

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of August 3, 2021

**SUBJECT: 2060 W. Stadium Special Exception Use, Landscape Modification Request and Site Plan
File Nos. SEU20-001 & 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 (Unified Development Code), Section 5.29.5 (Special Exceptions), approves the 2060 W. Stadium Special Exception Use for a two lane drive-thru bank facility with the following condition:

1. Approval of the 2060 W. Stadium Site Plan by the City Council.

This approval is based on the following findings:

1. Will be consistent with the general objectives of the City Master Plan of commercial uses in the area;
2. The proposed use will be consistent with the C2B (Business Service) District, which provides for commercial and retail activities as well as office uses.
3. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. The proposed use is consistent with other surrounding uses' traffic impact.

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) dividing the subject parcel from the parent parcel; 3) Grading and Building permits not issued until the existing dealership building is demolished; and 4) 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 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).

SITE PLAN

This petition was postponed at the November 17, 2020 CPC Meeting to allow the petitioner additional time to address neighborhood and Commission issues. This proposal removes the previously proposed four-story, 120,687-sq ft self storage building and the rezoning of the rear 100-foot wide parking lot from P (Parking District) to match the C2B (Business Service District).

The revised proposal requests dividing the parcel into a 1.33-acre north parcel and .99-acre south parcel and demolishing the existing 16,500-sq foot dealership structure on the north parcel. The south parcel proposes constructing a two-story, 12,711-sq. ft. bank/non-medical office building, with a two-lane drive-thru. 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. A total of 19 EV spaces are proposed with the majority of EV parking spaces located along the southern and eastern parking lot lines with two installed stations near the northeast building entrance. Eight hoop style bicycle spaces and a bicycle repair station are proposed at the northwest corner of the building and an enclosed bicycle locker space at the northeast corner of the building. One solid waste enclosure is proposed at the southeastern portion of the site and includes trash and recycling dumpsters.

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. No regulated natural features exist on site.

Construction is proposed in one phase. The estimated cost of construction is \$2,300,000.

SPECIAL EXCEPTION USE

The proposed bank includes a two-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 are accessed off the one-way entrance drive off W. Stadium and 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 two 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 two-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 facility. There are no natural features on site.

VARIANCES

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. In lieu of the street trees, trees are proposed along W. Stadium in front of the building.

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 DISRICT)	PROPOSED (SOUTH SITE)	PROPOSED (NORTH SITE)	REQUIRED/PERMITTED
Zoning	C2B (Business Service) & P (Parking District)	C2B & P	C2B & P (Parking)	C2B
Gross Lot Area	100,857 sq ft (2.32 acres)	43, 046 sq ft (.99 acres)	57,811 sq ft (1.33 acers)	4,000 sq ft MIN
Maximum Usable Floor Area in Percentage of Lot Area	16.4% (16,542 sq ft)	41.2% (12,711 sq ft)	28.6% 16,542 sq ft*	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	50 ft – North 9 ft - South	NA*	0 ft MIN 30 ft abutting Residential
Setback – Rear	113 ft – East	180 ft	NA*	0 ft MIN
Height	1 story	2 Stories (39 feet)	NA	55 ft MAX 4 stories
Parking – Automobile	202 spaces (Not including service bays)	52 spaces	NA	45 spaces MIN 57 spaces MAX
EV Parking	NA	6- EVI 6- EVR 7-EVC	NA	5- EVI (Installed) 7 – EVR (Ready) 7 – EVC (Capable)
Parking – Bicycle	N/A	Class A – 1 spaces Class C – 8 spaces	NA	1 Class A – MIN 4 Class C – MIN

*Proposed to be demolished

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 face of the proposed building, shall be executed prior to the issuance and any permits.

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 and metering. It is the responsibility 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.

Planning - 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/7/28/21

Attachments: [Zoning Map](#)
[Aerial Map](#)
[Site Plan/Landscape Plan/Elevations](#)
[Special Exception Use Application](#)
[SEU Response Letter](#)
[ZBA Application](#)
[WCWRC Review](#)
[Citizen Participation Report](#)
[A2Zero](#)

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