

Template Motion, Findings and Conditions [PSP 24-02]

Staff offers the following motions and findings as a suggested template and guide for City Council's motion on this case, either for approval or denial. Staff urges City Council to provide additional detailed findings, as needed, to substantiate any motion for approval or denial.

MOVE TO (APPROVE/DENY) SPECIAL APPROVAL REQUEST NUMBER PSP 24-02 BASED UPON THE FOLLOWING FINDINGS PERTAINING TO THE SPECIAL APPROVAL CRITERIA OF SECTION 10.201(4):

1. The applicant requests Special Approval for a gasoline service station at 30901 Dequindre Road under Section 10.319(2) of the Zoning Ordinance, *uses permissible on special approval in the B-1 district*.
2. The subject site is zoned B-1, Local Business, which is intended to *"meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas."* The proposed gas station (IS/IS NOT) consistent with the intent of the B-1 zoning district and (IS/IS NOT) compatible with and (IS/IS NOT) no more objectionable than principal uses permitted by-right in the B-1 zoning district.
3. The subject site is immediately adjacent to properties improved with, and zoned for, residential and religious uses, and is located across the street from auto-oriented uses and commercial zoning. The proposed gas station (IS/IS NOT) compatible with adjacent land uses.
4. The proposed use (IS/IS NOT) consistent with the site's *"Commercial"* future land use designation and (IS/IS NOT) aligned with the goals and objectives stated in the 2021 Madison Heights Master Plan relating to community character, commercial & industrial development, and transportation networks.
5. The applicant (HAS/HAS NOT) demonstrated a need for the proposed use in the specified area of the city.
6. The proposed use (DOES/DOES NOT) satisfy the use-specific requirements for gasoline service stations listed in Section 10.319(2). The applicant acknowledges the need to apply to the ZBA for a non-use variance from the specific-use standards of Section 10.319(2)(c).
7. The use (DOES/DOES NOT) have an adverse effect on the environment beyond the normal effects of permitted principal uses in the same zoning district and (DOES/DOES NOT) result in an impairment, pollution, and/or destruction of the air, water, and natural resources.
8. The proposed use (IS/IS NOT) designed as to location, size, intensity, site layout, and periods of operation to eliminate any possible nuisances which might be noxious to the occupants of any nearby properties. The use (DOES/DOES NOT) involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, odors, and adverse environmental impacts.
9. Based on the above findings, the proposed use (DOES/DOES NOT) generally satisfy/satisfies the Special Approval review standards and criteria listed in Section 10.201(4).

If City Council moves to approve the requested Special Approval use, staff recommends including the following conditions of approval relating directly to the site layout and operation of the proposed use, in accordance with Section 10.201(4)(k), to fulfill the spirit and purpose of the Zoning Ordinance and the intent of the B-1 zoning district:

1. Seek and obtain a non-use variance from the Zoning Board of Appeals from Section 10.319(2)(c), *"the lot must be located on the edge of the district (where the abutting zoning district on the frontage is nonresidential) so as not to disrupt pedestrian movement within the district."*
2. Provide an additional direct pedestrian connection from the convenience store front door to the public sidewalk along Dequindre Road, as reviewed and approved by planning staff during Site Plan review. This may require the re-location of certain site elements such as the loading area and air pumps.
3. Provide additional greenbelt landscaping in the form of deciduous trees and ornamental trees within the greenbelt adjacent to Dequindre Road, as reviewed and approved by planning staff during Site Plan review; alter location of the underground storage tank, if necessary, to allow for tree root growth.