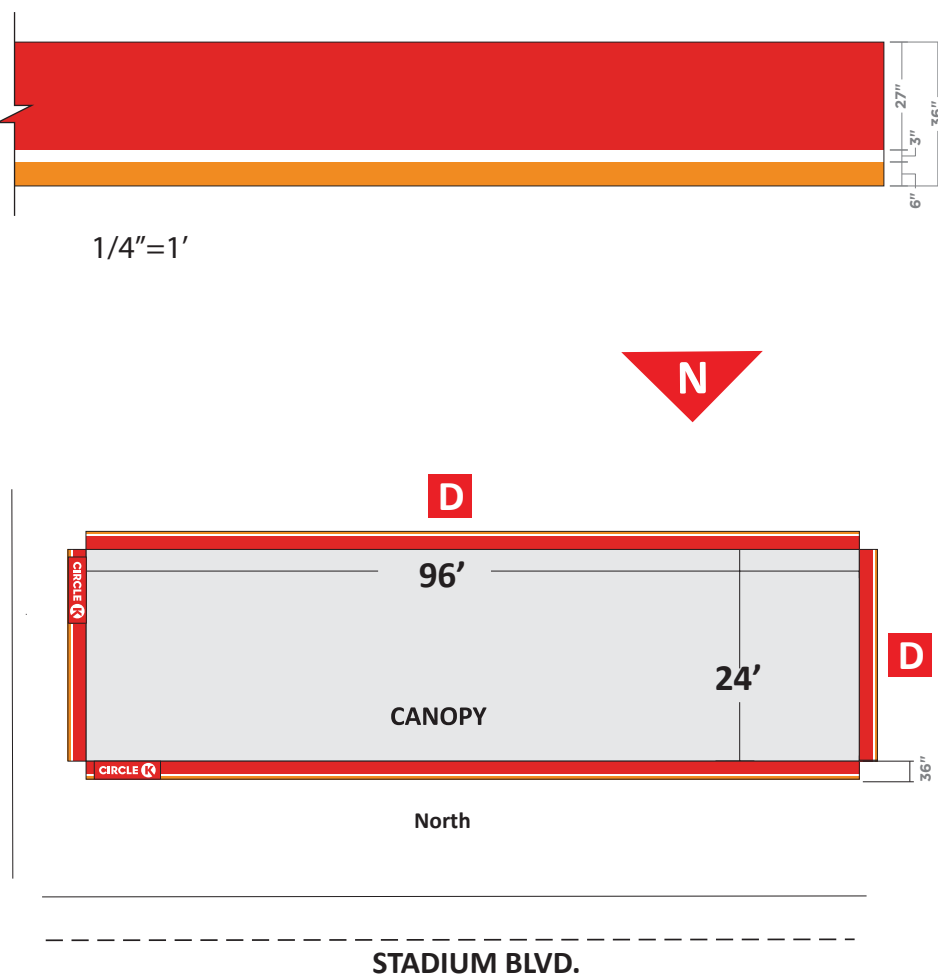
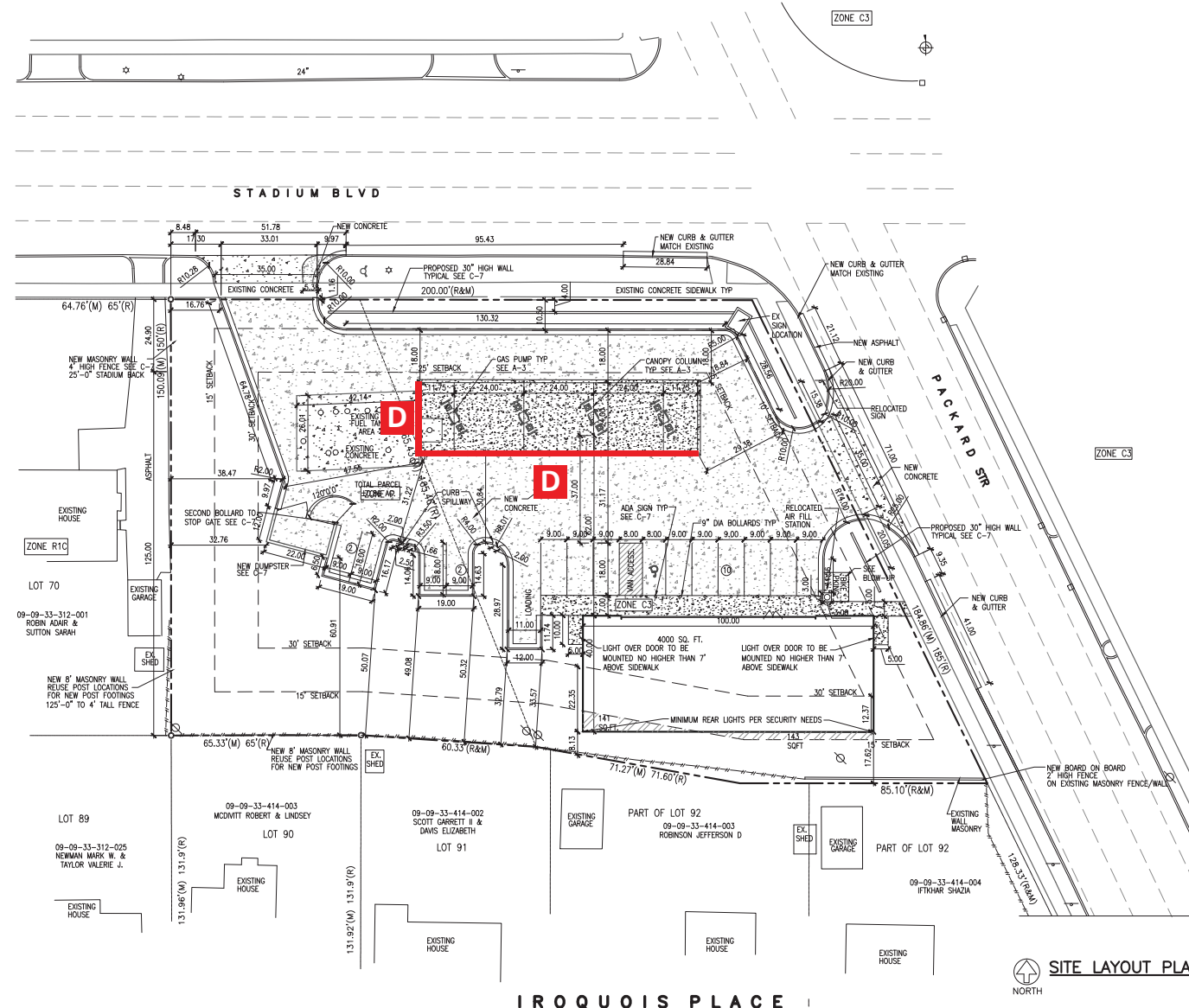
PROPOSED SIGNS PENDING CODE AND PERMITTING

CANOPY

SCOPE OF WORK

D
CANOPY

- Install 36" B level Non-Illuminated ACM on two sides of canopy



NTS

OVERHEAD VIEW

CANOPY

Project ID

DB5-16653-R5

Date: 06-01-2017

Scale: as noted

Sales: G. Frenette

Designer: M. Holman

Rev. #: R5

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Circle K
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Ann Arbor, MI 48104

Sign Item

Non-Illum. ACM

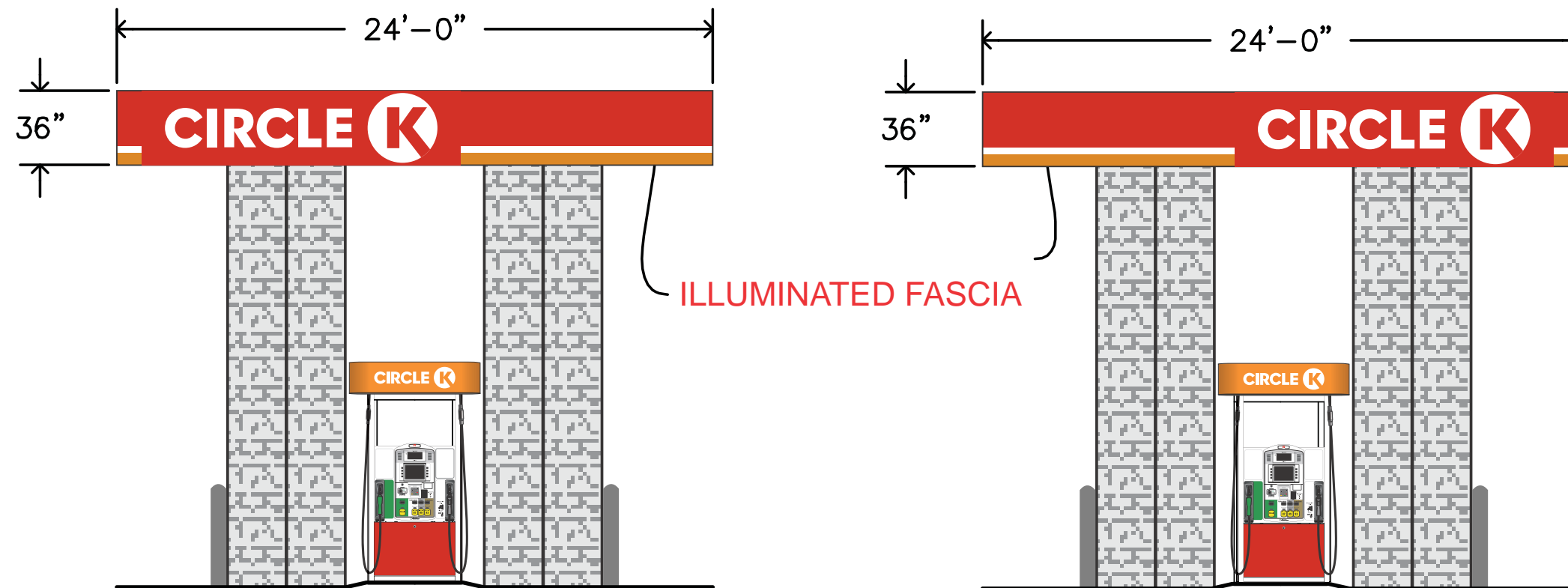
PROPOSED SIGNS PENDING CODE AND PERMITTING

PUMPS

SCOPE OF WORK

E
DISPENSERS
&
FORECOURT

- Reimage dispensers to fuel brand specifications
- Replace trash cans to fuel brand specifications
- Paint columns & islands to fuel brand specifications
- Paint bollards to fuel brand specifications



FINAL GRAPHICS TBD UPON TECHNICAL SURVEY - NTS

Project ID

DB5-16653-R5

Date: 06-01-2017

Scale: NTS

Sales: G. Frenette

Designer: M. Holman

Rev. #: R5

Date: 07/20/2017

Revision Note:

revise with new site plan attached labeled as 2017-07-06-sign. Please make the changes for the MID (A) location.

revise canopy columns page 8 to the same brick layout as used on the attached BB.05.19.2017 brand book.

Conceptual

Information Required:

Master

Electrical

120V 347V

Other _____

Customer Approval

Signature _____

MM/DD/YYYY

It is the Customer's responsibility to ensure that the structure of the building is designed and constructed to accept the installation of the signs being ordered. Please ask PSG to provide further details if required.

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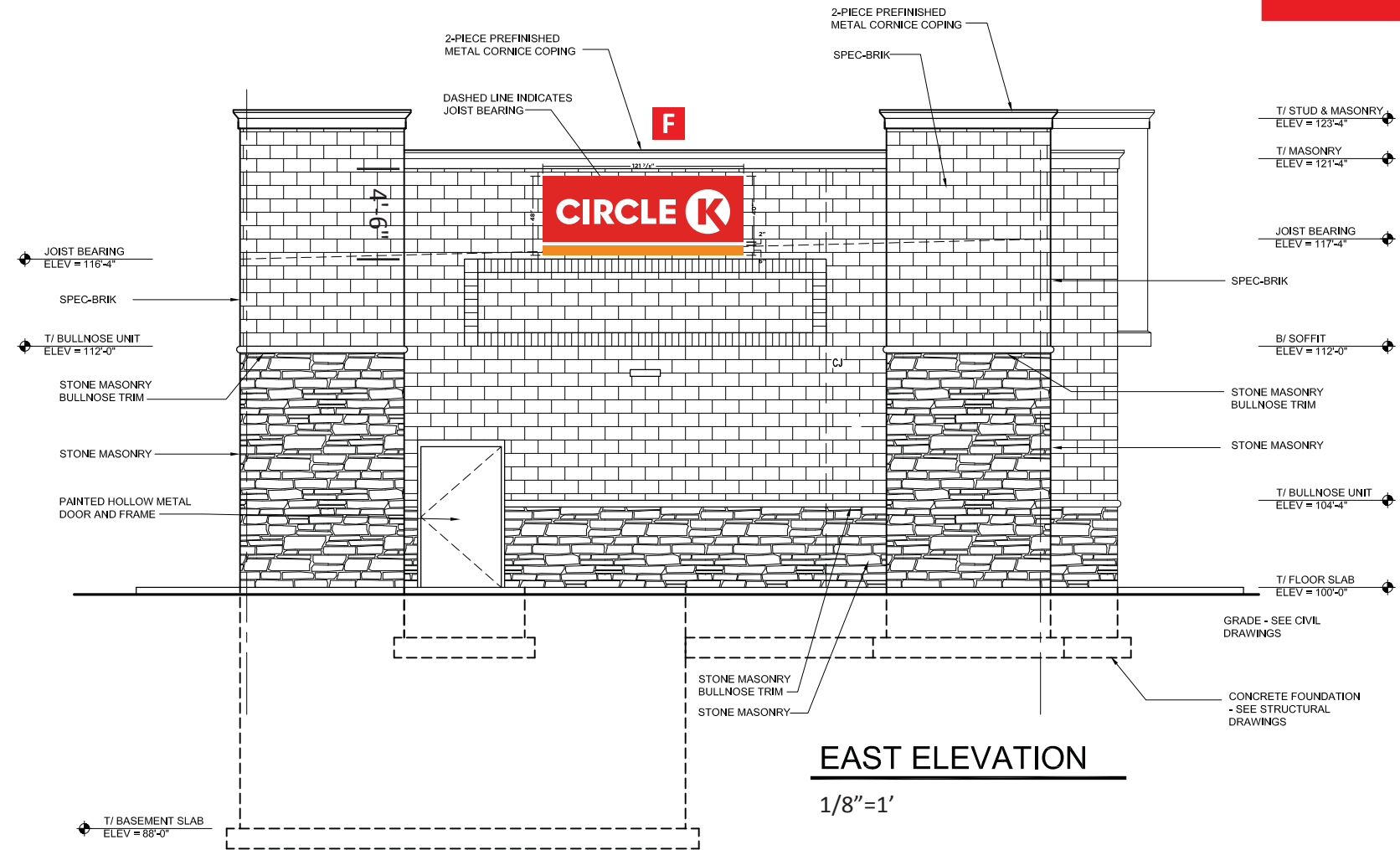
DISPENSER

249591
Circle K
1420 East Stadium Blvd
Ann Arbor, MI 48104

Sign Item

Dispensers

SCOPE OF WORK	
F BUILDING	Install Shop Sign.



EAST ELEVATION

1/8"=1'

4 X 10
14 7/8" HEIGHT OF I
27" DISK DIAMETER



40.62 SF.
3/8"=1'

BUILDING

Project ID

DB5-16653-R5

Date: 06-01-2017
Scale: as noted
Sales: G. Frenette
Designer: M. Holman

Rev. #: R5

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Sign Item

Building Signage