

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of January 15, 2008

**SUBJECT: 3965 South State Street Rezoning and Area Plan Waiver
(Northeast corner of State and Ellsworth) File No. 8251S18.2a**

PROPOSED CITY PLANNING COMMISSION MOTION
The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 3965 South State Street Rezoning from PUD (Planned Unit Development) to C3 (Fringe Commercial District).

PROPOSED CITY PLANNING COMMISSION MOTION
The Ann Arbor City Planning Commission hereby waives the requirement for an area plan because no new construction is proposed.

STAFF RECOMMENDATION

Staff recommends that this petition be **approved** because the proposed zoning conforms to the South Area Plan and is consistent with surrounding zoning.

Staff recommends that the area plan waiver be **approved** because no new construction is proposed and site plan for the existing site has been submitted.

LOCATION

The site is located at the east side of State Street and north side of Ellsworth Road (South Area). This site is in the Mallets Creek Watershed.

DESCRIPTION OF PETITION

The parcel is 2.23 acres in size with one existing 8,564-square foot one-story building on site. The site is currently zoned PUD, permitting restaurant uses only in the existing building. The site was originally zoned PUD in 1977 to allow only a restaurant building and an adjacent office building on the site. At that time, the only way to mix uses was to request a PUD zoning and the uses of the buildings proposed were strictly limited. The petitioner is proposing to rezone the site to C3 to allow uses other than a restaurant for the existing building. These uses are now allowed under the proposed C3 zoning making the existing zoning obsolete and a limiting factor in redevelopment.

There is no new construction proposed at this time. As a result, the petitioner is requesting an Area Plan Waiver from the Planning Commission. According to Chapter 57, Section 5:121(b), "Upon recommendation of the Planning and Development Services manager or designee, the Planning Commission may waive the area plan requirement upon the determination that no new construction is proposed and a survey of the existing improvements on the site is provided."

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Research	C3 (Fringe Commercial District) and RE (Research District)
EAST	Research	RE
SOUTH	Commercial	TWP (Township District)
WEST	Commercial	TWP

COMPARISON CHART

	EXISTING	PROPOSED	PERMITTED/REQUIRED
Zoning	PUD (Planned Unit Development)	C3 (Fringe Commercial)	C3
Gross Area	2.23 acres	2.23 acres	6,000 sq ft MIN
Lot Width	65 ft – State Street 345 ft – Ellsworth	65 ft – State Street 345 ft – Ellsworth	60 ft MIN
Maximum Usable Floor Area in Percentage of Lot Area	8,564 sq ft 8.8 %	8,564 sq ft 8.8 %	10,763 sq ft MAX 50 %
Setbacks	Front(s)	252.0 ft – State Street 83.8 ft – Ellsworth	40 ft MIN
	Side	14.5 ft	None
	Rear	142.2 ft	20 ft MIN
Building Height	14 feet (1 story)	14 feet (1 story)	35 ft MAX
Parking - Automobiles	145 spaces	145 spaces	895 spaces MIN 1,048 spaces MAX
Parking – Bicycles	0 spaces	0 spaces	46 space MIN – Class B 46 space MIN – Class C

HISTORY

The site was annexed in 1973. The site plan was approved as a PUD in 1977. The site was originally zoned PUD to allow the restaurant building and an adjacent two-story 10,000-square foot office or business service building on the same parcel. The restaurant building was built in 1978 and the office building was never constructed.

PLANNING BACKGROUND

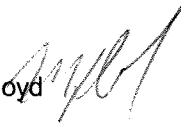
The South Area Plan supports continued commercial uses for the site.

COMMENTS PENDING, DISMISSED OR UNRESOLVED

Planning - Staff supports the rezoning of this site. As stated earlier, the site is an old PUD district and is very limited in allowable uses. All uses originally proposed for the site would be allowed under the proposed C3 zoning district. Rezoning the site to C3 would support the potential for future redevelopment.

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Prepared by Matt Kowalski
Reviewed by Connie Pulcifer and Mark Lloyd
jsj/1/8/08



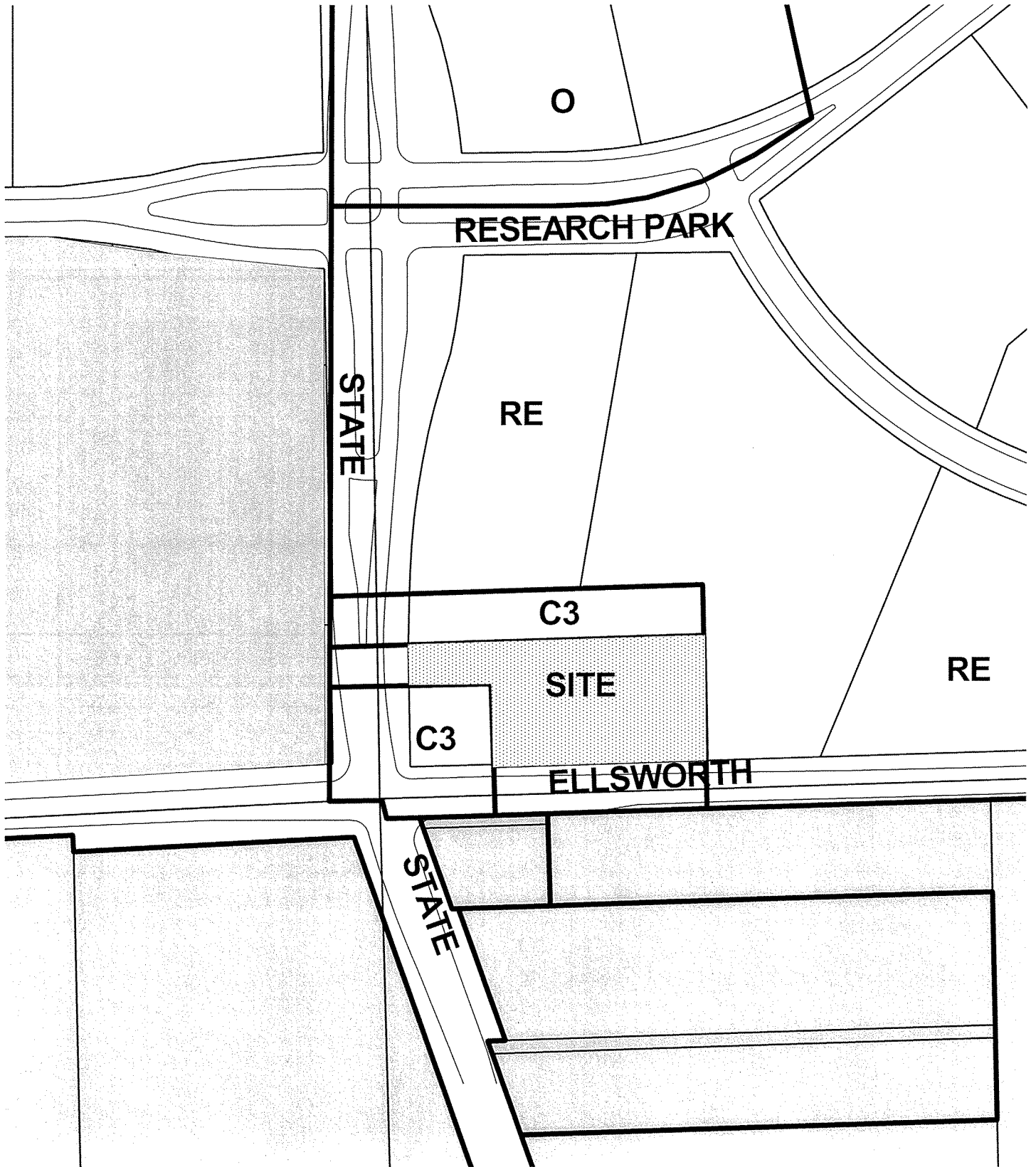
Attachments: Zoning/Parcel Maps
Aerial Photo
Site Plan

c: Owner/Petitioner: First Martin Corporation
115 Depot Street
Ann Arbor, MI 48104

Assessor
Systems Planning
File No. 8251S18.2a

396 South State Street Rezoning

Zoning Map



200 0 200 400 Feet



396 South State Street Rezoning

Aerial Photo



250 0 250 Feet



2002 Aerial Photo



