

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of June 19, 2012

**SUBJECT: Summit Townhomes Annexation, Zoning and Area Plan for City Council Approval
(2081 East Ellsworth Road)
File Nos. AP12-004, Z12-004, A12-001**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Summit Townhomes Annexation.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Summit Townhomes Zoning and Area Plan.

STAFF RECOMMENDATION

Staff recommends that the annexation from Pittsfield Township be **approved** because the parcel is within the City's water and sewer service agreement area.

Staff recommends that the zoning to R3 and area plan be **postponed** to give the petitioner an opportunity to address staff comments.

LOCATION

The site is located on the north side of East Ellsworth Road, just east of Stone School Road (South Area, Malletts Creek Watershed).

DESCRIPTION OF PETITION

The subject site is 2.95 acres and currently in Pittsfield Township's jurisdiction. The petitioner is requesting annexation of the parcel, R3 (Townhouse Dwelling District) zoning and area plan approval in order to construct 24 attached residential units. Each residential unit will be approximately 1,300 square feet.

Currently, there are a vacant single-family house and a small detached single-car garage on the site, both of which will be removed for the new development. The proposed site layout shows four two-story buildings varying in size from 80 to 160 feet long, with an attached one car garage for each unit.

The site is proposed to be accessed by one curb cut from East Ellsworth Road. There will be two surface parking areas, each containing 12 spaces, located along the eastern and western side of the parcel. Storm water management is proposed to be located underneath the parking lot and proposed open space on the western side of the site. Solid waste and recycling facilities will be provided adjacent to parking areas. The petitioner has proposed a new public sidewalk along the Ellsworth frontage connecting to a private sidewalk along the interior driveway.

There are 12 landmark trees located on the site. The submitted tree survey indicates that the majority of these trees are in poor health. The proposed plans indicate all 12 would be removed for construction of buildings or site elements such as parking or detention.

The site also contains a steep slope with almost 40 feet of elevation change rising from the west to the east. As a result, the petitioner is proposing to grade the majority of the site and engineer a series of slopes and two retaining walls along the eastern edge of the site. The new slopes and retaining walls will rise approximately 35 feet to the eastern property line.

An area plan is required for all rezoning of land, with the exception of single or two-family residential parcels. While an area plan does not provide the same level of detail as a site plan, the plan does provide conceptual layout of what is proposed and is reviewed to ensure compatibility with all existing City Codes and regulations. An area plan is valid for three years or until replaced with a site plan. Construction of a project cannot begin based on area plan approval.

CITIZEN PARTICIPATION

The petitioner held a meeting for interested citizens on March 28, 2012. Invitations were sent to all residents and property owners within 1000 feet of the site. Two people attended the meeting. The full report provided by the petitioner is attached.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Residential	TWP (Township) R3 (Townhouse Dwelling District)
EAST	Residential	R1C (Single-Family Dwelling District)
SOUTH	Office/Residential	TWP (Township)
WEST	Residential	R3 (Townhouse Dwelling District)

COMPARISON CHART

		EXISTING	PROPOSED	REQUIRED
Zoning		TWP (Township)	R3(Townhouse)	R3(Townhouse)
Gross Lot Area		128,732 sf (2.95 acre)	128,732 sf (2.95 acre)	21,780 sf (0.5 acre)
Lot Area/Dwelling Unit		N/A	5,364 sf/unit	4,300 sf/unit MIN
Useable Open Space in % of Lot Area		N/A	67% (84,588 sf)	65% MIN (83,676 sf)
Setbacks	Front	45 ft	28 ft	15 ft MIN 40ft MAX
	Side(s)	110 ft (West) 350 ft (East)	66 ft (West) 113 ft (East)	20 ft MIN
	Rear	175 ft	44 ft	30 ft MIN
Height		25 ft (approx)	30 ft/2 story	35 ft MAX
Parking - Automobiles		1 space (garage)	48 spaces	48 spaces MIN
Parking – Bicycles		0 spaces	24 spaces – Class A 5 spaces – Class C	5 spaces MIN total (50% Class B, 50% Class C)

HISTORY

The house and land currently are vacant. Early (pre-1960) aerial photographs indicate the land was used for some limited farming. In recent years, the parcel has been used solely as a single-family use.

PLANNING BACKGROUND

The City of Ann Arbor Master Plan: Land Use Element identifies this parcel as part of Site 9 in the South Area. The future land use recommendation for Site 9 indicates single-family attached or detached as the preferred option. It also notes that noise buffering should be utilized due to the close proximity to Ann Arbor airport.

Chapter Five of the City of Ann Arbor Master Plan: Land Use Element recommends following community-oriented design for the site plan. The design recommendations for townhome developments include rear accessed garages, front porches and clustered design to preserve natural features. The plan also encourages providing on-site playground, open space, and pedestrian linkages with adjacent developments.

The City of Ann Arbor Non-Motorized Transportation Plan recommends sidewalks along Ellsworth and bicycle lanes for future installation in Ellsworth.

STAFF COMMENTS

Revised plans were submitted on Tuesday, June 12. Due to timing of the submittal, City staff were not able to complete detailed reviews of the most recent plans. Comments below are based on the previous plan set, but still applicable given the general design parameters of the proposed area plan:

Systems Planning – Adequate utilities exist to serve the site. Footing drain disconnects will be determined at site plan stage. The southerly 60 feet of the parcel shall be dedicated as Ellsworth Road right-of-way.

Natural Resources – Staff has concerns regarding the extensive grading required for the proposed development. The petitioner has stated that the steep slopes are not naturally occurring, but that the natural slopes have been altered significantly by historical dumping and fill activities on the site. Staff has determined that the slopes on site could meet the definition of a regulated natural feature (Steep Slopes) as defined in the Land Development Regulations of City Code. As such, further review is needed and the developer must prove that the proposed plan minimizes impact to the steep slopes (if determined) on the site. Staff is currently reviewing the most recent set of revised plans.

Grading and Soil Erosion – Staff has noted that the large amount of grade change requires a significant removal of soil from the site. The soil removal and construction of the retaining walls may make the current proposal cost-prohibitive.

Planning – The property is within the utility service boundary of the City of Ann Arbor and therefore annexation is required to develop this site. The proposed R3 zoning is consistent with the Master Plan and with the adjacent zoning to the north and west of the site. The density proposed would result in 8 units per acre; the maximum density permitted in the R3 district is 10 units per acre.

Planning staff shares the same concerns noted by Natural Resources and Grading staff regarding the development of steep slopes and the amount of grading required for the proposed plan. One of the area plan approval standards is that the development limits the disturbance of natural features to the minimum necessary to allow a reasonable use of the land.

The Ann Arbor Public Schools own the vacant parcel adjacent to the north, which abuts Bryant Elementary School. In accordance with the Master Plan recommendations, staff has encouraged the petitioner to explore the feasibility of providing a pedestrian access to this parcel for future connection with the school. Staff also has encouraged the petitioner to consider the Master Plan's community-oriented design guidelines for incorporation at the site plan stage.

Parks – A parks donation will be requested at site plan stage. The donation amount will be based on recreational amenities provided on site.

Prepared by Matt Kowalski
Reviewed by Wendy Rampson

Attachments: 3/30/12 Citizen Participation Meeting Report
Parcel/Zoning Map
Aerial Photo
Area Plan

c: Petitioner: GROWWWWLEE LLC
Mr. Shawn Barrow
6509 Hazeltine National Drive #6
Orlando, FL. 32822

Petitioner's Representative: Leonard Michaels
CIW Engineering
1016 Dixie Highway
Rossford, Ohio 43460

Systems Planning
File Nos. AP12-001, Z12-004, A12-001

Citizen Participation Report for:

**Proposed Residential Development
2081 E. Ellsworth Road
Pittsfield Township, MI**

Prepared by:

CIW Engineering, Inc.

1016 Dixie Hwy., Rossford, Ohio 43460

Tel 419-662-8642 Fax 419-662-8649

March 30, 2012

Citizen Notification Meeting General Information

Petition for Area Site Plan Review

In accordance with the City of Ann Arbor's Citizen Participation Ordinance (CPO), you are hereby given notice that a petition for annexation and Area Site Plan Review for a multifamily development that will be submitted to the City of Ann Arbor's Planning Department.

The proposed development project will involve the demolition of the residence located on 2081 E. Ellsworth Road, Pittsfield Township, MI and the *construction* of a multifamily development.

Citizen Participation Meeting

The purpose of this notice and the City of Ann Arbor's Citizen Participation Ordinance (CPO) is to promote effective citizen participation in the project development process, to mitigate potential impacts (whether real or perceived), and to facilitate ongoing communication between the petitioner and citizenry.

Written information about citizen participation is being mailed to all property owners, addresses and registered neighborhood groups within 1,000 feet of the proposed petition site, as well as the Planning and Development Services Unit A.

Citizen Participation Meeting will be held, and individuals receiving notices will be able to discuss the application with the petitioner and express any concerns, issues or problems regarding this project they may have.

A summary of this information will be submitted by the petitioner to the City Planning Department as a part of the petition for Area Site Plan Review, and may further be taken into account by the petitioner in the final, development of the project.

Anticipated City Review and Approval Schedule

- Citizen Participation Meeting: March 28, 2012
- Submittal of petition to Ann Arbor Planning Department: March 30, 2012.
- Ann Arbor Planning Commission/Council Meetings March-April, 2012

In order for Lee Vista, Inc. to best prepare for the meeting, attendees are requested to RSVP by 5 pm Tuesday, March 20, to the contact person below.

Contact Information

Questions may be referred to Att. Mr. Leonard L Michaels, PE
1016 Dixie Hwy
Rossford, OH 43460
Phone# 419-662-8642

Special Accommodations

Persons with disabilities are encouraged to participate in public meetings. Accommodations including sign language interpreter, may be arranged by contacting Leonard L Michaels, Phone # 419-662-8642
Requests need to be received at least 72 hours in advance of meeting.

Area Site Plan Meeting

Date: March 28, 2012

Time: 6:00 pm Phone 734-327-4200

Location: 2359 Oak Valley Dr.

Ann Arbor, MI 48103

This Report is a Record of the Meeting Held:

Date: March 28, 2012 Time: 6:00 pm-8:00 pm

Presentation Participants:

Name:	Representing:	Phone:	E-mail:
Leonard L Michaels, PE	CIW	419-662-8642	leonard@ciweng.com
Susan J Michaels	CIW	419-662-8642	susie@ciweng.com

Citizens Participants/Attendies:

Name:	Representing:	Phone:	E-mail:
Megan Greenwald-Yarnell	Cloverly Village	734-478-6594	mgreenw@umich.edu
Aiji Piphoo	Forest Hills Coop	734-223-3102	

Meeting Minutes

Leonard L Michaels opened the meeting and welcomed the participants. He described the annexation and site plan approval process. The purpose of the Citizens Participation Meeting is to introduce the project to the community and take comments/concerns and use this information in ongoing development of the project for annexation and site plan approval.

Leonard L Michaels described the project and presented the area site plan layout and preliminary grading plan to the audience.

Citizen Discussion:

Megan Greenwald-Yarnell asked the following questions:

What type of lighting will be used?

Lighting will be concentrated on the site of the development and light fixtures will be shielded to prevent light pollution onto adjacent properties.

Will the development be a condo development?

The development will be in compliance R4B Zoning.

Will project grading and storm sewers address excessive runoff onto adjacent property?

Storm sewer detention will be designed in accordance with the City of Ann Arbor standards and it will reduce the surface runoff onto adjacent property.

Will fencing be installed?

Fencing will be provided if required by the City of Ann Arbor..

Public transportation

Public transportation question shall be addressed by the City of Ann Arbor.

What happens if the circumstances change during process?

Citizens are encouraged to participate in the site plan review and approval process. Meetings schedule information shall be available on the City of Ann Arbor website.

Trash pick up

Dumpsters will be located in gated and fenced areas at the end of each drive.

Aiji Piphon asked the following questions:

Aiji expressed general concern in regard to public services and utilities in the area due to density of the neighborhood.

Leonard Michaels explained that during the site approval process, City of Ann Arbor Engineering staff will be involved in the review of the drawings and calculations for the project to assure that all City design standards are met.

What is the square footage of the units?

Each dwelling will consist of 2 units. Total square footage of the proposed dwelling is 1,295 s.f. per unit.

Does the developer have any plans for the adjacent property to the East of the development?

Not that I am aware of.

Will it be a HUD development?

Financing of the project is not a pre-req of CIW Engineering Inc. To our knowledge, the developer is going through the process of putting it together.

The meeting was concluded at 7:25 pm.

CITIZEN PARTICIPATION MEETING
2081 E. ELLSWORTH ROAD
PITTSFIELD TOWNSHIP, MI

DATE: 3/28/12

Location: Pittsfield Branch Library

NAME: Megan Greenwood-Yarnell PHONE NUMBER: 734.478-6594
E-MAIL: mgreenw@umich.edu

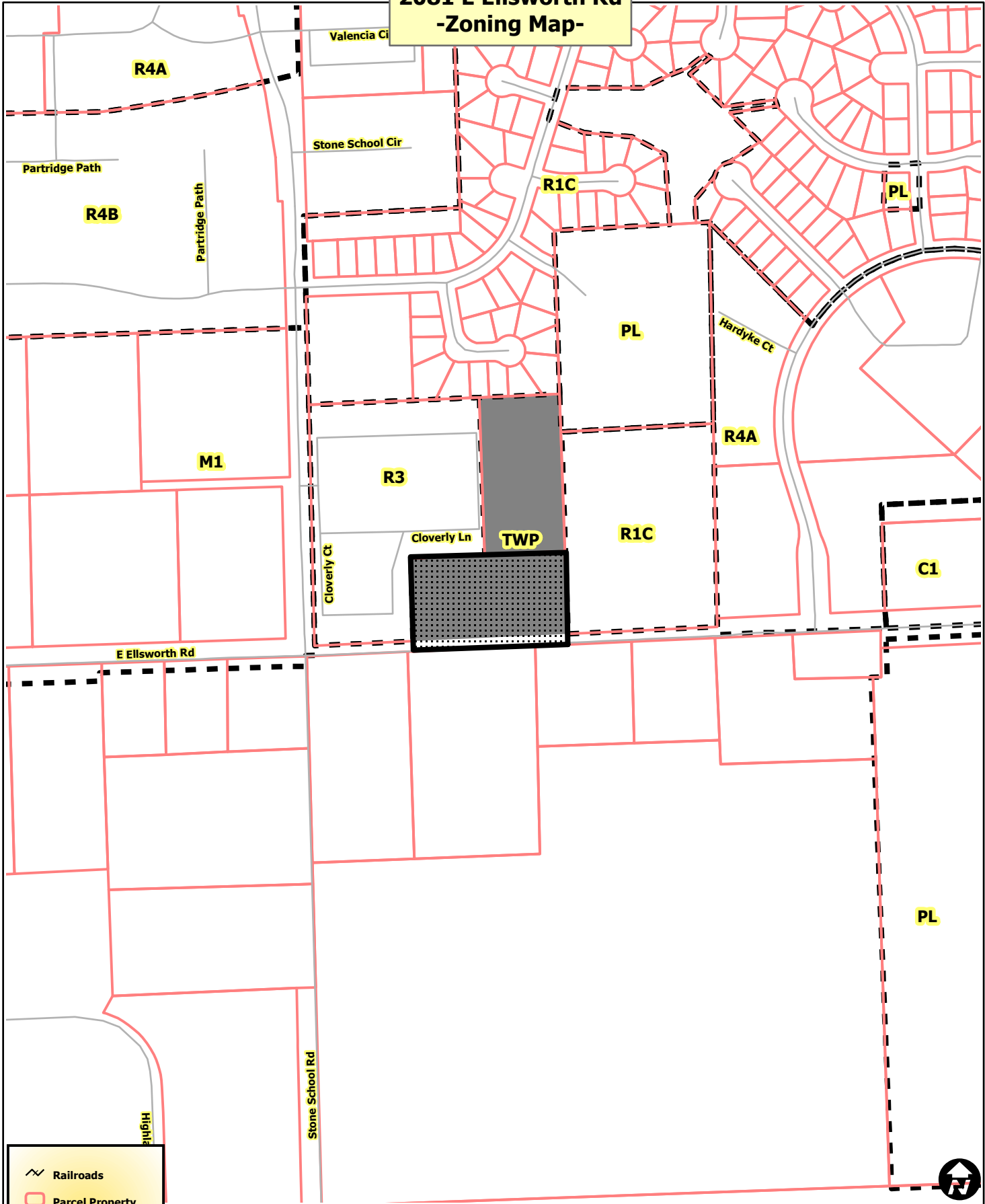
NAME: Aiji P. Pappas PHONE NUMBER: (734) 223-3102
Forest Hills Cooperative
2275 Shadowood Dr.
Ann Arbor 48108
E-MAIL: _____





NAME: _____ PHONE NUMBER: _____
E-MAIL: _____

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NAME: _____ PHONE NUMBER: _____
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2081 E Ellsworth Rd -Zoning Map-

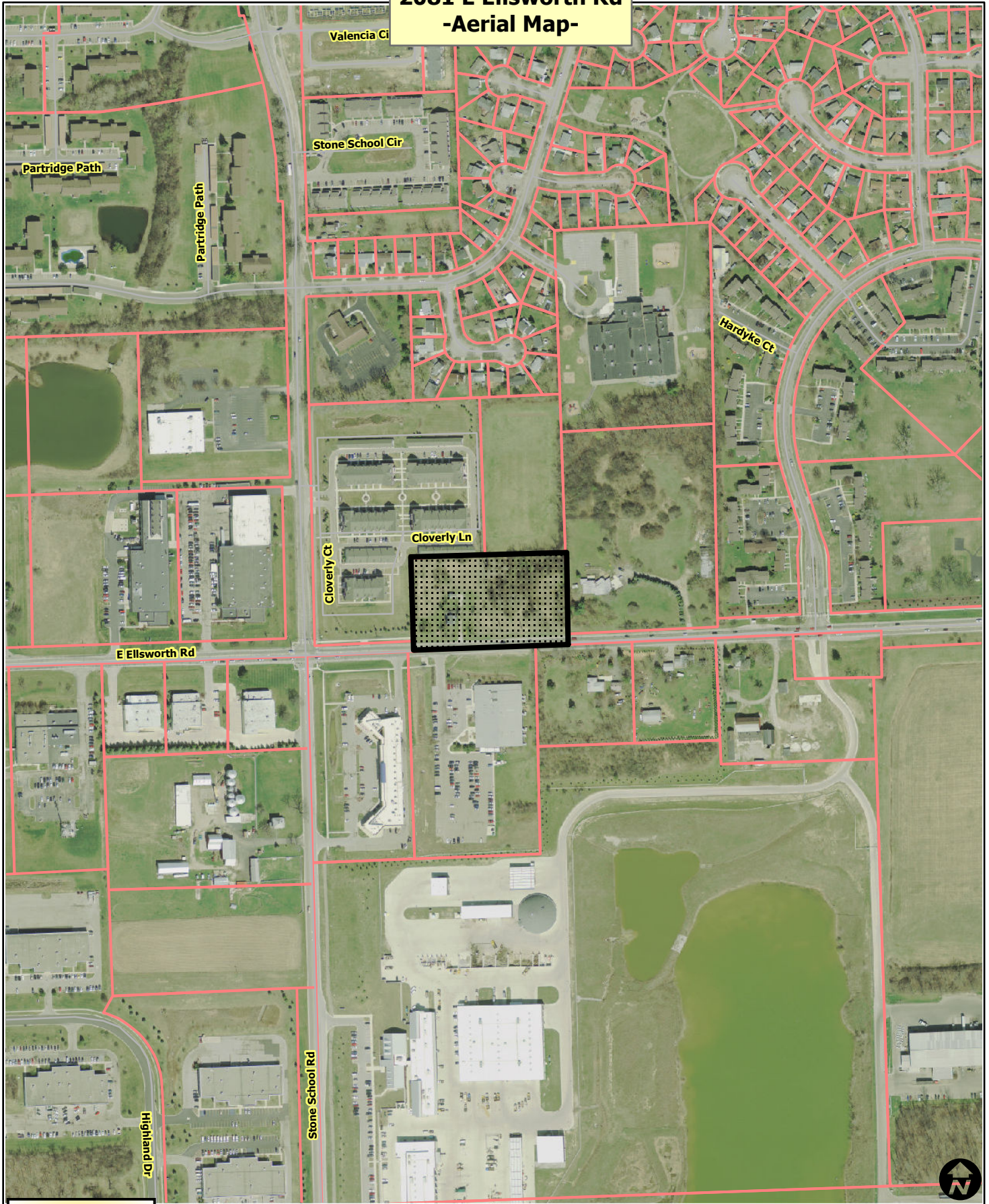


-  Railroads
-  Parcel Property
-  Township
-  City of Ann Arbor



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 Map Created: 3/26/2012

2081 E Ellsworth Rd -Aerial Map-



-  Railroads
-  Parcel Property



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 Map Created: 3/26/2012

CURRENT PROPERTY USE

The current use of the project site is a residential property with a house and garage. Additionally, the topographic survey indicates an area of the site being used for storage of the construction debris, specifically stone and concrete foundations, car frame and engine, water heater and tires.

NATURAL FEATURES

The project site is located outside of the 100 year flood plane. There is no presence of wetlands or endangered species habitats. The tree survey indicates that approximately 35% of the site is overgrown with brush and small trees. The survey also indicates that there are 12 (twelve) Landmark trees on site. The majority of these trees are in poor health. Refer to drawing SP-3 for tree survey schedule.

MITIGATION PLANS

During the Detailed Engineering phase of the project a detailed Landscaping Plan will be provided, which will include a Landmark Tree mitigation plan.

DISTURBANCE OF NATURAL FEATURES

Due to the significant grade drop across the site we are introducing several retaining walls. We will try to lessen the visual impact of the grade change by introducing decorative material/stone gabions for retaining walls materials. We will also provide a recreational area with recreational equipment.

PUBLIC SCHOOLS OF THE CITY OF ANN ARBOR
2555 S STATE STREET
ANN ARBOR MI 48108
WARRANTY DEED
LIBER 3389, PAGE 704

ParcelID No. L-12-10-360-018
Address: 2081 East Ellsworth Road
Warranty Deed by a Trust recorded
in Liber 4880, Page 738

