



Department of Planning &
Community Development

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Phone No.: 517-319-6941
PC Agenda: June 27, 2007

PRELIMINARY STAFF REPORT
June 21, 2007
Ordinance 1175

SUBJECT

Ordinance No. 1175, an ordinance to amend Section 50-632 of Division 6 of Article VI – Business, Office and Industrial Districts – of Chapter 50 – Zoning – of the Code of the City of East Lansing to permit auto service centers within community or regional shopping centers located in the B-5 Community Retail Sales Business District, subject to special use permit approval.

EXISTING CONDITIONS

Currently, the only zoning district which would allow a gas station to be developed in the City is the B-2 Retail Sales Business District and under these regulations an applicant would be required to obtain a Special Use Permit. There are no undeveloped B-2 Districts in the City.

Currently there are six gas stations within the city limits all of which are located on relatively busy roads and near residential neighborhoods. There is only one gas station north of Saginaw Highway and it is located at the corner of Abbott Road and Lake Lansing Road. The remaining gas stations are located at the corner of Michigan Avenue and Louis Street, at the corner of Hagadorn Road and Grand River Avenue, at the corner of Hagadorn Road and Haslett Road, at the corner of Grand River Avenue and Woodmere Street. (See attachment A.)

HISTORY

In August, 1991 Meijer submitted a SUP application to construct a gas station and convenience store at the southwest corner of their site on Lake Lansing (where the Independent Bank branch is now located). Staff recommended against the original plan because of its unoriginal design and its exposure to Lake Lansing Road. Meijer then submitted a revised application, reorienting the facility to face back towards the main store, covering the building with brick to match the store, and adding landscaping along the street. Staff then recommended approval of the revised application, subject to 11 conditions. On September 25, 1991 the Planning Commission added 3 more conditions and voted 5 to 4 to recommend approval of the SUP.

The City Council considered the application on October 1, 1991. They heard considerable testimony in opposition from representatives of the Pinecrest, Tamarisk and Whitehills neighborhoods. Concerns included traffic, 24-hour operation, noise,

lights and earlier statements, first from Dayton-Hudson and then from Meijer, that they had no plans to construct a series of satellite buildings/businesses along the Lake Lansing frontage. Council voted unanimously to reject the SUP application.

In late December, 1993 Meijer submitted another SUP application for a gas station and convenience store, this time on the site now occupied by Applebee's. After considerable review, staff recommended approval, subject to 19 conditions. The Planning Commission added a few conditions, but ultimately voted against the application 1 to 5 at its February 23, 1994 meeting. Concerns again were traffic, 24-hour operation, noise and lights.

The City Council considered the application at several succeeding meetings. At its April 19, 1994 meeting, in the face of continued opposition, Meijer withdrew the application. Council also asked Staff to consider deleting gas stations and car washes from the uses permitted in the B-5 Business District, which was ultimately done in Ordinance 824, adopted by Council on July 5, 1994. So a gas station was no longer permitted on or around the Meijer store on Lake Lansing Road without an ordinance change.

When the City made these decisions, the situation in the Northern Tier was quite different than it is today. In 1994 neither the City nor our neighbors anticipated the development of the Eastwood Towne Center and surrounding commercial development to the west nor the ongoing residential development to the north and northeast of the site. We did not expect that the population and traffic volumes in the area would grow significantly and create a need for additional commercial services. At that time, there were three existing gas stations in the area, two at Abbott Road and one to the west across US-127. One of the stations at Abbott has since closed and has been redeveloped.

Since then, as you know, through our recent revision of the Comprehensive Plan, we have evidenced substantial growth in the area and have called for the expansion of appropriate and necessary businesses to serve the needs of the area, including gas stations. And numerous innovations have been made within the gas station industry which has substantially reduced the historic "nuisance" impacts of gas stations on neighbors and the environment, including vapor recovery systems, double wall tank construction, and monitoring systems. Gas stations are using lighting that directs light where needed and eliminates light pollution.

SUMMARY COMMENTS

Following the public hearing on this application, we will respond to additional concerns and questions in a final report and recommendation.

Introduced: June 5, 2007
Public Hearing: _____
Adopted: _____
Effective: _____

CITY OF EAST LANSING, MICHIGAN

ORDINANCE NO. 1175

AN ORDINANCE TO AMEND SECTION 50-632 OF -
DIVISION 6 – OF ARTICLE VI – BUSINESS, OFFICE AND
INDUSTRIAL DISTRICTS - OF CHAPTER 50 - ZONING -
OF THE CODE OF THE CITY OF EAST LANSING TO
PERMIT AUTO SERVICE CENTERS WITHIN COMMUNITY
OR REGIONAL SHOPPING CENTERS LOCATED IN THE
B-5 COMMUNITY RETAIL SALES BUSINESS DISTRICT,
SUBJECT TO SPECIAL USE PERMIT APPROVAL.

THE CITY OF EAST LANSING ORDAINS:

Section 50-362 of Article VI of Chapter 50 – Zoning – of the Code of the City of East Lansing is hereby amended to read as follows:

Sec. 50-632. Permitted uses.

The following uses of buildings and premises shall be permitted in the B-5 district.

- (1) Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter:
 - a. Retail business establishments with a community-wide trade area or greater, such as department stores, furniture stores, appliance stores, apparel shops, and businesses of a like nature, excluding drive-in uses and excluding those uses which require extensive storage of bulk materials or merchandise in a separate building or upon the premises; and excluding establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), including specially designated merchants and specially designated distributors as described at MCL 436.1537.
 - b. General and professional offices, medical and dental offices and laboratories, and banks and financial institutions, excluding drive-in uses.
 - c. Restaurants, except restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined by section 105(1) of the Michigan Liquor Control Code of 1988, MCL 436.1105(2), cafés, and similar establishments, including such establishments having outdoor dining areas, but excluding drive-in uses.

- d. Shopping centers containing uses permitted in this district and also permitting personal service establishments and retail stores which sell groceries, baked goods, or other food products and beverages.
 - e. Public assembly buildings including theaters, auditoriums, and banquet facilities.
 - f. Hotels and motels.
 - g. Colleges, universities, business or trade schools or similar education or training facilities.
- (2) Principal uses permitted subject to an approved special use permit as provided for in article II, division 3 of this chapter.
- a. Drive-in banks or financial institutions.
 - b. Drive-in restaurants.
 - c. Recreation facilities similar to bowling alleys, health or exercise centers, and racquet or court facilities.
 - d. Restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined by section 105(1) of the Michigan Liquor Control Code of 1988, MCL 436.1105(2).
 - e. Establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), including specially designated merchants and specially designated distributors as described at MCL 436.1537.
 - f. Auto service centers located within and accessible from the interior vehicular circulation network serving a community shopping center or a regional shopping center.
- (3) Accessory uses permitted.
- a. Any use customarily incidental and subordinate to the main use of the building or lot.
 - b. ATMs enclosed within a principal building.
 - c. ATMs externally attached to a principal building subject to an approved special use permit.

Samir Singh
Mayor

Sharon A. Reid
City Clerk



Speedway Gas Station



Marathon Gas Station



Clark Gas Station



Mobil Gas Station



Marathon Gas Station

Attachment A



Marathon Gas Station