

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of March 15, 2010

**SUBJECT: 215 North Fifth Avenue Site Plan for City Council Approval
(215 North Fifth Avenue)
File No. SP11-002**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 215 North Fifth Avenue Site Plan.

STAFF RECOMMENDATION

Staff recommends **approval** of the site plan because it complies with applicable local, state and federal laws, ordinances, standards and regulations; limits the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and does not cause a public or private nuisance and does not have a detrimental effect on the public health, safety or welfare.

LOCATION

The site is located on the west side of North Fifth Avenue, north of East Ann Street and south of Catherine Street. The site is in the Old Fourth Ward Historic District, the Downtown Planning Area, the Downtown Development Authority district, and the Allen Creek Watershed.

DESCRIPTION OF PROJECT

The petitioner is proposing to demolish the building at 215 North Fifth Avenue, most recently used as the Bessenberg Bindery, and construct a two-story, single-family, owner-occupied residence. An attached two-car garage will be accessed from the public alley on the west side of the site. Site plan approval is required since the single-family dwelling is on a parcel that is not zoned solely for residential purposes (per Section 5:122 Site Plans of Chapter 57).

The proposal will result in a net impervious surface reduction of 261 square feet. Therefore, on-site stormwater management systems are not required for this single-family residence, per amendments to Chapter 63 that went into effect March 1, 2011. An increase of 200 square feet or more of impervious surface would trigger these requirements. The project has no existing or proposed footing drains.

There is one landmark tree located in the street right of way. Appropriate steps will be taken to protect the tree. There are no other natural features on the site.

The petitioners sent out a citizen participation notice to all residents and property owners within 500 feet on February 1, 2011. One resident responded to the notice and visited the project architect's office to review the project. The citizen participation report is attached.

PLANNING HISTORY

Downtown Zoning

The project parcel is zoned D2 (Downtown Interface) district and lies within the Kerrytown character area. The building frontage is classified as Secondary Street Frontage, which requires a zero- to ten-foot front setback.

Historic District Commission

The project was reviewed by the Historic District Commission and a certificate of appropriateness was issued on February 10, 2011 (HDC10-164). Discussions focused on the front chimney and side entry, which are the opposite of a typical residence in this historic district; the fence surrounding the property; window types; and brick color. The project architect made revisions to the design of the fence and windows prior to the project's approval.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Single and Multiple-Family Residential	D2 (Downtown Interface)
EAST	Single and Multiple-Family Residential	O (Office District)
SOUTH	Multiple-Family Residential (the Armory)	D2 (Downtown Interface)
WEST	Retail	D2 (Downtown Interface)

ZONING COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED BY CURRENT ZONING
Base Zoning	D2 (Downtown Interface)	D2 (Downtown Interface)	D2 (Downtown Interface)
Gross Lot Area	4,121 SF	4,121 SF	No minimum
Floor Area as % of Lot Area	67%	96%	200% MAX
Building Coverage	67%	55%	80% MAX
Open Space	24%	37%	10% MIN
Character Overlay District	Kerrytown	Kerrytown	Kerrytown
Streetwall Height	1 story	2 stories	2 stories MIN 3 stories MAX
Offset at Top of Streetwall	Not applicable	Not applicable	Not applicable
Maximum Building Height	17 ft	28 ft 9 in	24 ft/2 story MIN 60 ft MAX
Massing Articulation	Not applicable	Not applicable	Not applicable
Building Frontage	Secondary	Secondary	Secondary
Setback – Front	0 ft – 18 ft	9 ft 3 in	0-10 ft MAX
Parking	Special Parking District	Special Parking District	Special Parking District
Parking – Automobiles	2	2	0
Parking – Bicycles	0	2 Class A	1 Class A MIN

PLANNING BACKGROUND

The site falls within the Downtown planning area. The Downtown Plan's goal for the Interface Area is:

Goal: Preserve and enhance incremental transitions in land use, density, building scale and height in the Interface areas located between downtown's neighborhood edges and Core Areas.

Development within the DDA district, especially in the area which forms the Interface between the intensively developed Core and near-downtown neighborhoods, should

reinforce the stability of these residential areas -- but without unduly limiting the potential for downtown's overall growth and continued economic vitality. Ideally, development within this portion of the DDA district should blend smoothly into the neighborhoods at one edge and into the Core at the other.

The Downtown Plan's goal for historic preservation and compatible infill is:

Goal: Encourage new development to reinforce historic buildings' contribution to downtown's identity and pedestrian orientation.

Architecturally and historically significant buildings help to create a positive identity and special market appeal for downtown. They provide visual interest; establish a comfortable sense of scale; and maintain links to the past to give deeper meaning to the built environment. Special efforts should be made to encourage the preservation and renovation of these buildings and to promote compatibility in the design of new buildings located nearby.

Protection will continue to be afforded to buildings and districts within the DDA area which have already been designated as historic. This designation constitutes an "overlay" zone which requires Historic District Commission review and approval of applications for new construction and the alternation, repair, demolition or moving of structures.

SITE HISTORY

A two-story Greek revival house built on this site c.1835 was the home of Edward Mundy, an Ann Arbor merchant who became Michigan's Lt. Governor under Stevens T. Mason in 1835 and was later a state Supreme Court Justice. The house was condemned and razed in 1975. A commercial auto repair shop that had been constructed behind the house in the 1950s remained, and in 1980 a single-story office addition was attached to the front of the garage. The building most recently housed the Bessenberg Bindery.

DEPARTMENT COMMENTS

Planning - This review and recommendation was based on the plan set dated 2/23/11. The individual sheet dates are listed below.

This project falls below the threshold for a parks contribution, so none has been requested.

Prepared by Jill Thacher
Reviewed by Wendy Rampson
3/10/2011

Attachments: Location Map
Zoning and Parcel Map
Aerial Photo
Sheet C1.0: Proposed Site Plan dated 2/23/11
Sheet C2.0: Elevations dated 2/23/11
Sheet 1: Survey of Existing Conditions dated 1/17/11
Citizen Participation Report

c: Owner: Jon & Lisa Rye
c/o Greenfield Commercial Credit
300 E Long Lake Rd, Suite 120
Bloomfield Hills, MI 48304

Petitioner: Mitchell and Mouat Architects, Inc
113 S Fourth Ave
Ann Arbor, MI 48104

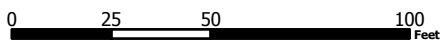
City Attorney – Kevin McDonald
Systems Planning – Cresson Sloten

**215 N Fifth Ave
-Location Map-**



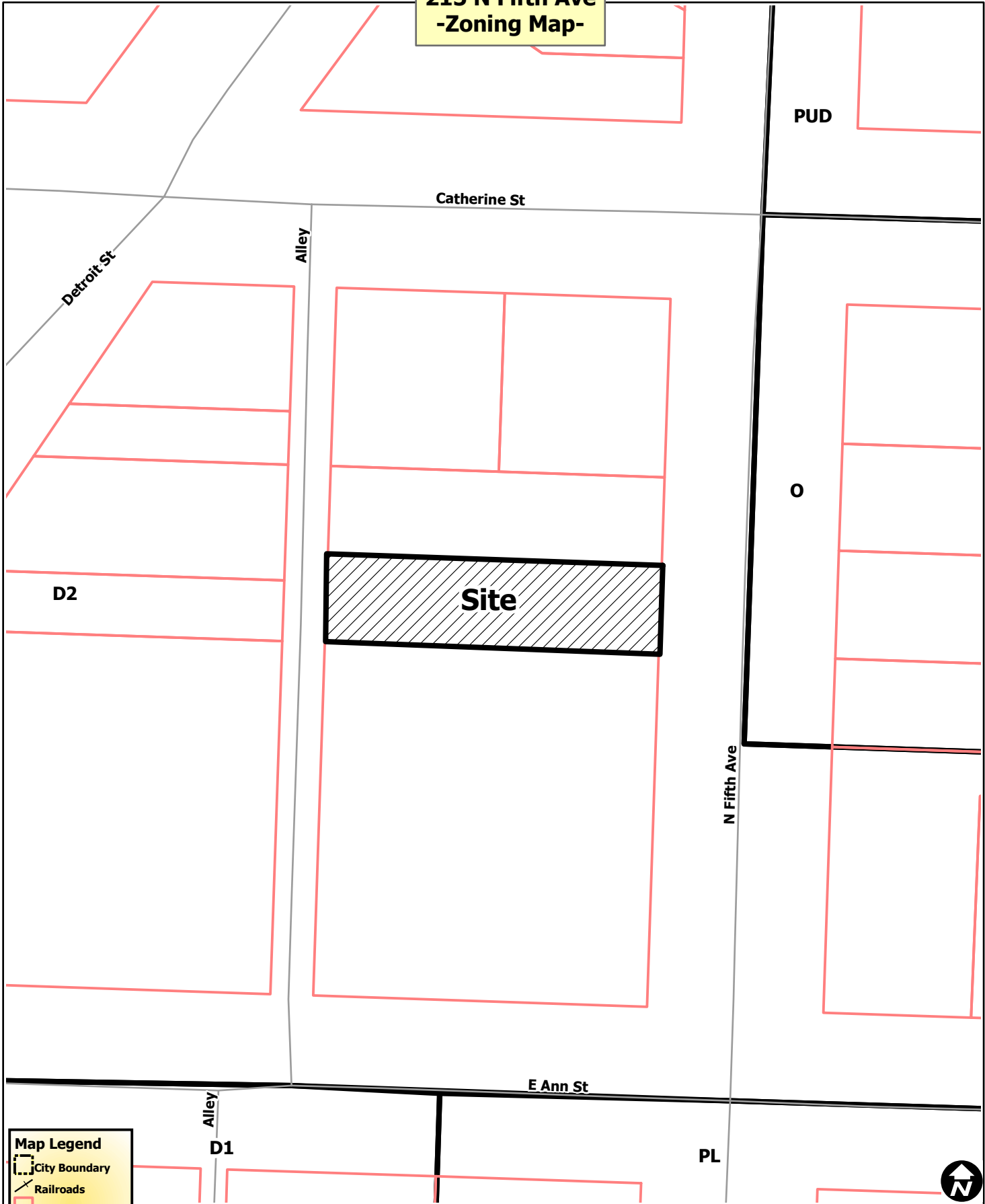
Map Legend

- City Boundary
- Railroads
- Parcel Property



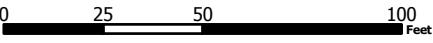
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Map Created: 1/31/2011

215 N Fifth Ave -Zoning Map-



Map Legend

- City Boundary
- Railroads
- Parcel Property
- Zoning
- Township
- City of Ann Arbor



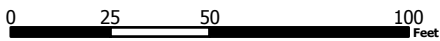
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Map Created: 1/31/2011

215 N Fifth Ave -Aerial Map-



Map Legend

- City Boundary
- Railroads
- Parcel Property



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Map Created: 1/31/2011

PROJECT DESCRIPTION:

THE PROPOSED PROJECT INVOLVES THE DEMOLITION OF AN EXISTING SINGLE-STORY QUASI-INDUSTRIAL STRUCTURE USED AS A NON-MEDICAL OFFICE AND ITS REPLACEMENT WITH A TWO-STORY SINGLE FAMILY OWNER-OCCUPIED RESIDENCE WITH AN ATTACHED TWO-CAR GARAGE.

GENERAL PROJECT INFORMATION:

OWNER: JON AND LISA RYE, 300 EAST LONG LAKE ROAD, STE. 120, BLOOMFIELD HILLS, MI.

DESIGNER: MITCHELL AND MOUNT ARCHITECTS, INC., 115 SOUTH FOURTH AVENUE, ANN ARBOR, MI. PHONE: (734) 662-6010, FAX: (734) 662-3802.

LEGAL DESCRIPTION:

LAND SITUATED IN THE CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AND DESCRIBED AS FOLLOWS - THE SOUTH 1/2 OF LOT 6, BLOCK 2 NORTH OF HURON STREET, BLOCK 5 EAST, ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF ANN ARBOR, AS RECORDED IN TRANSCRIPTS, PAGE 152, WASHTENAW COUNTY, MICHIGAN.

CONSTRUCTION SEQUENCE:

THE PROJECT WILL BE CONSTRUCTED IN A SINGLE PHASE

COMMUNITY ANALYSIS:

A SINGLE FAMILY RESIDENCE IS PROPOSED. ANN ARBOR PUBLIC SCHOOL IMPACT WOULD BE THE SAME AS CALCULATED FOR ANY SINGLE FAMILY RESIDENCE WITHIN THE BOUNDARIES OF THE DISTRICT. THE OLD FOURTH WARD WILL GAIN AN OWNER-OCCUPIED SINGLE FAMILY RESIDENCE IN LIEU OF THE EXCLUSIVE COMMERCIAL USE THAT HAS EXISTED ON THIS SITE SINCE 1975. WATER QUALITY WILL IMPROVE DUE TO A NET DECREASE IN IMPERVIOUS SURFACE. AIR QUALITY WILL BENEFIT FROM INCREASED VEGETATION. AS THE EXISTING BUILDING DOES NOT CONTRIBUTE TO THE OLD FOURTH WARD HISTORIC DISTRICT, THERE IS NO HISTORIC SITE IMPACT.

GENERAL DESCRIPTION OF NATURAL FEATURES: EXISTING NATURAL FEATURES ARE LIMITED TO ONE (1) LOCUST STREET TREE, AT 12" DBH, IT DOES NOT QUALIFY AS A LANDMARK TREE.

EXISTING CONDITIONS:

SOIL TYPE: PREDOMINANTLY FOX SANDY LOAM.

NATURAL FEATURES IDENTIFICATION:

IDENTIFICATION OF EXISTING NATURAL FEATURES AND PROPOSED DISTURBANCE: THE SOLE EXISTING NATURAL FEATURE IS THE 12" LOCUST STREET TREE, WHICH WILL NOT BE DISTURBED.

LANDSCAPE PLAN:

STREET TREE ESCROW CALCULATION: A STREET TREE ESCROW IS NOT REQUIRED DUE TO THE EXISTENCE OF A STREET TREE, WHICH WILL NOT BE DISTURBED. NOTE: LANDSCAPING MATERIALS SHOWN ARE SUGGESTIVE OF INTENT BUT PLANT MATERIAL SELECTIONS ARE NOT FINAL.

STORMWATER MANAGEMENT, GRADING, AND SOIL EROSION:

STORMWATER MANAGEMENT: TOTAL EXISTING IMPERVIOUS SURFACE AREA = 3,186 SF AND TOTAL PROPOSED IMPERVIOUS SURFACE AREA, AFTER COMPLETE REMOVAL OF EXISTING AND COMPLETION OF NEW CONSTRUCTION = 3,925 SF FOR A NET IMPERVIOUS SURFACE REDUCTION OF 261 SF. PER AMENDED CHAPTER 63 REQUIREMENTS, EFFECTIVE MARCH 1, 2011, ON-SITE STORM WATER MANAGEMENT SYSTEMS ARE NOT REQUIRED FOR SINGLE-FAMILY RESIDENCES UNLESS IMPERVIOUS SURFACE AREA INCREASES BY 200 SF OR MORE. SOIL EROSION MEASURES: ALL REQUIRED SOIL EROSION MEASURES WILL BE UNDERTAKEN AND WILL BE SUBMITTED FOR APPROVAL ALONG WITH THE BUILDING PERMIT APPLICATION.

LIMITS OF DISTURBANCE: ENTIRE LOT.

FOOTING DRAINS: DUE TO THEIR SLAB-ON-GRADE NATURE, NEITHER THE EXISTING NOR THE PROPOSED STRUCTURES HAVE OR WILL HAVE FOOTING DRAINS.

SIDEWALK REPAIR AND MAINTENANCE NOTE:

ALL SIDEWALKS ARE TO BE KEPT AND MAINTAINED IN GOOD REPAIR BY THE OWNER OF THE LAND ADJACENT TO AND ABUTTING THE SAME. PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THIS SITE, ALL EXISTING SIDEWALKS IN NEED OF REPAIR SHALL BE REPAIRED IN ACCORDANCE WITH CITY OF ANN ARBOR STANDARDS.

UTILITY PLAN:

SANITARY SEWER FLOW ESTIMATES PER TABLE 'A' OF DEVELOPER MITIGATION GUIDELINES:

EXISTING FLOW: 2,193 GPD NON-MEDICAL OFFICE X 0.06 GPD/SF = 166 GPD.

PROPOSED FLOW: SINGLE-FAMILY RESIDENCE = 350 GPD.

NET FLOW INCREASE: 350 - 166 = 184 GPD.

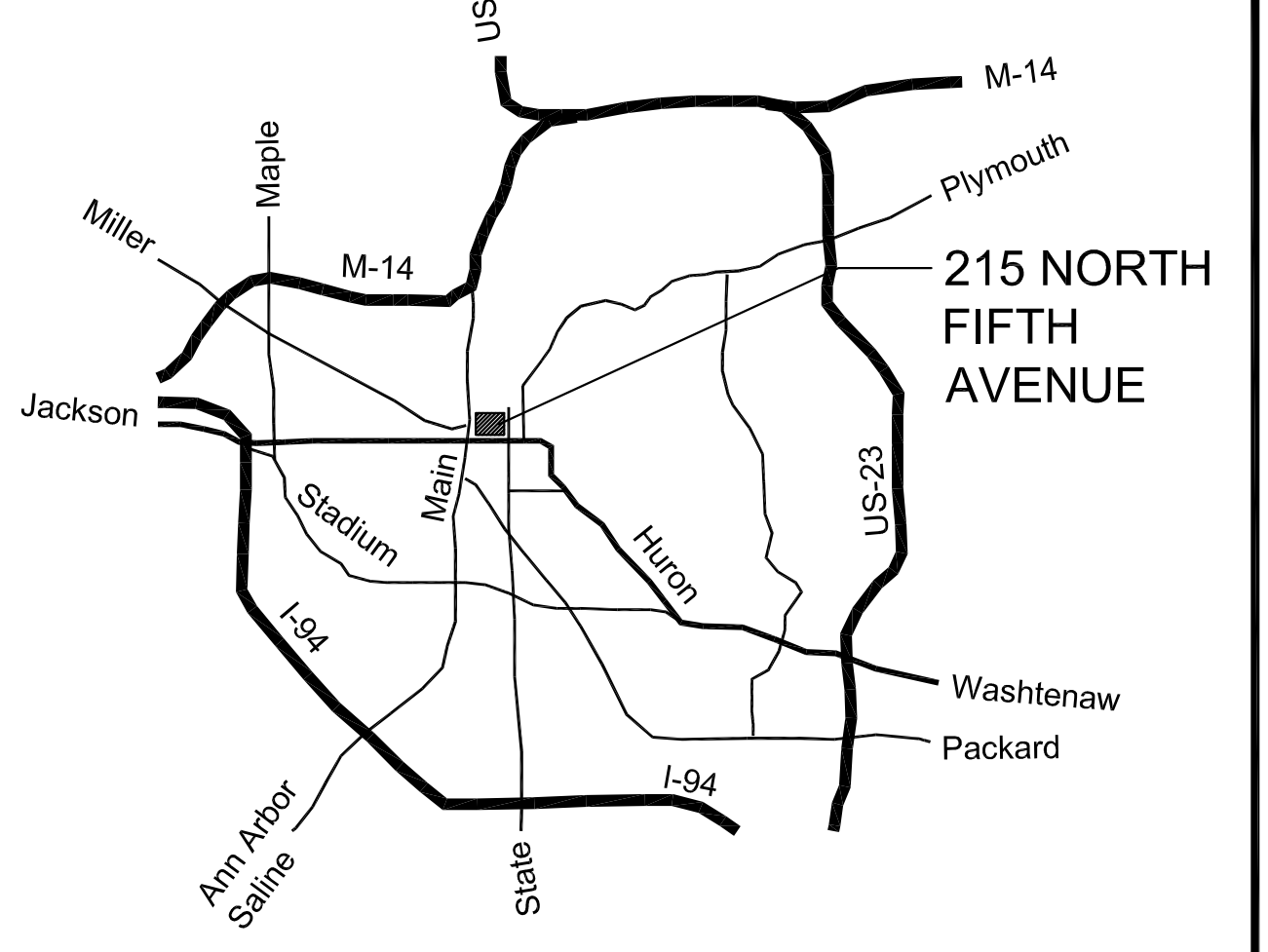
184 GPD X 4 (PEAKING FACTOR) X 12 (SYSTEM RECOVERY FACTOR) = 8832 GPD / 24 HR/DAY / 60 MIN/HR / 4 GPM/FDD = 0.1533 FDD.

NO MITIGATION REQUIRED.

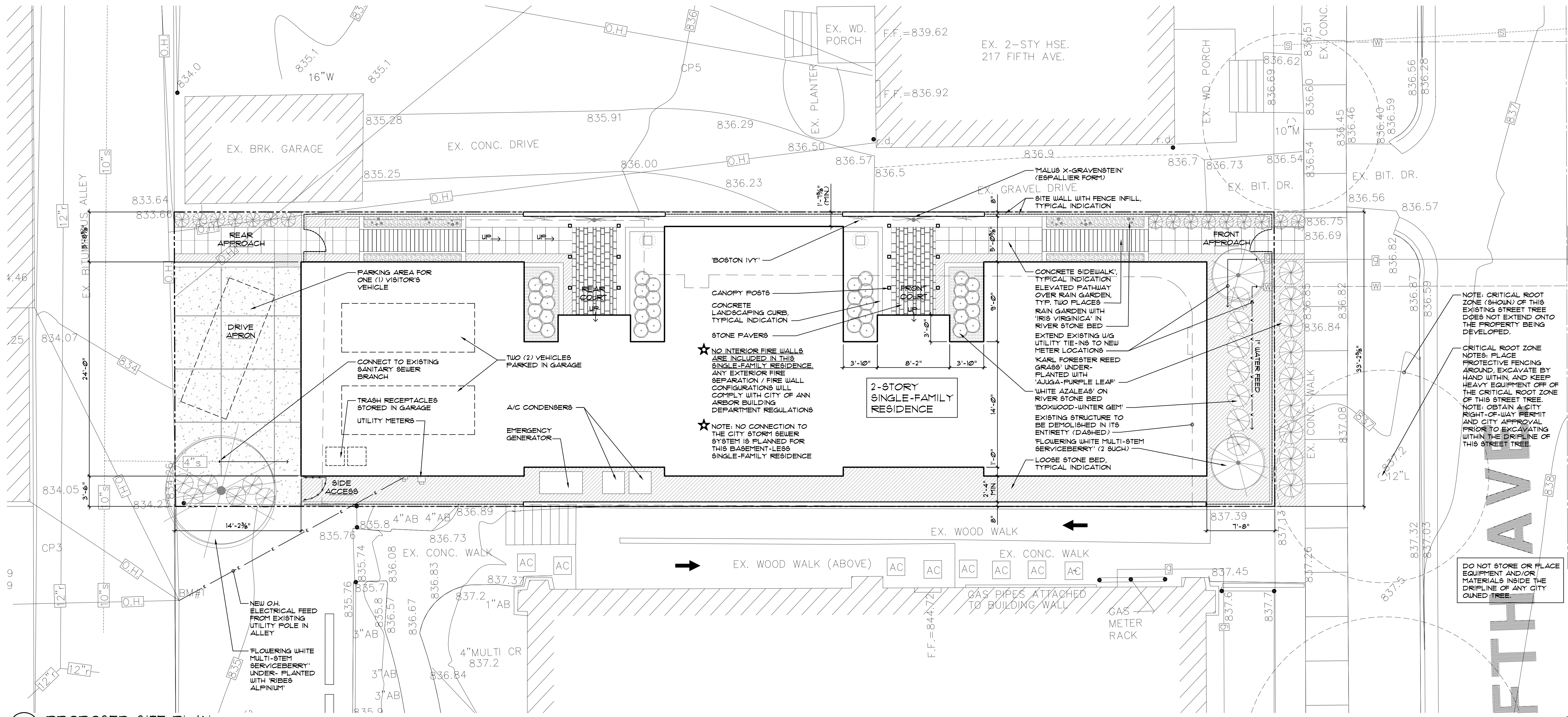
SITE PLAN CRITERIA:

CATEGORY	EXISTING	REQUIRED	PROPOSED	NOTES
ZONING DISTRICT	D2	D2	D2	
DOWNTOWN CHARACTER OVERLAY ZONING DISTRICT	KERRYTOWN	KERRYTOWN	KERRYTOWN	
HISTORIC DISTRICT	OLD 4TH WARD	OLD 4TH WARD	OLD 4TH WARD	
GROSS LOT SIZE	4,121 SF	NO MINIMUM	4,121 SF	
LOT WIDTH	33.22'	NO MINIMUM	33.22'	
REAR PORCH	0'-3"	NONE	11'-0"	* FIFTH AVENUE IS A SECONDARY STREET. * PROPERTY DOES NOT ABUT A RESIDENTIAL DISTRICT. * PROPERTY DOES NOT ABUT A RESIDENTIAL DISTRICT.
MINIMUM HEIGHT	NA	24'-0" / 2 STORIES	NA	
MAXIMUM HEIGHT	11'-0" / 1 STORY	60'-0"	12'-9" / 2-1/2 STORIES	* EXCLUDES 600 SF GARAGE PER DEFINITION
F.A.R.	61%	200% (MAX.)	96%	
BUILDING COVERAGE	61%	80% MAX	55%	
OPEN SPACE	24%	10% MINIMUM	31%	
OFF-STREET VEHICLE PARKING	2	NONE	2	* SPECIAL PARKING DISTRICT REQUIREMENTS APPLY
BICYCLE PARKING	UNCONFIRMED	1, CLASS A	2, CLASS A	* IN RESIDENCE

VICINITY MAP:



SHEET INDEX:
 C10 SITE PLAN WITH PETITION INFORMATION
 C20 SITE SECTIONS AND ELEVATIONS
 1 SURVEY OF EXISTING CONDITIONS



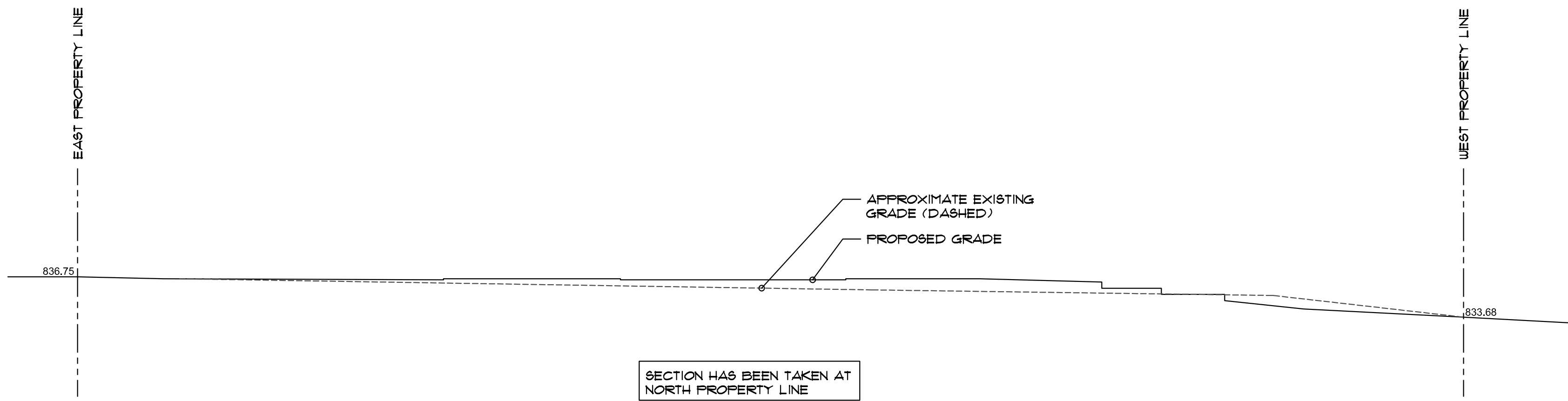
PROPOSED SITE PLAN
 SCALE: 3/16" = 1'-0"

Mitchell and Mount architects
 734-662-6010 FAX 734-662-3802
 115 SOUTH FOURTH AVENUE ANN ARBOR MI 48106

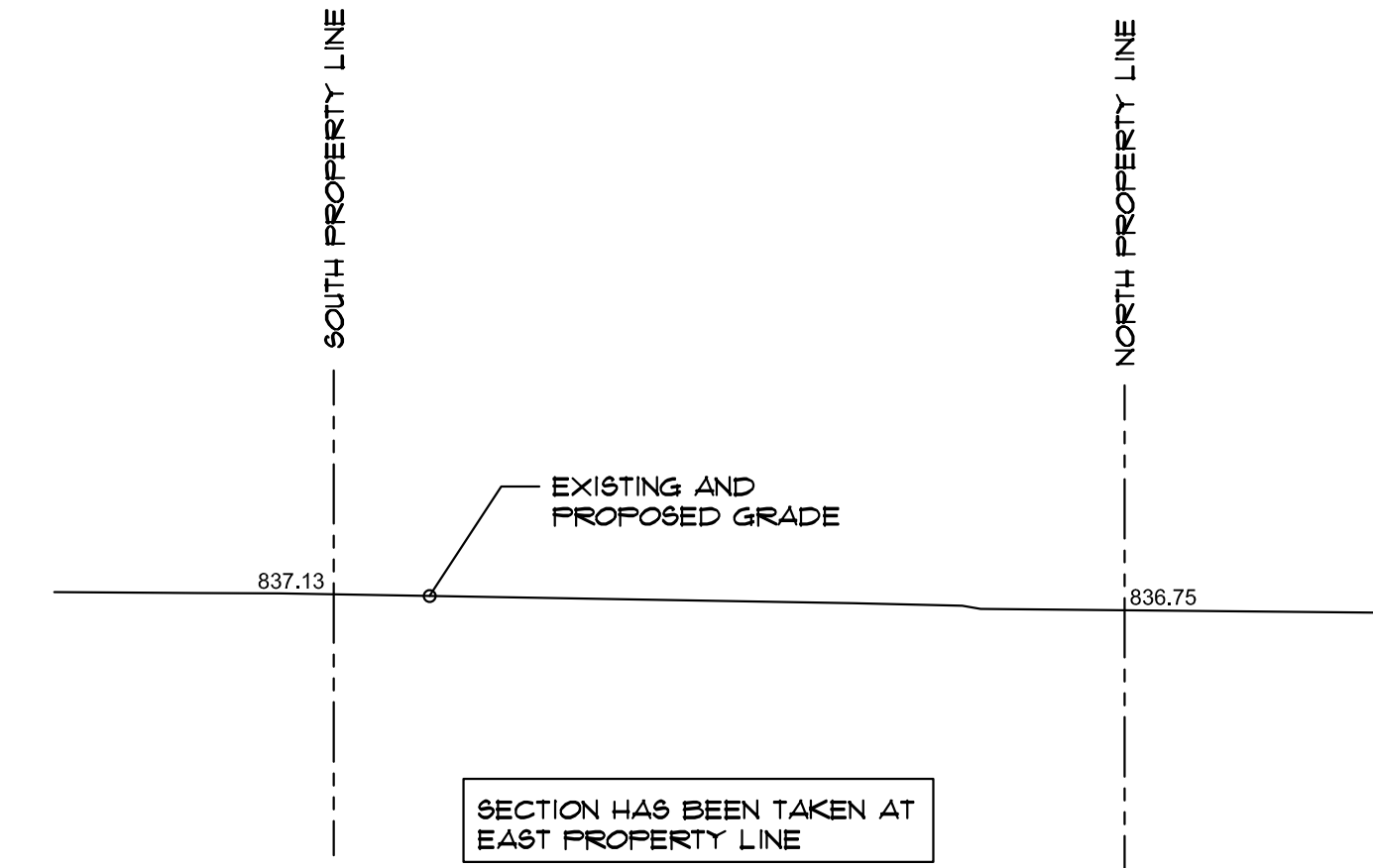
Date: 01.05.11
 Issued For: Presentation
 01.17.11 City Site Plan Approval
 01.24.11 City Approval Revisions
 02.16.11 City Approval Revisions
 02.23.11 City Approval Revisions

215 NORTH FIFTH AVENUE
 Ann Arbor, Michigan
 Project Number: 1012

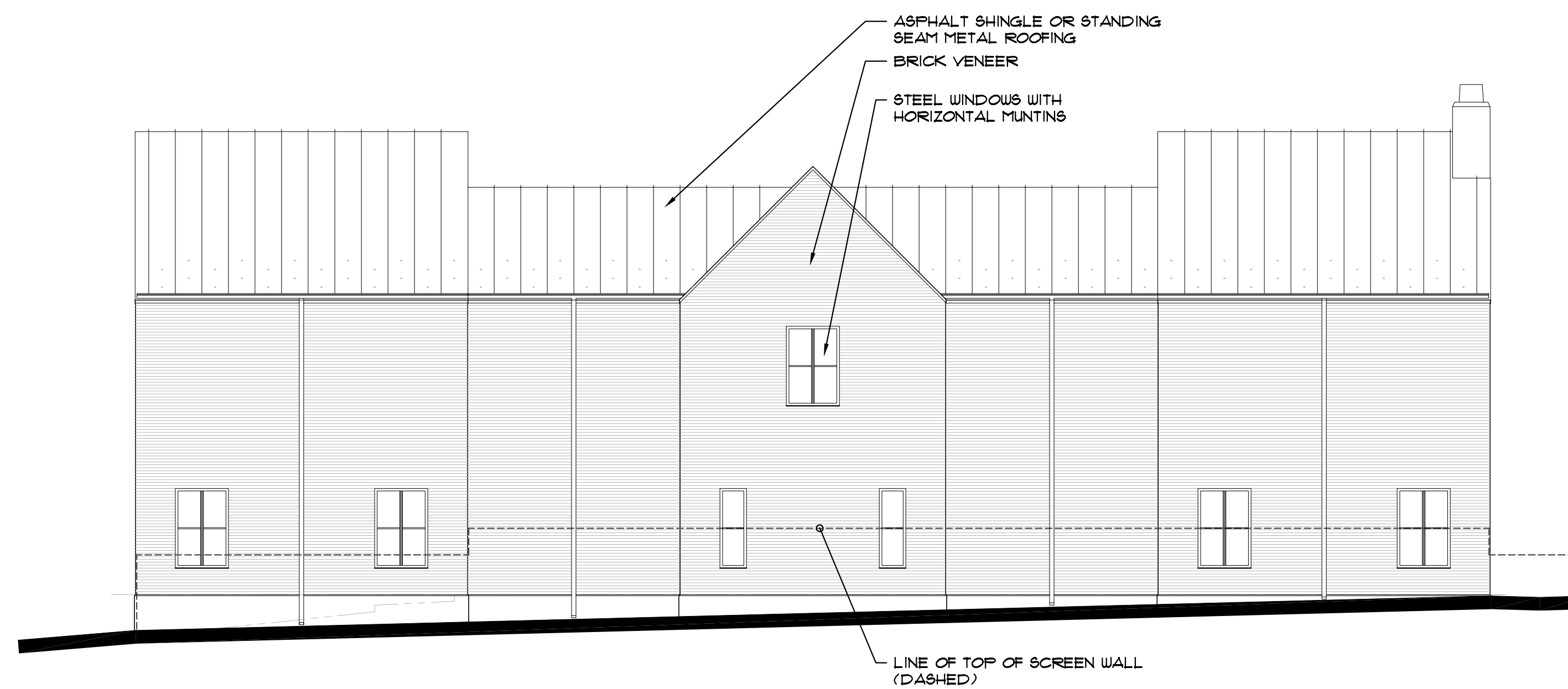
PROPOSED Site Plan
 C1.0



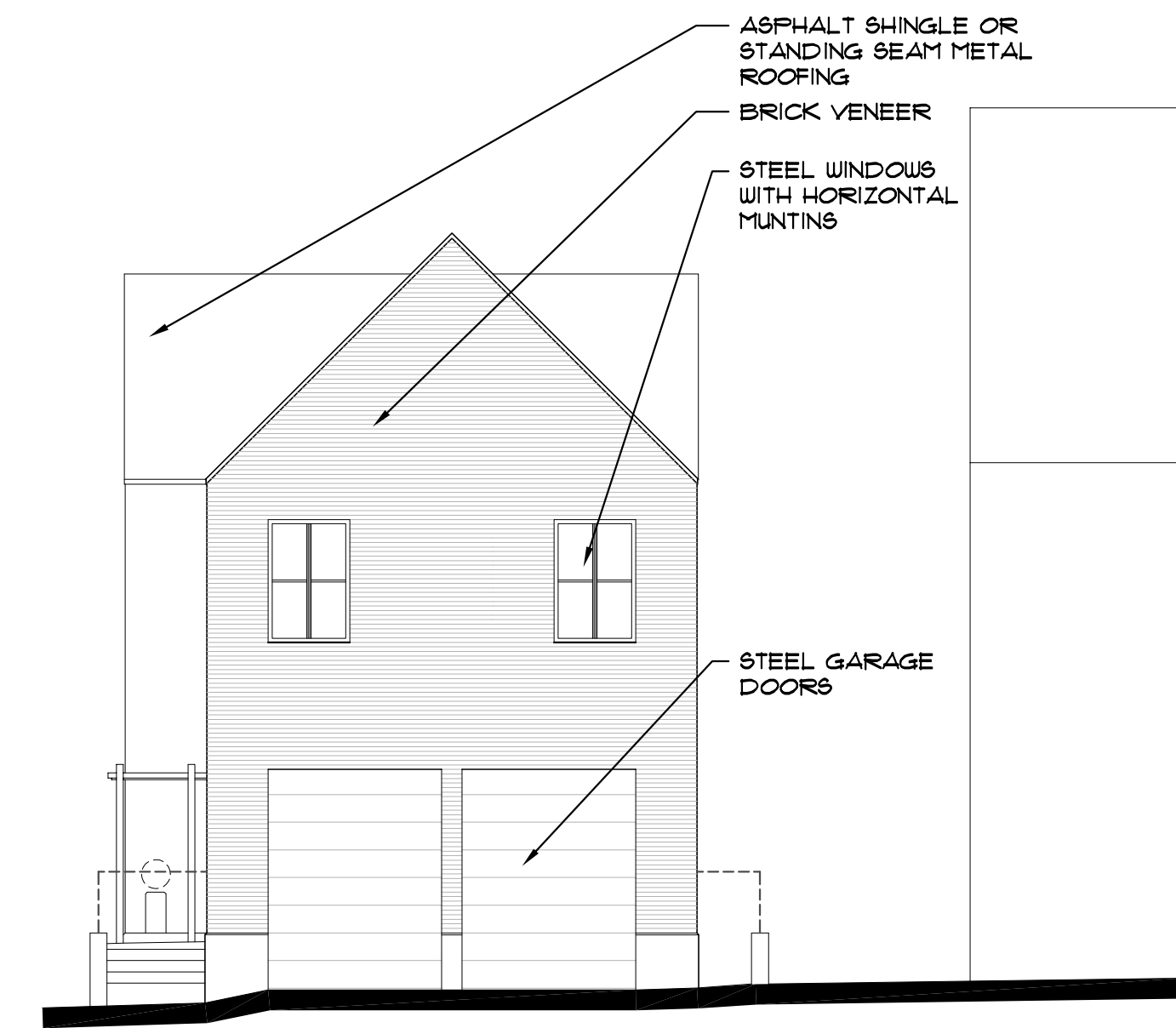
6 EAST-WEST SITE SECTION
 C2.0 SCALE: 1/8" = 1'-0"



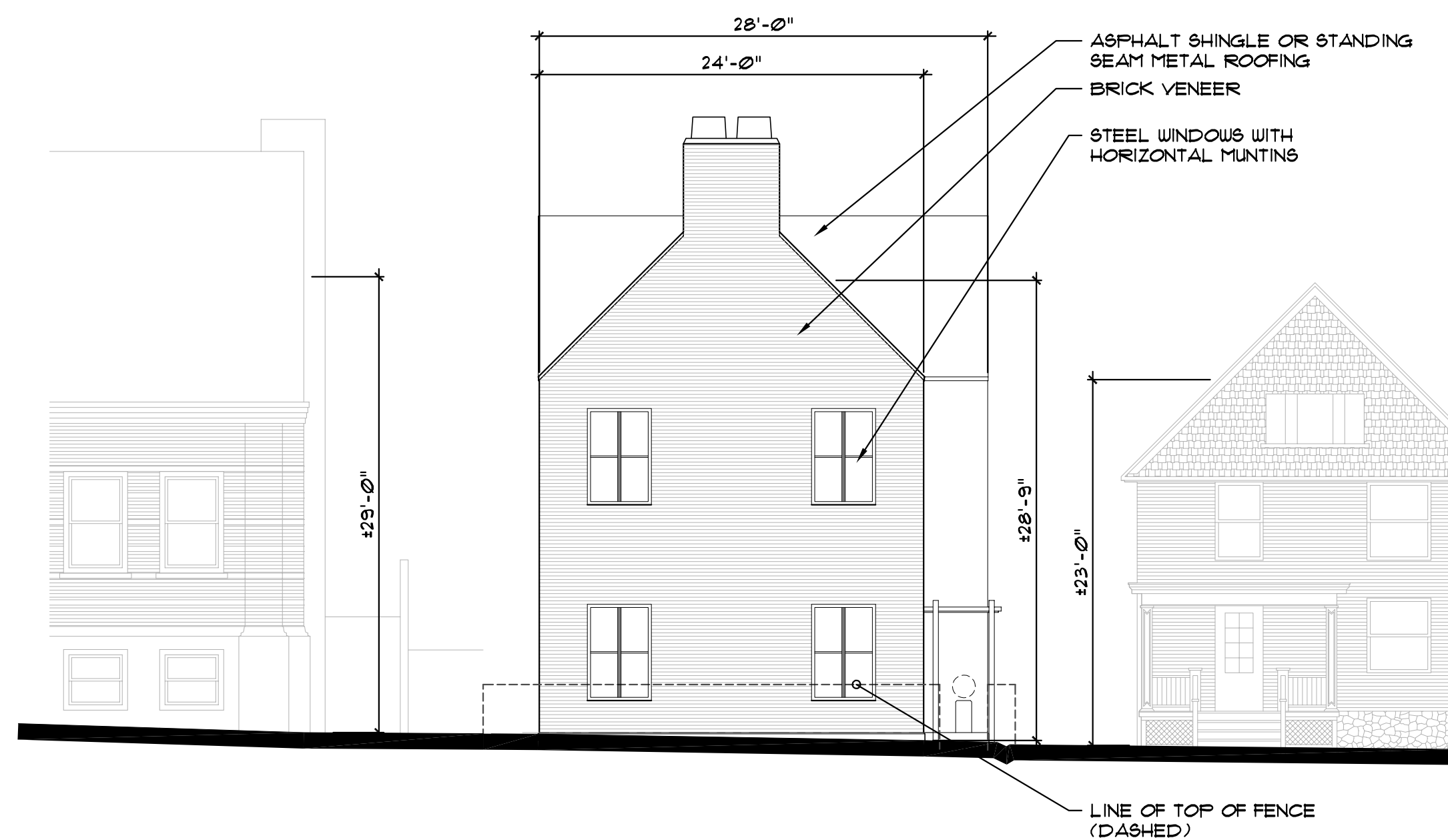
5 NORTH-SOUTH SITE SECTION
 C2.0 SCALE: 1/8" = 1'-0"



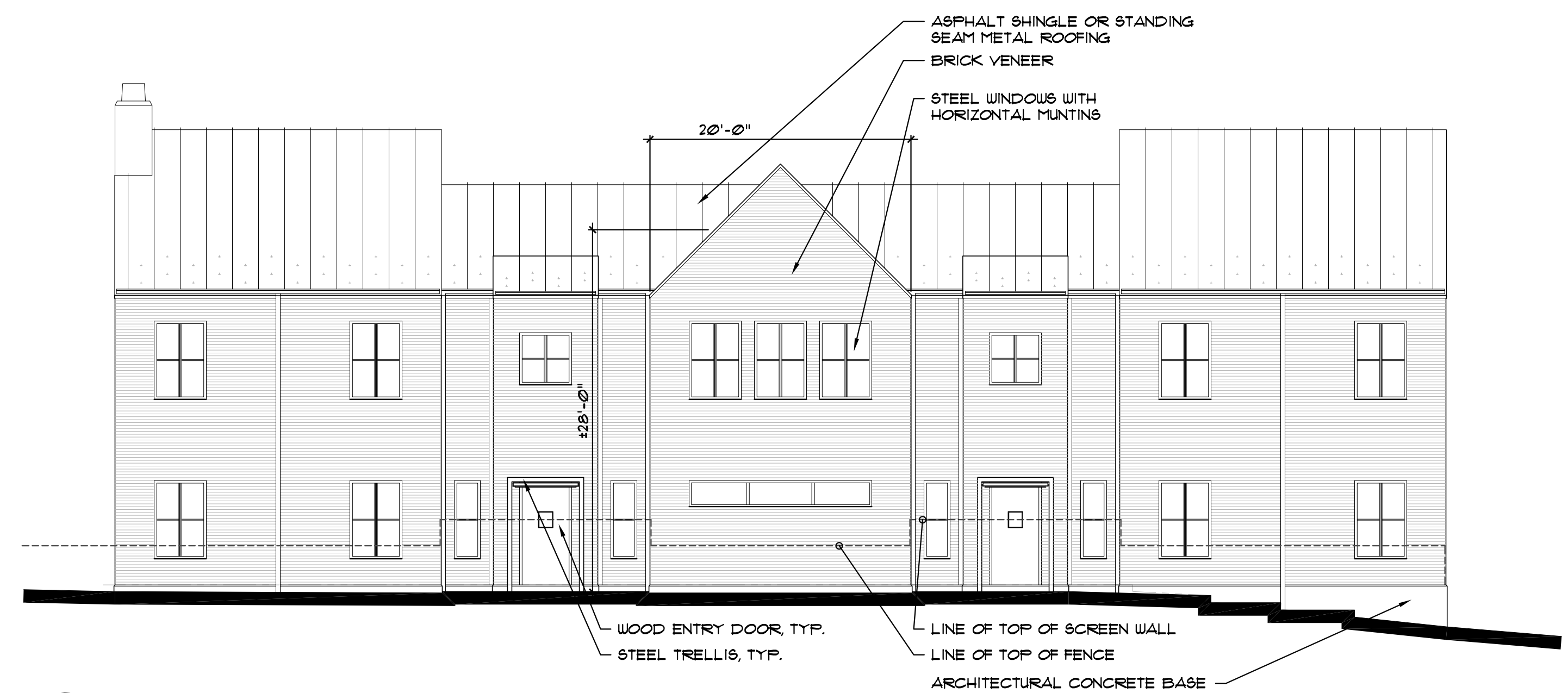
4 SIDE ELEVATION (SOUTH)
 C2.0 SCALE: 1/8" = 1'-0"



3 REAR ELEVATION (WEST)
 C2.0 SCALE: 1/8" = 1'-0"



2 FRONT ELEVATION (EAST)
 C2.0 SCALE: 1/8" = 1'-0"



1 SIDE ELEVATION (NORTH)
 C2.0 SCALE: 1/8" = 1'-0"

R:\10156\ACAD\SURVEY\10156_S\01_dwg_layout1_11/18/2011 10:54:57 AM_P.L.H. in_Strip-KIP.plt



CATHERINE STREET

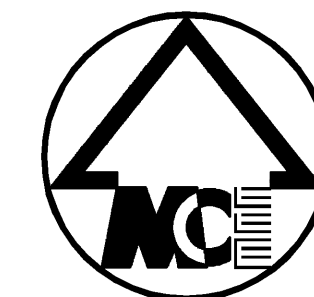
LOT 5
B2N, B5E
ORIGINAL PLAT OF THE
VILLAGE OF ANN ARBOR

ALLEY
66' WIDE

LOT 6

LOT 7

FIFTH AVE.
66' WIDE



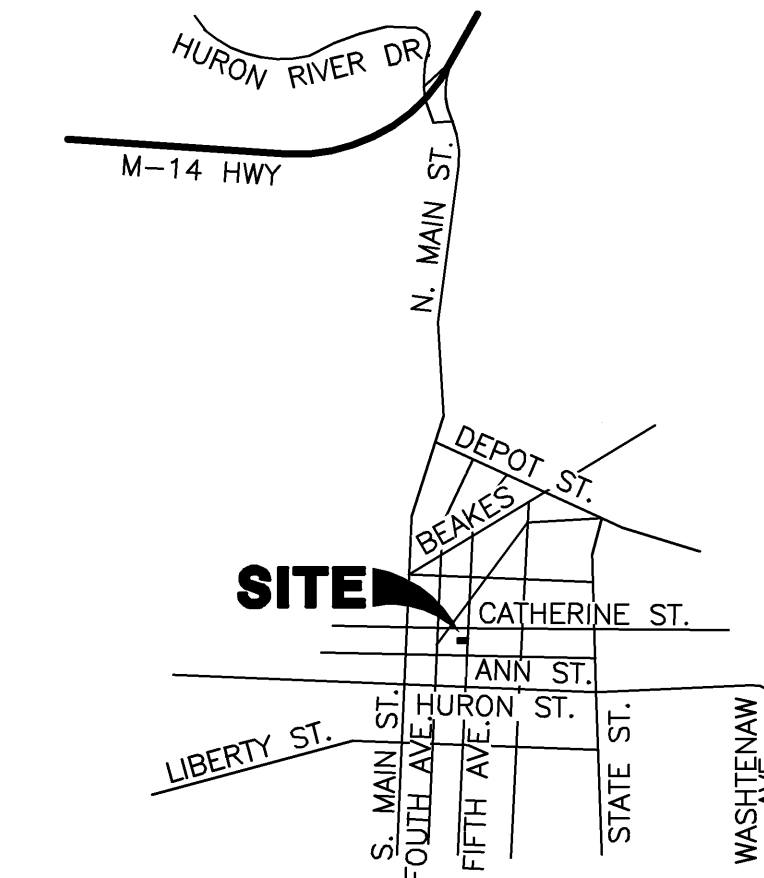
LEGEND

- 838 ——— EXIST. CONTOUR
- +836.2 ——— EXIST. SPOT ELEVATION
- U.P. ——— EXIST. UTILITY POLE
- O.H. ——— EXIST. OVERHEAD UTILITY LINE
- EXIST. LIGHT POLE
- EXIST. GAS LINE
- EXIST. WATER MAIN
- EXIST. STORM SEWER
- EXIST. CATCH BASIN OR INLET
- EXIST. SANITARY SEWER
- SIGN
- ELECTRIC METER
- GAS METER
- POST
- FENCE
- SINGLE TREE
- SET IRON ROD
- FOUND IRON PIPE
- CONTROL PT.
- EXIST. HYDRANT



VICINITY SKETCH

NO SCALE



TREE LEGEND

- AB ARBORVITAE
- CO COTTONWOOD
- CR CRABAPPLE
- ELM
- M MAPLE
- W WALNUT
- SB SERVICE BERRY

BENCH MARKS:

BM#1 - SET SPIKE IN FACE OF UTILITY POLE @ SW CORNER OF PROPERTY FOR #215 FIFTH AND ON EAST SIDE OF ALLEY. ELEVATION=835.50 NGVD 88 DATUM.

NOTES:

- 1.) LOCATION OF EXIST. UNDERGROUND WATERMAIN, SANITARY SEWER, GAS MAIN, ELECTRIC AND TELEPHONE LINES WERE OBTAINED FROM MUNICIPAL RECORDS AND RECORDS OF UTILITY COMPANIES, AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS, OR EXACTNESS OF LOCATION. BEFORE YOU DIG CALL MISS DIG, 1-800-482-7171
- 2.) THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN PER FIRM MAP #260213-0005-D, DATED JANUARY 2, 1992.
- 3.) THE LEGAL DESCRIPTION OF THE PROPERTY WAS OBTAINED FROM ABSOLUTE TITLE, INC. TITLE COMMITMENT NO. 61994A REV. 1, DATED SEPTEMBER 13, 2010.
- 4.) BEARINGS BASED ON STATE PLANE COORDINATES.
- 5.) AS OF THE DATE THIS SURVEY WAS PRINTED WE HAVE NOT RECEIVED UTILITY PLANS FOR EXISTING TELEPHONE.

LEGAL DESCRIPTION

LAND SITUATED IN THE CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AND DESCRIBED AS FOLLOWS:

THE SOUTH 1/2 OF LOT 6, BLOCK 5 NORTH OF HURON STREET, THE VILLAGE (NOW CITY) OF ANN ARBOR, AS RECORDED IN TRANSCRIPTS, PAGE 152, WASHTENAW COUNTY, MICHIGAN

215 NORTH FIFTH AVENUE
TAX I.D. NO. 09-29-125-010

PATRICK L. HASTINGS, P.S. #37277

MIDWESTERN CONSULTING
Civil, Environmental and Transportation Engineers Planners, Surveyors Landscape Architects
3815 Plaza Drive
Ann Arbor, Michigan 48108
Phone: 734.995.0200
Fax: 734.995.0599

CLIENT
MITCHELL MOJAT ARCHITECTS
113 S. FOURTH AVE.
ANN ARBOR, MICHIGAN 48104
734-662-6070

215 NORTH FIFTH AVENUE
TOPOGRAPHIC SURVEY OF A PARCEL OF LAND LOCATED IN BLK 2 N. OF HURON STREET, BLK 5 E., ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF ANN ARBOR, WASHTENAW CO., MICHIGAN

1

JOB NO.	10156	DATE:	11/18/10
REVISIONS:	per client	SHEET:	1 OF 1
		REV. DATE:	1/17/11
		DRAWN:	
		ENG:	P.L.H.
		TECH:	K.M.W.
		DATE:	10/16/10
		FILE:	F32

MEMO

Project: 215 N. Fifth Avenue Single Family Residence

Project No.:

To: Planning and Development Services Unit, City of Ann Arbor

Date: February 25, 2011

Attn: Jill Thacher, Planner

**Re: 215 N. Fifth Avenue
Citizens Participation Ordinance Final Report**

Below is a chronological list of events related to compliance with the requirements of the City of Ann Arbor Citizens participation Ordinance:

January 25, 2011: Notice of Acceptance Petition from the Planning and Development Services Unit, City of Ann Arbor (copy attached).

January 25, 2011: Toured site and reviewed schematic drawings with:
Chris Crockett, President of Old Fourth Ward Historic District
Ray Detter, Chair, Downtown Area Citizens Advisory Council

Both were supportive of a single family residence in this location and both offered to speak at an upcoming HDC public hearing. Mr. Detter requested drawings to share with the Downtown Area Citizens Advisory Council.

January 26, 2011: Provide schematic drawings to Ray Detter, at his request, for his presentation to the Downtown Area Citizens Advisory Council (CAC).

Week of
January 31, 2011: Ray Detter presents project to CAC.

February 1, 2011: Citizen Participation Request notices sent to all residents and property owners within 500 feet of the proposed project.

February 7, 2011: Visit at the office of Mitchell and Mouat from Olga Bilakos, resident of Old Fourth Ward responding to mailed notice.

Ms. Bilakos expressed that she was pleased with the proposed design.

February 10, 2011: HDC public hearing. Project was approved.

Public participants consisted of Chris Crockett and Ray Detter. Mr. Detter Expressed support for the project on behalf of CAC. Ms. Crockett expressed support on behalf of the Old Fourth Ward Historic District.

There have been no other visits, emails or phone calls from citizens to report.