

Speedway Gas Station and Convenience Store Remodel

REQUEST	Tree Removal Permit Site Plan Approval
APPLICANT	Robert Sweet McBride Dale Clarion 5721 Dragon Way, Suite 300 Cincinnati, OH 45227
LOCATION	Southwest Corner of Rochester and Avon Roads
FILE NO.	19-038.2
PARCEL NO.	15-22-226-022
ZONING	B-5 Automotive Service Business with an FB-3 Flexible Business Overlay
STAFF	Kristen Kapelanski, AICP, Planning Manager

Summary

As the Planning Commission was made aware recently, plans would be forthcoming to update the Speedway gas station at the southwest corner of Avon and Rochester. The applicant received approval from the Planning Commission and City Council to obtain and rezone .25 acre from the shopping center to the south to add circulation for the proposed redevelopment of the gas station. The station will be demolished, and a new, 4,600 convenience store and canopy over seven, double sided dispensers is proposed. The two driveways closest to the intersection will be closed, and the drives on Avon and Rochester will be reworked for better circulation. Several modifications are being requested, including for the rear yard setback, screening requirements, lighting and parking. The Planning Commission has the ability to waive the requirements if it is determined that the applicant's explanations are sufficient to still allow an appropriate development. All staff reviews have recommended approval, and if the Planning Commission agrees that the development will be harmonious and appropriate in appearance, below are motions for approval.



Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	Minor comments/Modifications requested	Approval
Fire	Minor comments to be handled prior to final submittal	Approval
Building	Comments to be handled at building plan review	Approval
Engineering	Minor comments	Approval
Parks & NR	Minor comments	Approval
Assessing	No comments	Approval

Motion to Approve a Tree Removal Permit

MOTION by _____, seconded by _____, in the matter of City File No. 19-038.2 (Speedway Gas Station and Convenience Store Remodel), the Planning Commission **grants** a **Tree Removal Permit**, based on plans dated received by the Planning Department on March 26, 2020, with the following findings and subject to the following conditions.

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to remove 7 regulated trees and replace on site. Any trees not able to fit on site will be paid into the tree fund.

Conditions

1. Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit.
2. Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund at a rate of \$304.00 per tree.

Motion to Approve Site Plan

MOTION by _____, seconded by _____, in the matter of City File No. 19-038.2 (Speedway Gas Station and Convenience Store Remodel), the Planning Commission **approves** the **Site Plan**, based on plans dated received by the Planning Department on March 26, 2020, with the following findings and subject to the following conditions.

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from Avon or Rochester Rd. or the shopping center to the west, thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.

3. The off-street parking area has been designed to avoid common traffic problems and promote customer safety.
4. The Planning Commission modifies the number of parking spaces, finding that there will be sufficient parking including spaces at the pumps.
5. The Planning Commission modifies the rear yard setback, finding that the proposed setback will allow for better development and not be incompatible with the adjacent property.
6. The Planning Commission modifies the lighting requirements, finding that the higher intensity is needed for customer and employee safety.
7. The Planning Commission waives the right-of-way landscaping, buffer requirements and screening requirements for the perimeters, finding that there is not sufficient space to plant the total number of plantings and that the proposed shrubbery meets the intent of the Ordinance.
8. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
9. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.
2. Provide a bond for landscaping and irrigation, plus inspection fees, as adjusted as necessary by staff in the amount of \$31,546.00, prior to temporary grade certification being issued by Engineering.

Reference: Plans dated received by the Planning Department March 26, 2020

Attachments: Assessing Department memo dated 3/7/20; Building Department memo dated 4/9/20; DPS/Engineering memo dated 4/5/20; Planning Department Memo dated 4/10/20; Fire Department memo dated 4/8/20; Parks & Natural Resources memo dated 4/1/20; WRC Letter; ROCOC Letter; MDOT email; EIS; Traffic Impact Study; Justification Statement rec'd 2/8/20; Tree Removal Notice

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