

**Zoning Board of Appeals
June 27, 2012 Regular Meeting**

STAFF REPORT

Subject: ZBA12-008, 984 Broadway

Summary: DTE Energy is requesting two variances:

1. A variance from Chapter 62 (Landscape and Screening), Section 5:603, request to provide an 8 foot wide (15 feet required) Conflicting Land Use Buffer on the subject site with the remaining 7 feet and required vegetation to be provided on the adjacent public park property
2. A variance from Chapter 63 (Storm Water Management and Sedimentation Control) from providing detention for a 100-year storm event, based on the location of the subject property within the floodplain.

Background:

The parcel is zoned C3 (Fringe Commercial) and is located on the south side of Broadway between the Huron River and Wall Street and adjacent to Riverside Park. The brick building on the western edge of the site was constructed around 1905. A site plan was approved in 1999 to construct a 39,192 square foot truck shelter. As part of that site plan approval, the ZBA granted a variance in January 1999 to allow the storm water detention basin to be located in a 100 year floodplain. The truck shelter was completed in 2000.

Description and Discussion:

The petitioner proposes to construct a new electrical substation at its service center facility to address increased demand for electric power in downtown Ann Arbor. The substation addition will be located at the northeast corner of the site in an area now occupied by a service drive. The source of power will be through underground sub-transmission cable in an existing manhole and conduit system. The distribution circuits will exit the site underground as well. Due to the code requirements for clearances, fencing and safety, and the placement of existing infrastructure, the proposed location is the only feasible option for construction of the new facility.

The drive connection to Canal Street at this corner will be closed to accommodate the addition. The substation will consist of two 15.5-foot tall electrical transformers and related electrical equipment on raised concrete pads and a new Power Delivery Center (PDC), a 630 square foot, 12.5' ft tall steel structure. The project also will include a new six-foot tall perimeter chain link fence with one foot of barb wire.

On June 5, 2012 the Planning Commission granted approval of the site plan for this project contingent upon variances being granted by the ZBA for providing required storm water detention on the site and from the requirement to provide a conflicting land use buffer adjacent to the park.

Chapter 62 (Landscape and Screening) Variance Standards for Approval -

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power, from the City of Ann Arbor Zoning Ordinance and Chapter 62, Section 5:609. The following criteria shall apply:

Upon an appeal filed to the zoning board of appeals in accordance with the procedures of Chapter 55, a variance may be granted from the strict application of the provisions of this chapter in cases involving practical difficulties or hardships when the evidence supports that the public benefit intended to be secured by this chapter will exist with less than the required landscaping or screening.

As noted above, the location proposed for the substation is dependent on many restrictive variables. Due to these restrictions, the petitioner has stated that there are no other feasible locations at this site. Given the size of the installation and clearances required, they are unable to provide the entire 15 foot wide conflicting land use buffer, which is required along the east side property line abutting Riverside Park. The petitioner is requesting a variance of 8 feet from this requirement and the ability to plant all required landscaping (33 trees and 38 shrubs) along the far western side of Riverside Park instead.

Due to the involvement of City parkland, The City of Ann Arbor's Parks Advisory Commission has reviewed the variance and request for plantings on public park property and approved the request at its February 2012 meeting.

Chapter 63 (Storm Water Management and Soil Erosion Control and Sedimentation Control) Variance Standards for Approval -

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power, from the City of Ann Arbor Zoning Ordinance and Chapter 63, Section 5:566. The following criteria shall apply:

The Zoning Board of Appeals shall have the authority to interpret this chapter and may in specific cases grant variances to these requirements providing such variance is in harmony with the general purpose and intent of the requirements.

The procedural requirements for appeals under Chapter 55 shall be applicable to appeals under this chapter. In addition to the procedures of Chapter 55, when variances are requested from the storm water management system section of this chapter, the applicant shall show that storm water management systems have been provided to the maximum extent feasible with the goals of meeting the rules of the WCWRC (Washtenaw County Water Resources Commissioner).

The petitioner is able to accommodate first flush and bankfull storm water storage on the south side of the site by modifying the outlet structure in the existing basin. The previous site plan received a variance in January 1999 to allow this detention basin to be located in a 100-year floodplain. It appears that the variance was intended to waive the requirement to provide detention for the 100-year event. However, that variance was not specifically requested or provided, and the variance language was somewhat vague. As a result, staff has recommended that the petitioner go to the Zoning Board of Appeals to specifically request a variance from the 100-year detention requirement.

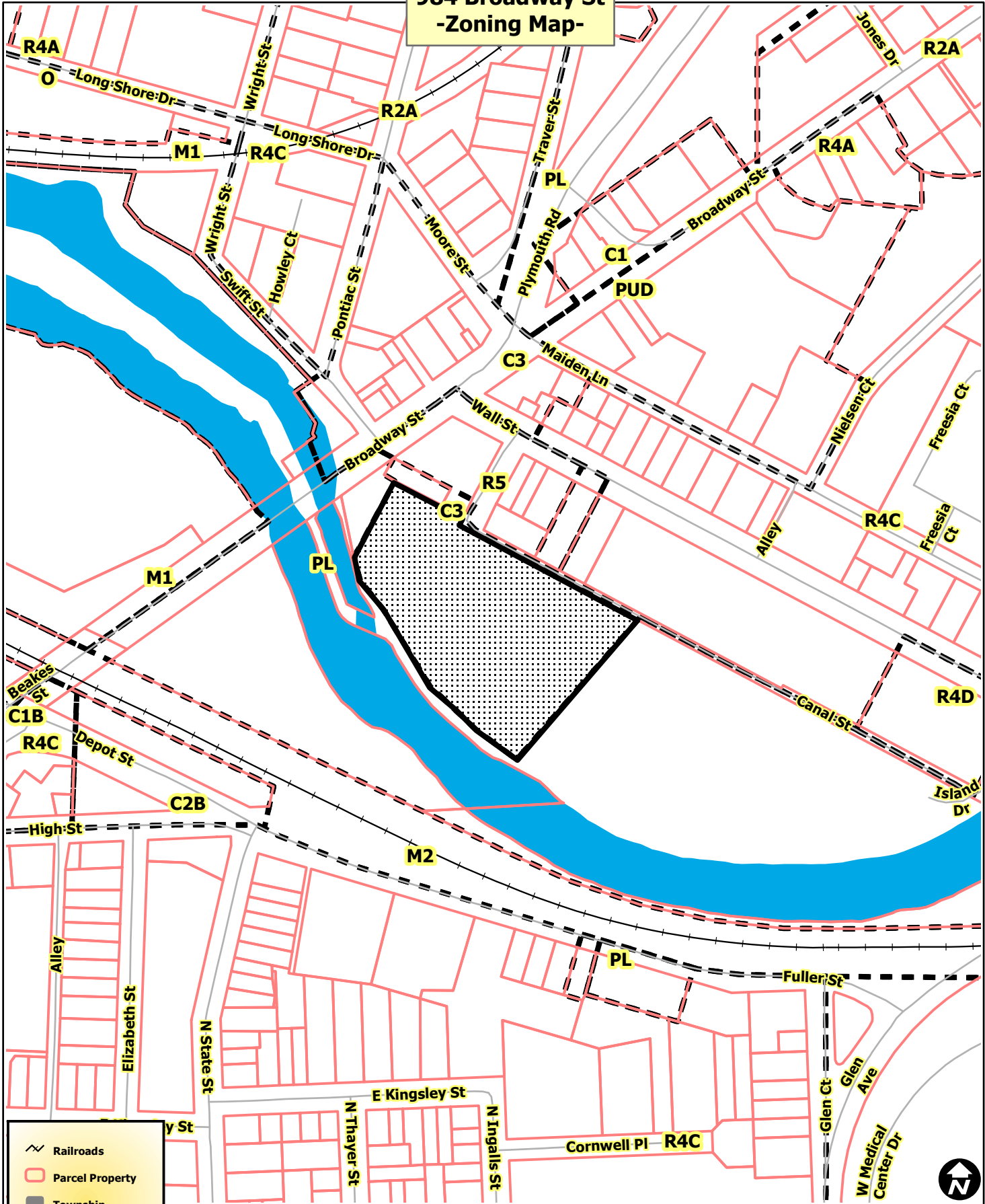
This variance request has been reviewed and is supported by staff responsible for flood plain and storm water review because the request meets the general purpose and intent of the storm water section and storm water is being provided to the maximum extent possible according to the rules of the WCWRC.

Respectfully submitted,



**Matthew J. Kowalski, AICP
City Planner**

984 Broadway St -Zoning Map-



-  Railroads
-  Parcel Property
-  Township
-  City of Ann Arbor
-  Huron River



City of Ann Arbor Map Disclaimer:
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 Map Created: 2/9/2012

984 Broadway St -Aerial Map-



-  Railroads
-  Parcel Property



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 Map Created: 2/9/2012

APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE
ZONING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: Detroit Edison, DTE Energy
 Address of Applicant: One Energy Plaza, Detroit, MI 48226-1279, Room 560 SB
 Daytime Phone: 313-235-8269 Mark Fairless, 734-397-4093 Scott Trowbridge
 Fax: 313-235-0478
 Email: fairless@dteenergy.com trowbridges@dteenergy.com
 Applicant's Relationship to Property: Owner

Section 2: Property Information

Address of Property: 984 Broadway, Ann Arbor, MI 48105
 Zoning Classification: C3
 Tax ID# (if known): 09-09-21-305-002
 *Name of Property Owner: The Detroit Edison Company
**If different than applicant, a letter of authorization from the property owner must be provided.*

Section 3: Request Information

Variance

Chapter(s) and Section(s) from which a variance is requested: Chapter 62, Paragraph 5.603 C Required dimension: 15 foot buffer to park PROPOSED dimension: 8 foot & area in park

City Staff recommendation to clarify 1999 variance for a detention pond built in 2000

Example: Chapter 55, Section 5:26 *Example: 40' front setback* *Example: 32'*

Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary)
DTE will construct a landscape buffer between a proposed substation and Riverside Park. See attached letter of 2/3/12 to City Planner Jeff Kahan documenting the need for the substation. The substation location and layout considers existing infrastructure, safety requirements, and floodplain.

Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:98. A variance may be granted by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when ALL of the following is found TRUE. Please provide a complete response to each item below. These responses, together with the required materials in Section 5 of this application, will form the basis for evaluation of the request by staff and the Zoning Board of Appeals. (continued...)

1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

The hardships are related to siting of electrical substation transformers and other equipment that have code requirements of the National Electric Safety Code for clearances, fencing, and safety.

2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return? (explain)

Buckler Substation must be sited near Argo Substation for electrical design purposes and use of existing cable and conduit below-grade infrastructure in the area.

3. What effect will granting the variance have on the neighboring properties?

Detroit Edison has coordinated with City Parks Manager Colin Smith for a landscaping plan that will enhance the boundary area with Riverside Park.

4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?

This location at Detroit Edison's Ann Arbor Service Center is selected to minimize floodplain impacts.

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

Buckler Substation will provide electrical capacity for new electrical load growth within the City of Ann Arbor.

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property Material storage at Detroit Edison's Ann Arbor Service Center

The proposed change is allowed in accordance with Structure Non-Conformance, Section 5:87 (1) (a) & (b), which reads as follows:

- (1) A non-conforming structure may be maintained or restored, but no alteration shall be made to a non-conforming structure unless one of the following conditions is met:
 - a. The alteration is approved by the Zoning Board of Appeals upon finding that it complies as nearly as practicable with the requirements of this Chapter and that it will not have a detrimental effect on neighboring property.
 - b. The alteration conforms to all the requirements of this Chapter and is made to a building which will be a single-family dwelling on completion of the alteration and is located in an R1, R2, R3, or R4 district.
 - c. The structure is considered non-conforming due to the following reasons

(continued)

Existing Condition

Code Requirement

Lot area _____
Lot width _____
Floor area ratio _____
Open space ratio _____
Setbacks _____
Parking _____
Landscaping _____
Other _____

Describe the proposed alterations and state why you are requesting this approval:

The existing fencing along the property line will be removed and a new fence will be set 8 feet

back from the property line above a new concrete retaining wall system. Detroit Edison will landscape the property in Riverside Park as described on 5A1442-5, Landscape Plan and Details.

The alteration complies as nearly as is practicable with the requirements of the Chapter and will not have a detrimental effect on neighboring property for the following reasons:

A landscaped buffer is provided.

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit approval of the amended site plan of Ann Arbor Service Center that will allow for construction of Buckler Substation.

Section 6: Required Materials

The following materials are required for all variance requests. Failure to provide these materials will result in an incomplete application and will delay staff review and Zoning Board of Appeals consideration of the request. The materials listed below must accompany the application and constitute an inseparable part of the application.

All materials must be provided on 8 1/2" by 11" sheets. (Continued.....)

- Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.

Section 7: Acknowledgement

SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Ann Arbor City Code for the stated reasons, in accordance with the materials attached hereto.

Phone Number 734-397-4093 Scott Trowbridge Signature
 Email Address trowbridges@dtenergy.com Scott Trowbridge Print Name

I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.

Scott Trowbridge Signature

Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Zoning Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

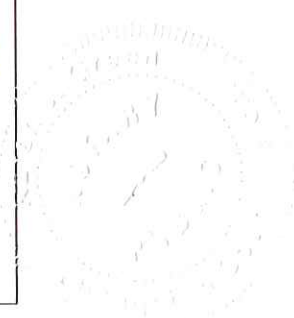
Scott Trowbridge Signature

I have received a copy of the informational cover sheet with the deadlines and meeting dates and acknowledge that **staff does not remind the petitioner of the meeting date and times.**

Scott Trowbridge Signature

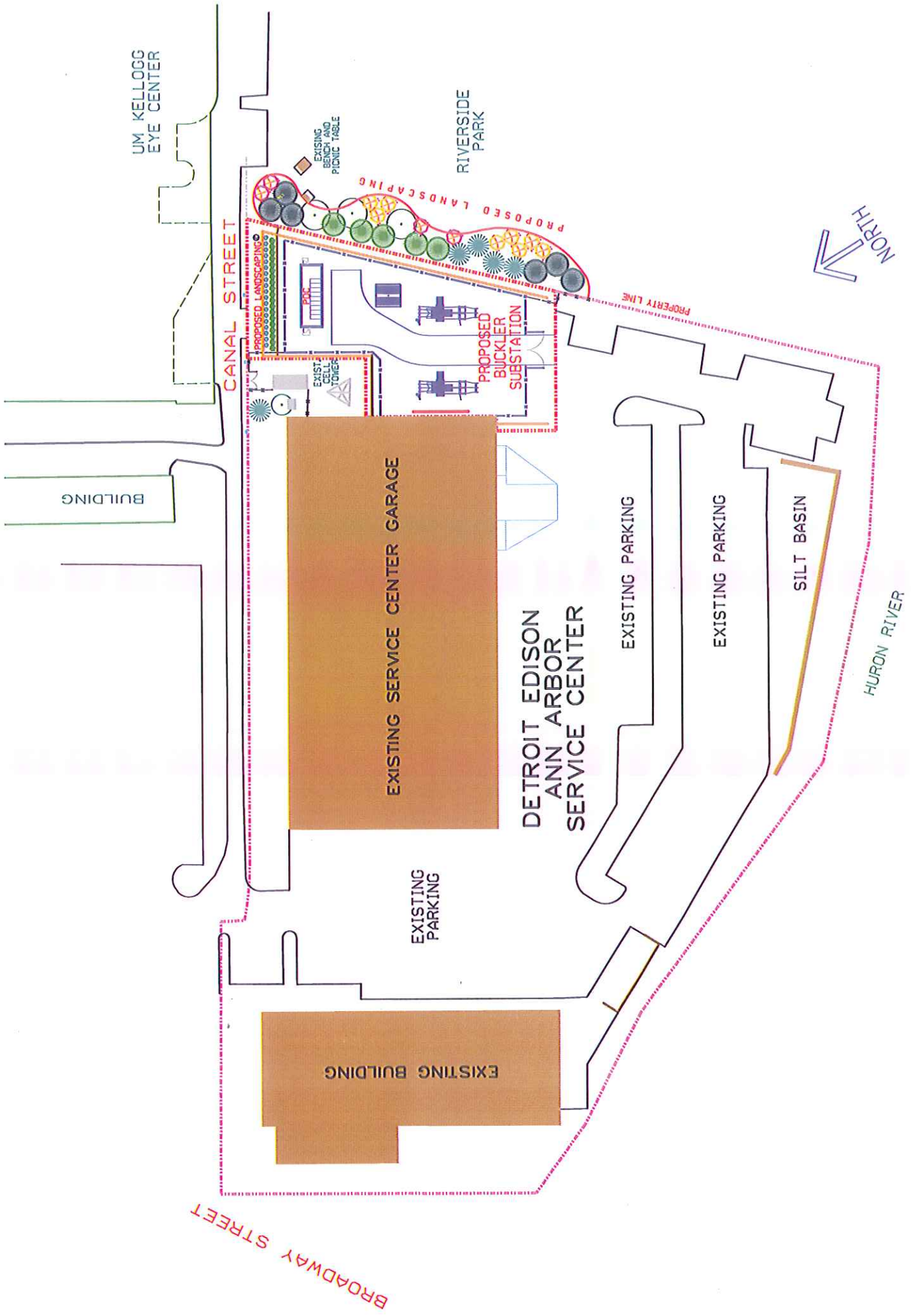
On this 27th day of FEB., 2012, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

KAREN J. GREEN
 NOTARY PUBLIC, STATE OF MI
 COUNTY OF LIVINGSTON Karen J. Green Notary Public Signature
 MY COMMISSION EXPIRES Feb 9, 2014
 ACTING IN COUNTY OF WAYNE KAREN J. GREEN
 Notary Commission Expiration Date 2/9/14 Print Name



Staff Use Only

Date Submitted: _____ Fee Paid: _____
 File No.: _____ Date of Public Hearing _____
 Pre-filing Staff Reviewer & Date _____ ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____



UM KELLOGG
EYE CENTER

CANAL STREET

RIVERSIDE
PARK

PROPOSED LANDSCAPING

EXISTING
BENCH AND
PICNIC TABLE

EXIST
CELL
TOWER

PROPOSED
BUCKLER
SUBSTATION

PROPERTY LINE

BUILDING

EXISTING SERVICE CENTER GARAGE

DETROIT EDISON
ANN ARBOR
SERVICE CENTER

EXISTING PARKING

EXISTING PARKING

SILT BASIN

HURON RIVER



BROADWAY STREET

UM KELLOGG
EYE CENTER

CANAL STREET

PROPOSED LANDSCAPING

POWER DELIVERY CENTER (PDC)

PROPOSED BUCKLER SUBSTATION

CAPACITOR BANKS

TRANSFORMER #1

TRANSFORMER #2

SERVICE DRIVE

FENCE AND GATE

PROPERTY LINE

EXISTING BENCH AND PICNIC TABLE

RIVERSIDE PARK

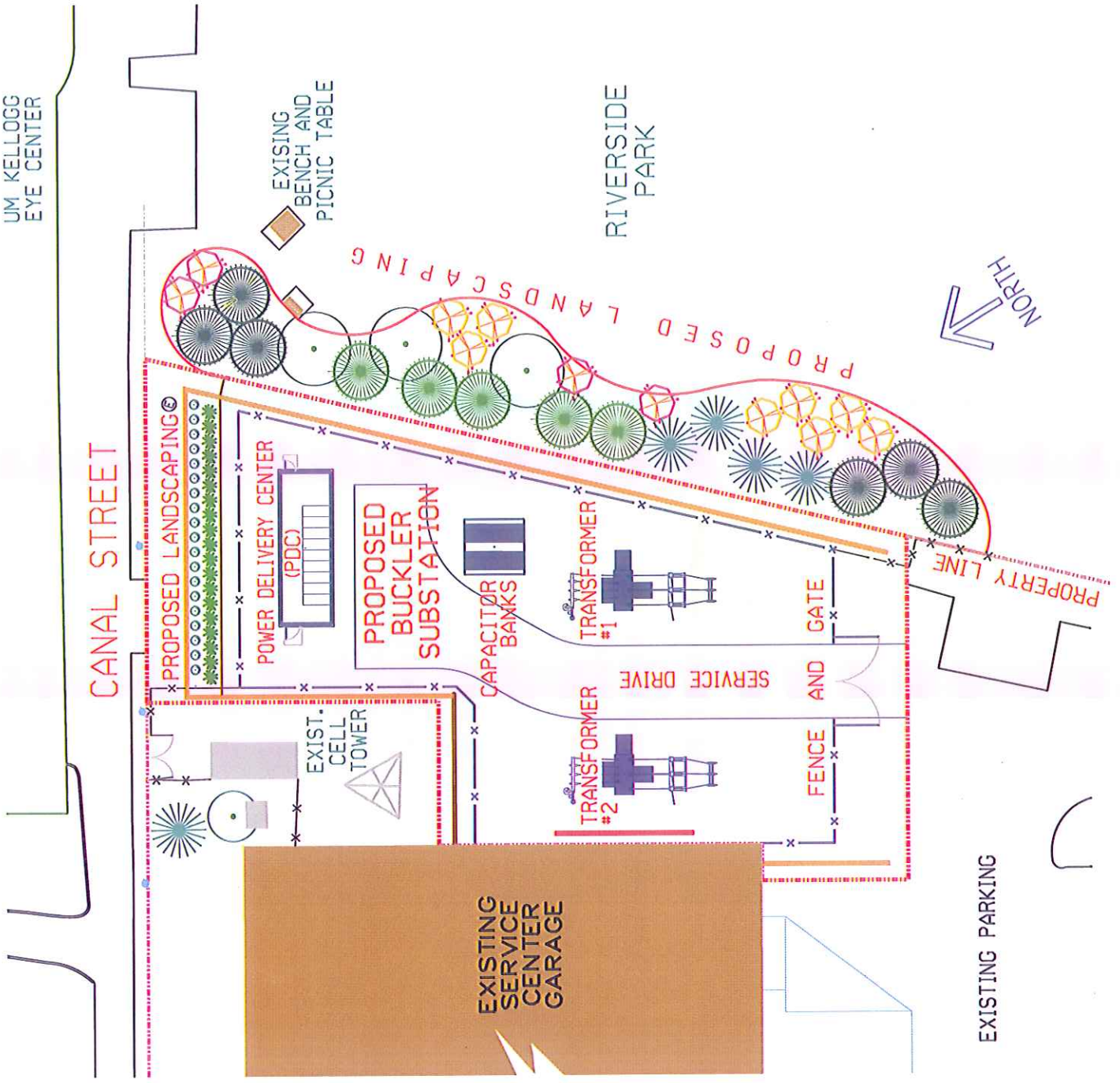
PROPOSED LANDSCAPING

NORTH

EXISTING SERVICE CENTER GARAGE

EXIST. CELL TOWER

EXISTING PARKING



Why We Are at the ZBA Meeting

- Detailed substation site plans are with the City for administrative review as part of our petition to amend the Ann Arbor Service Center site plan
- The City Code, Chapter 62, requires a Conflicting Land Use Buffer for any portion of a commercial site that abuts a public park
- DTE proposes to use part of Riverside Park for a landscaped buffer between the park and the substation site to be located on the northeast corner of Ann Arbor Service Center
- DTE has provided a detailed landscaping plan for City staff review and approval.
- DTE will furnish and install this landscaping as part of the substation construction.
- As of date of application, we plan to present to the Park Advisory Commission meeting of 2/28/12.

Substation Site Considerations

- The substation must be sited near Argo Substation.
- The site has existing underground infrastructure for circuit cables. New cables at the substation will be underground.
- National Electrical Safety Code determines equipment clearances and safety needs
- Huron River flood plain impact is minimized

Detroit Edison, 104 Western Wayne Center
8001 Haggerty Road, Belleville, MI 48111



February 3, 2012

Mr. Jeffery Kahan, City Planner
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI 48107

Dear Mr. Kahan:

Enclosed is Detroit Edison's petition to amend our Approved Site Plan for Ann Arbor Service Center to construct Buckler Substation on our property at 984 Broadway (Parcel ID 09-09-21-305-002). We have included ten copies of our plans for review by City Staff and a check for \$3,005.00.

The purpose of Buckler Substation is to supplement existing electrical utility equipment at Argo Substation (located across Broadway), by providing capacity for new electrical load growth within the City of Ann Arbor. Existing electrical infrastructure cannot support the load growth of Ann Arbor, and failure to execute this project would result in denying requests for new service and substantially increase the general risk of blackouts.

Along with the substation itself, there is a myriad of overhead and underground infrastructure improvement jobs which are already underway. As one example, we are improving electrical lines to serve the new Landmark student housing under construction at 1300 S. University. Other potential projects to be served from Buckler Substation would include a new facility for the U of M School of Nursing, a possible development at the corner of Glen and Ann Streets, and any developments on the vacant property at Lowertown.

Thank you for the help provided by you and City staff in the pre-submittal meeting of December 14, 2011 and subsequent emails which called attention to the following issues.

Our petition requires a variance from the City Code requirements in Chapter 62, Paragraph 5.603 on conflicting land use buffers. We will seek approval with the Parks Advisory Commission and Zoning Board of Appeals and will cover this issue in more detail in the ZBA application. On January 4, 2012, we met with Parks and Recreation Manager, Colin Smith, and received valuable feedback which we believe is properly incorporated in the set of plans that is part of this petition.

Also included are two copies of the Michigan DEQ permit we received to build in 100-year floodplain of the Huron River but with our equipment at a safe elevation. Our consultants have calculated that 800 cy of new fill are in the floodplain. The DEQ permit does not specifically require mitigation, but this is a requirement of Chapter 57 of the City Code as pointed out by Jerry Hancock at our pre-submittal meeting.

DTE Energy is planning a remediation project at the old Michcon property on the north side of Broadway in 2012, and we intend to satisfy the mitigation requirement with that project. Drawing 5A1442-9 included in our submittal details a total of 1,204 cy of existing material expected to be removed at the Broadway site from elevations below floodplain levels.

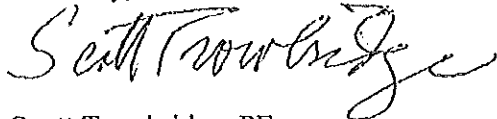
Should you or your staff require additional information, please contact any of these individuals listed.

- Site Design and Landscaping: Gordon Yee, 313-235-9214, yecg@dteenergy.com
- Civil/Structural/Stormwater: Mark Fairless, 313-235-8269, fairlessm@dteenergy.com
- Substation Electrical Design: Bill Brody, 313-235-9811, brodyw@dteenergy.com
- Michigan DEQ Floodplain Permit: Valerie Byrd, 313-235-5571, byrdv@dteenergy.com
- Broadway Property Remediation: Shayne Wiesemann, 313-235-3145, wiesemanns@dteenergy.com
- Project Planning: Mike Witkowski, 734-397-4278, witkowskim@dteenergy.com

For any emails, please also include Paul Ganz (ganzp@dteenergy.com) and me (trowbridges@dteenergy.com) on the distribution.

We would appreciate a response for any deficiencies encountered at the earliest possible time, but recognize that final approval is not possible until the Zoning Board of Appeals approves a City Code variance perhaps at their meeting of March 28, 2012.

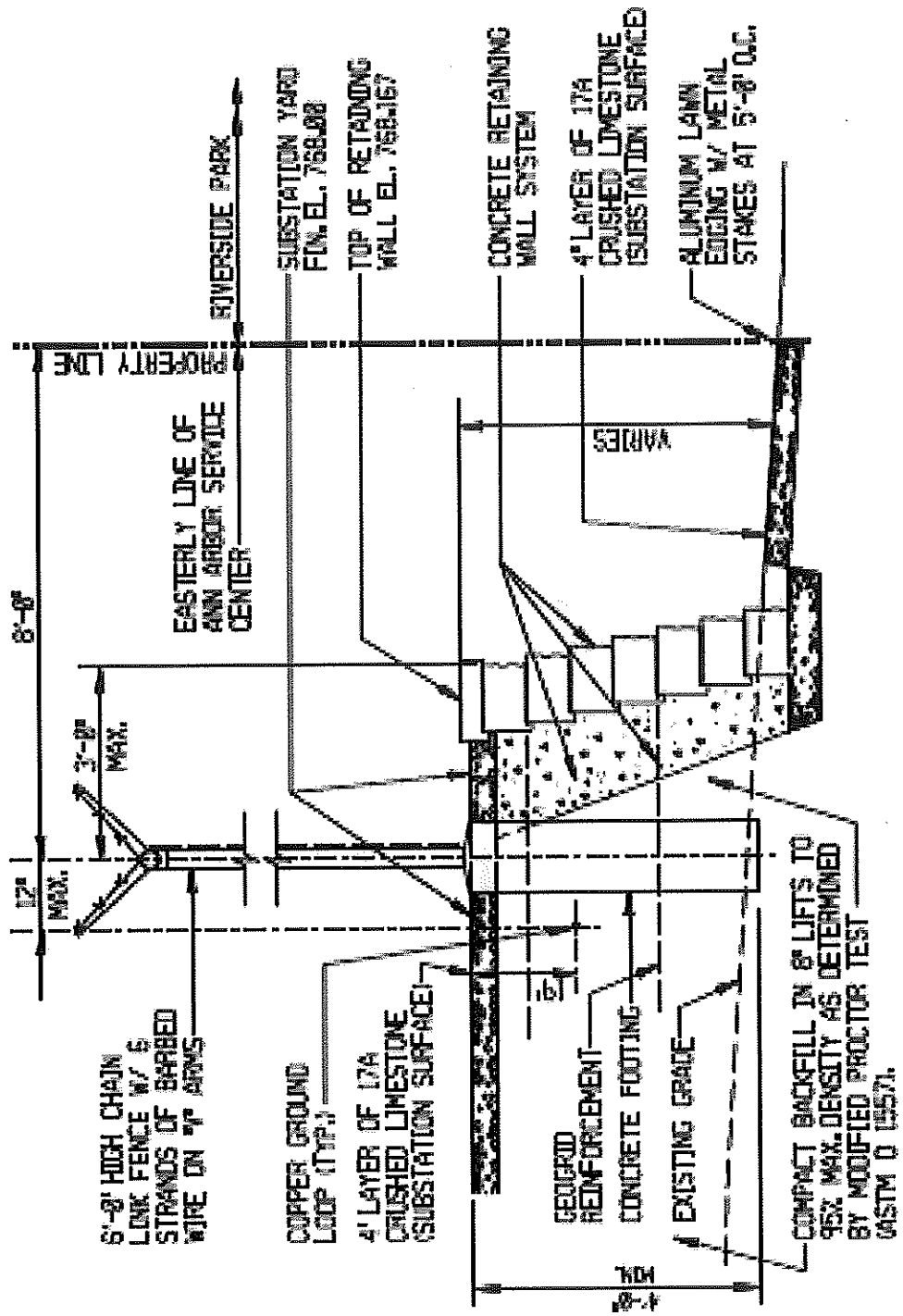
Sincerely,



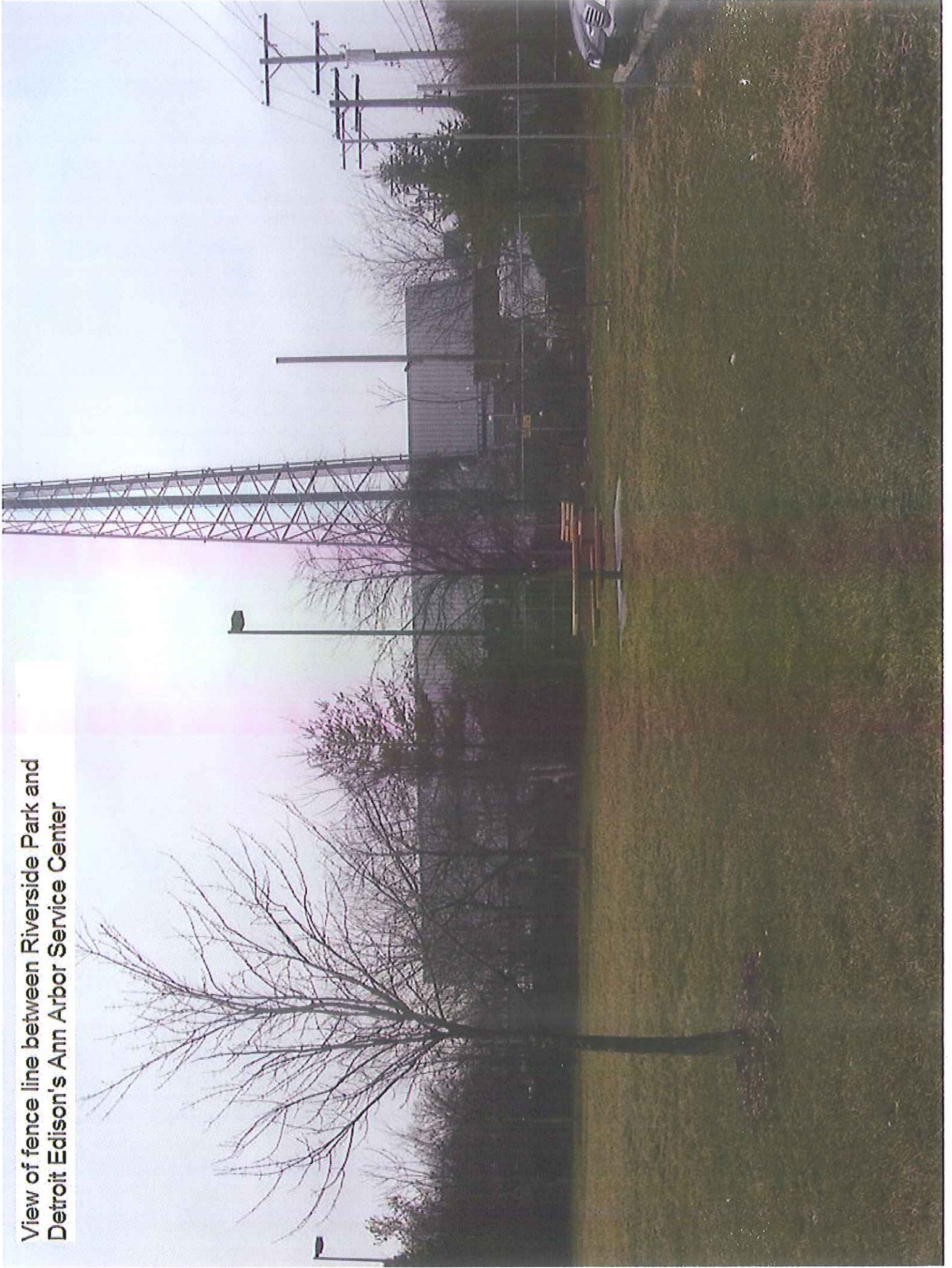
Scott Trowbridge, PE
Detroit Edison Project Manager

Profile of New Fence 8 Ft. Inside

Property Line

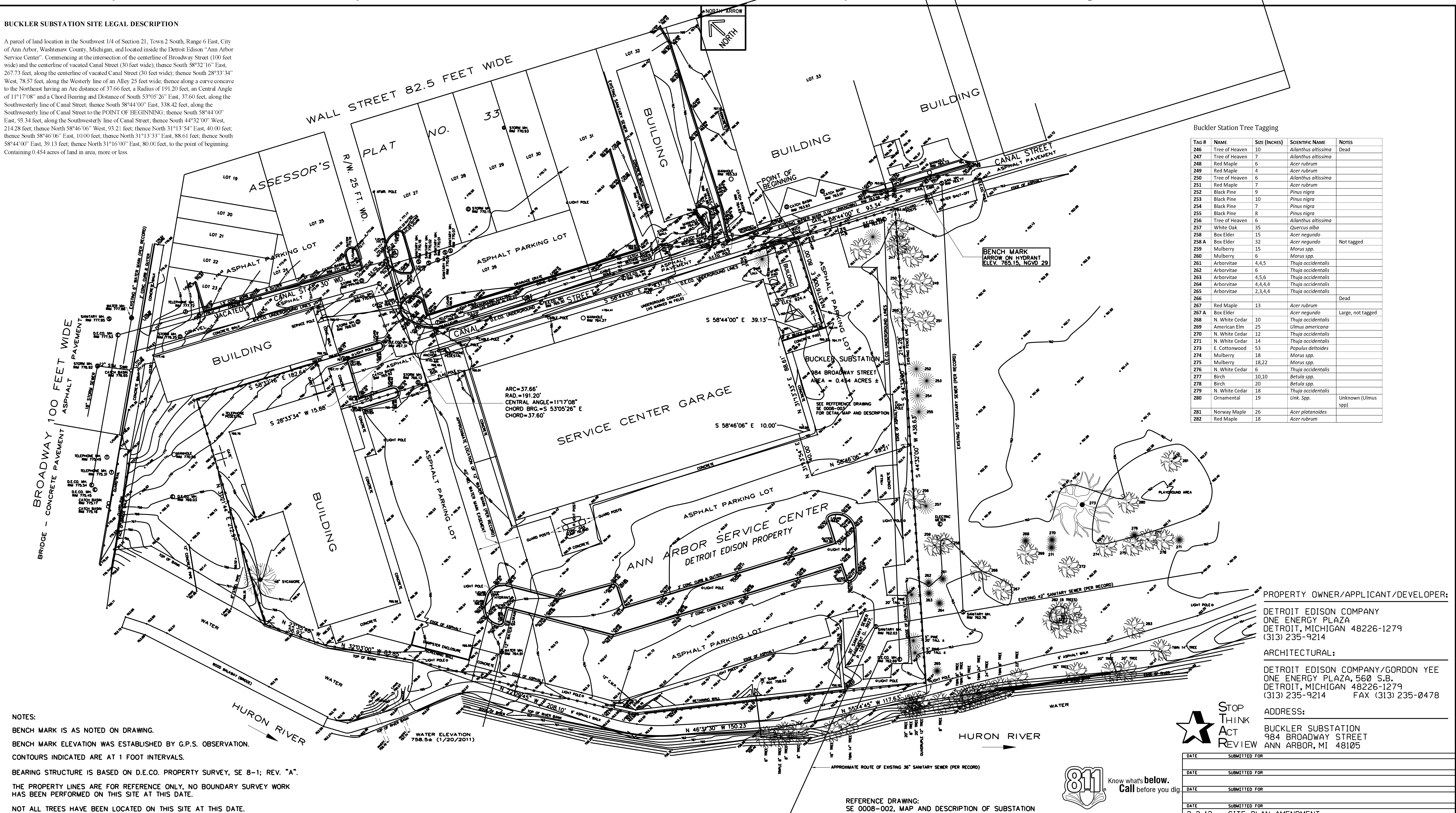


View of fence line between Riverside Park and Detroit Edison's Ann Arbor Service Center



BUCKLER SUBSTATION SITE LEGAL DESCRIPTION

A parcel of land location in the Southwest 1/4 of Section 21, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan, and located inside the Detroit Edison "Ann Arbor Service Center". Commencing at the intersection of the centerline of Broadway Street (100 feet wide) and the centerline of vacated Canal Street (30 feet wide); thence South 58°32'16" East, 267.73 feet, along the centerline of vacated Canal Street (30 feet wide); thence South 28°33'34" West, 78.57 feet, along the Westerly line of an Alley 25 feet wide; thence along a curve concave to the Northeast having an Arc distance of 37.66 feet, a Radius of 191.20 feet, an Central Angle of 11°17'08" and a Chord Bearing and Distance of South 53°05'26" East, 37.60 feet, along the Southwesterly line of Canal Street; thence South 58°44'00" East, 338.42 feet, along the Southwesterly line of Canal Street to the POINT OF BEGINNING; thence South 58°44'00" East, 93.34 feet, along the Southwesterly line of Canal Street; thence South 44°32'00" West, 214.28 feet; thence North 58°46'06" West, 93.21 feet; thence North 31°13'54" East, 40.00 feet; thence South 58°46'06" East, 10.00 feet; thence North 31°13'33" East, 88.61 feet; thence South 58°44'00" East, 39.13 feet; thence North 31°16'00" East, 80.00 feet, to the point of beginning. Containing 0.454 acres of land in area, more or less.



Buckler Station Tree Tagging

TAG #	NAME	SIZE (INCHES)	SCIENTIFIC NAME	NOTES
246	Tree of Heaven	10	<i>Allanhus altissima</i>	Dead
247	Tree of Heaven	7	<i>Allanhus altissima</i>	
248	Red Maple	6	<i>Acer rubrum</i>	
249	Red Maple	4	<i>Acer rubrum</i>	
250	Tree of Heaven	6	<i>Allanhus altissima</i>	
251	Red Maple	7	<i>Acer rubrum</i>	
252	Black Pine	9	<i>Pinus nigra</i>	
253	Black Pine	10	<i>Pinus nigra</i>	
254	Black Pine	7	<i>Pinus nigra</i>	
255	Black Pine	8	<i>Pinus nigra</i>	
256	Tree of Heaven	6	<i>Allanhus altissima</i>	
257	White Oak	35	<i>Quercus alba</i>	
258	Box Elder	15	<i>Acer negundo</i>	
258 A	Box Elder	32	<i>Acer negundo</i>	Not tagged
259	Mulberry	15	<i>Morus spp.</i>	
260	Mulberry	6	<i>Morus spp.</i>	
261	Arborvitae	4,4,5	<i>Thuja occidentalis</i>	
262	Arborvitae	6	<i>Thuja occidentalis</i>	
263	Arborvitae	4,5,6	<i>Thuja occidentalis</i>	
264	Arborvitae	4,4,4	<i>Thuja occidentalis</i>	
265	Arborvitae	2,3,4,4	<i>Thuja occidentalis</i>	
266				Dead
267	Red Maple	13	<i>Acer rubrum</i>	
267 A	Box Elder		<i>Acer negundo</i>	Large, not tagged
268	N. White Cedar	10	<i>Thuja occidentalis</i>	
269	American Elm	25	<i>Ulmus americana</i>	
270	N. White Cedar	12	<i>Thuja occidentalis</i>	
271	N. White Cedar	14	<i>Thuja occidentalis</i>	
273	E. Cottonwood	53	<i>Populus deltoides</i>	
274	Mulberry	18	<i>Morus spp.</i>	
275	Mulberry	18,22	<i>Morus spp.</i>	
276	N. White Cedar	6	<i>Thuja occidentalis</i>	
277	Birch	10,10	<i>Betula spp.</i>	
278	Birch	20	<i>Betula spp.</i>	
279	N. White Cedar	18	<i>Thuja occidentalis</i>	
280	Ornamental	19	<i>Unk. Spp.</i>	Unknown (<i>Ulmus spp.</i>)
281	Norway Maple	26	<i>Acer platanoides</i>	
282	Red Maple	18	<i>Acer rubrum</i>	

NOTES:
 BENCH MARK IS AS NOTED ON DRAWING.
 BENCH MARK ELEVATION WAS ESTABLISHED BY G.P.S. OBSERVATION.
 CONTOURS INDICATED ARE AT 1 FOOT INTERVALS.
 BEARING STRUCTURE IS BASED ON D.E.CO. PROPERTY SURVEY, SE 8-1; REV. "A".
 THE PROPERTY LINES ARE FOR REFERENCE ONLY, NO BOUNDARY SURVEY WORK HAS BEEN PERFORMED ON THIS SITE AT THIS DATE.
 NOT ALL TREES HAVE BEEN LOCATED ON THIS SITE AT THIS DATE.
 THIS SITE WAS COVERED WITH 6"-8" OF SNOW AND ICE AT TIME OF SURVEY.

THE LOCATION OF UTILITIES AND IMPROVEMENTS INDICATED HEREON ARE APPROXIMATE ONLY AND WERE OBTAINED FROM SOURCES BELIEVED TO BE RELIABLE, BUT NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO LOCATION, TYPE AND COMPLETENESS OF UTILITIES OR IMPROVEMENTS WHETHER OR NOT SAME ARE INDICATED OR SHOWN, AND THIS CONTRACTOR SHALL MAKE HIS OWN INVESTIGATION AS TO EXTENT AND LOCATION OF THESE OR OTHER UTILITIES AND SHALL BE RESPONSIBLE FOR PROTECTION OF SAME AND RESTORATION OF SAME IF DAMAGED AS A RESULT OF HIS OPERATIONS.

ARCHITECTURAL/CIVIL/TOWERS
 S:\Working_Folders\Buckler\Arch\Bckr-A-0001.dwg
 02-Feb-2012 10:07
 /rs0023

PROPERTY OWNER/APPLICANT/DEVELOPER:
 DETROIT EDISON COMPANY
 ONE ENERGY PLAZA
 DETROIT, MICHIGAN 48226-1279
 (313) 235-9214

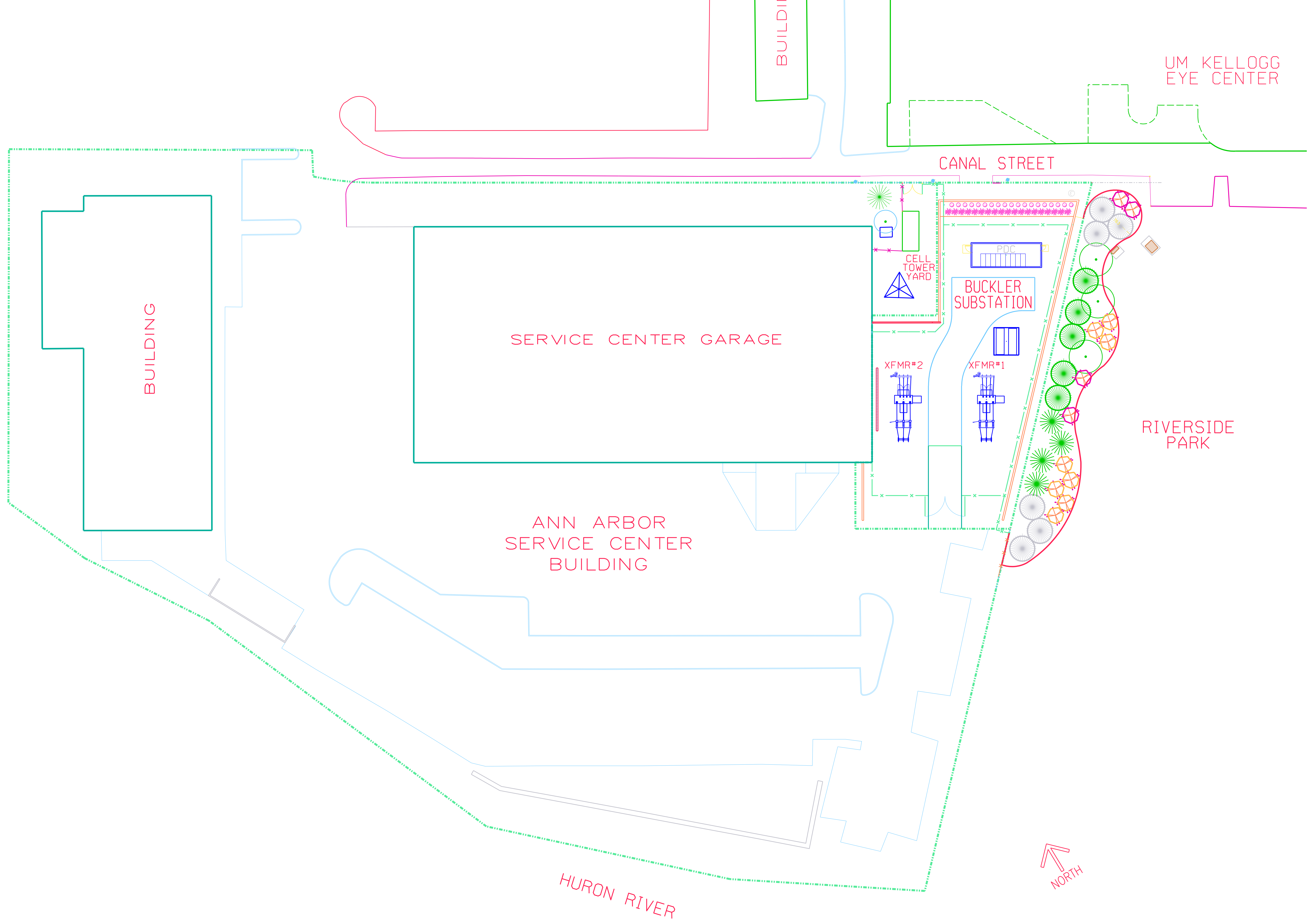
ARCHITECTURAL:
 DETROIT EDISON COMPANY/GORDON YEE
 ONE ENERGY PLAZA, 560 S.B.
 DETROIT, MICHIGAN 48226-1279
 (313) 235-9214 FAX (313) 235-0478

ADDRESS:
 BUCKLER SUBSTATION
 984 BROADWAY STREET
 ANN ARBOR, MI 48105



REFERENCE DRAWING:
 SE 0008-002, MAP AND DESCRIPTION OF SUBSTATION

PROJ DESIGNER			PROJ MANAGER			OTHERS			APPROVALS					
DATE	MADE BY	DATE	MADE BY	DATE	MADE BY	DATE	MADE BY	DATE	MADE BY	DATE	MADE BY	DATE		
THIS DRAWING IS FOR THE CITY OF ANN ARBOR ADMINISTRATION REVIEW ONLY. SEE DRAWING 5SE 0008-002 FOR TOPOGRAPHIC SURVEY.						PROJECT MANAGER RELAY EP&PM ARCH CIVIL TOWERS UG/SUR			ENGINEERING MADE BY C. ZBOCH LAYOUT BY DATE CHECKED BY S.W., K.B., A.C. PROJECT DESIGN/ELECT DATE A/C/T/UG/SUR DATE G.D. STEPHENS APPROVED FOR ISSUE DATE T.VANDEKERCKHOVE			TITLE EXISTING CONDITIONS SURVEY LOCATION NAME BUCKLER SUBSTATION REGION SOUTHWEST SCALE 1"=40'-0" DRAWING NUMBER 5A1442-1 NO NUMBER 31754382 PROJECT DOCUMENT LIST		



BUILDING

UM KELLOGG
EYE CENTER

CANAL STREET

BUILDING

SERVICE CENTER GARAGE

CELL
TOWER
YARD

PDC

BUCKLER
SUBSTATION

XFMR#2

XFMR#1

RIVERSIDE
PARK

ANN ARBOR
SERVICE CENTER
BUILDING

HURON RIVER



PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 15, 2012

**SUBJECT: DTE Buckler Substation Site Plan for Planning Commission Approval
(984 Broadway)
File No. SP12-006**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the DTE Buckler Site Plan for Planning Commission Approval, subject to obtaining variances from the Zoning Board of Appeals for a conflicting land use buffer and storm water detention and subject to obtaining a Michigan Department of Environmental Quality (MDEQ) permit for work within the floodplain.

STAFF RECOMMENDATION

Staff recommends that this petition be **postponed** to give the petitioner an opportunity to respond to staff comments.

LOCATION

The site is located at 984 Broadway near Canal Street (Northeast Area/Lowertown, Huron River Watershed).

DESCRIPTION OF PETITION

The petitioner proposes to construct a new electrical substation at its service center facility to address increased demand for electric power in downtown Ann Arbor. The substation addition will be located at the northeast corner of the site in an area now occupied by a service drive. The drive connection to Canal Street at this corner will be closed to accommodate the addition.

The substation will consist of two 15.5-foot tall electrical transformers and related electrical equipment on raised concrete pads and a new Power Delivery Center (PDC), a 630 square foot, 12.5' ft tall steel structure. The project also will include a new six-foot tall perimeter chain link fence with one foot of barb wire, a concrete block retaining wall. The source of power will be through underground sub-transmission cable in an existing manhole and conduit system. The distribution circuits will exit the site underground as well.

The site is located in the 100-year floodplain of the Huron River. The petitioner proposes to provide 800 cubic yards of fill to construct the raised transformer pads. To mitigate this impact to the floodplain, the petitioner proposes to remove 1,155 cubic yards of earthen fill on the Michcon site (841 Broadway) as well as remove a building on the Michcon site to provide an additional 55 cubic yards of storage capacity. The site plan for these changes has been submitted as a separate petition.

No change is proposed to the main access to the site. A vehicular access door will be relocated from the east wall to the south wall to accommodate the new transformers.

The petitioner indicates DTE is unable to provide on-site the conflicting land use buffer required along the east side property line abutting Riverside Park. The petitioner is requesting a variance from this requirement to allow 33 trees and 38 shrubs to be planted along the far western side of Riverside Park instead.

The petitioner is able to accommodate first flush and bankfull storm water storage on the south side of the site by modifying the outlet structure in the existing basin. The previous site plan received a variance to allow this detention basin in a 100 year floodplain. It appears that the variance was intended to waive the requirement to provide detention for the 100-year event. However, that variance was not specifically requested or provided and the variance language was somewhat vague. As a result, staff has recommended that the petitioner go to the Zoning Board of Appeals to specifically request a variance from the 100-year detention requirement.

COMPARISON CHART

		EXISTING	PROPOSED	REQUIREMENTS
Zoning		C3 (Fringe Commercial)	C3 (Fringe Commercial)	C3
Gross Lot Area		215,186 sq/ft (4.94 acres)	215,186 sq/ft (4.94 acres)	6,000 sq/ft MIN
Floor Area Ratio In % of Lot Area		28% (55,975 sq/ft)	28% (55,975 sq/ft)	200% MAX (649,066 sq/ft)
Setbacks	Front	Canal: 25' Broadway: 95''	Canal: 25' Broadway: 95'	10' MIN 25' MAX (MAX applies to at least 1 ROW)
	Side	East: 85 ft	East: 85 ft	East: 0 ft MIN
	Rear	South: 185 ft	South: 185 ft	South: 0 ft MIN
Building Height		23.5 ft (Vehicle Shed)	23.5 ft (Vehicle Shed)	55 ft MAX
Parking – Automobiles		TBD	TBD	38 spaces MIN
Parking - Bicycles		NONE	TBD	3 spaces – MIN (Class B)

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Medical, Residential	R4C (Multiple-Family Dwelling) C1 (Local Business) R5 (Hotel)
EAST	Park	PL (Public Land)
SOUTH	Huron River	PL (Public Land)
WEST	River, Broadway Bridge	PL (Public Land)

HISTORY

The brick building on the western edge of the site was constructed around 1905 and is not proposed to be affected by this project. A site plan was approved in 1999 to construct a 39,192 square foot truck shelter. The large steel garage/storage shed was completed in 2000.

PLANNING BACKGROUND

The Master Plan: Land Use Element recommends residential and recreational uses for this site. The property is zoned C3 (Fringe Commercial).

STAFF COMMENTS

Fire Marshal - The entire building footprint must fall within a 250 foot hydrant radius or combination of hydrant radii. The entire external portions of the building must be reached by a hose lay, along an approved fire route, that does not exceed 400 feet from a hydrant or combination of hydrants.

Public Services – Driveway dimensions for all existing connections to Canal Street shall be noted on the plans. A separate utility sheet shall be provided.

Floodplain – Show the floodway boundary on the site plan. Provide a narrative on the plan explaining the flood mitigation process. Provide a natural features alternatives analysis on the plan.

Storm Water – The updated calculations show that bankfull storage can be accommodated on the existing site plan by modifying the outlet structure. Staff recommends that a variance be granted waiving the requirement for detention to be provided for the 100-year event, based on the detention being located in the floodplain.

Planning – Bicycle parking must be provided. Show existing parking spaces on plan.

DTE Buckler Substation
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Prepared by Jeff Kahan
Reviewed by Wendy Rampson
mg/5/11/12

Attachments: Zoning/Parcel Maps
 Aerial Photo
 Site Plan
 Site Plan Detail
 Elevation

c: Petitioner/Owner: Detroit Edison Company
 One Energy Plaza
 Detroit, MI 48226-1279

Petitioner's Representative: Mark Fairless, DTE
 One Energy Plaza, 560 S. B.
 Detroit, MI 48226-1279

Systems Planning
File No. SP12-006

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of June 5, 2012

**SUBJECT: DTE Buckler Substation Site Plan for Planning Commission Approval
(984 Broadway)
File No. SP12-006**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the DTE Buckler Site Plan for Planning Commission Approval, subject to:

- 1) Obtaining variances from the Zoning Board of Appeals from the conflicting land use buffer and storm water detention requirements;
- 2) Obtaining a Michigan Department of Environmental Quality (MDEQ) permit for work within the floodplain, prior to issuance of building permits;
- 3) Relocating the fire hydrant and construction of associated water main, prior to the issuance of building permits;
- 4) Completion of required footing drain disconnects, prior to final inspection approval; and
- 5) Execution of water main easements, prior to final inspection approval.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the proposed off-site mitigation of flood storage capacity as shown on the approved site plan and on the Michcon Site Plan for Planning Commission that was approved on May 15, 2012.

STAFF RECOMMENDATION

Staff recommends that this petition be **approved** because, if the requested variances are granted, it will comply with all the applicable local, state, and federal laws, ordinances, standards, and regulations; the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; would not cause a public or private nuisance; and would not have a detrimental effect on public health, safety, or welfare.

STAFF REPORT

At the May 15, 2012 Planning Commission meeting, this petition was postponed to allow the petitioner an opportunity to address a number of issues. The following is a summary of how those issues have been addressed:

Planning – Bicycle parking spaces are now shown on the plan. The off-site floodplain mitigation was approved on May 15 when the Michcon site plan for Planning Commission was approved. The Michcon project included floodplain capacity being created on the Michcon site, upstream from the DTE Buckler site to mitigate the construction of the transformer pads in the floodplain.

Public Services – The footing drains must be disconnected in accordance with City specifications prior to final inspection; this information must be included on the site plan. A note must be added to the plan indicating that the water main easement will be provided. Details of the final relocation of the fire hydrant must be approved by City staff. The hydrant relocation shall be shown on the utility sheet.

Fire Marshal – The fire hydrant will be relocated to meet fire protection standards. The entire building must fall within the 250 foot hydrant radius or combination of hydrant radii. The entire external portions of the building must be reached by a hose lay, along an approved fire route, that does not exceed 400 feet from a hydrant or combination of hydrants.

Floodplain – Staff supports the motion to approve off-site floodplain mitigation because it is consistent with the conditions described in Chapter 57 (Subdivision and Land Use Control) Section 5:127(5). DTE Buckler proposes to add 363 cubic yards of fill to accommodate the transformer pads and create 1,210 cubic yards of floodplain capacity on the Michcon site located upstream and across the Huron River at 841 Broadway.

Prepared by Jeff Kahan
Reviewed by Wendy Rampson
mg/5/31/12

Attachment: May 15, 2012 Planning Staff Report

c: Petitioner/Owner: Detroit Edison Company
One Energy Plaza
Detroit, MI 48226-1279

Petitioner's Representative: Mark Fairless, DTE
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