

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of June 2, 2009

**SUBJECT: Retail Plaza Annexation, Zoning and Planned Project Site Plan  
(Northwest corner Platt and Ellsworth Roads)  
File Nos. A08-005, Z08-006, and SP08-014**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Retail Plaza Annexation, Zoning and Planned Project Site Plan, subject to conveying the easterly 27 feet of the property to the City for right-of-way upon annexation and recording a shared parking easement prior to issuance of any building permits.

### **STAFF RECOMMENDATION**

Staff recommends that the annexation and zoning petitions be **approved** because the parcel is within the City's water and sewer service area and adequate justification has been provided to deviate from the future land use recommendation for the zoning designation, which is compatible with the surrounding area and is appropriate for the contemplated land uses.

Staff recommends that the planned project site plan be **approved** because the contemplated development complies with all applicable state, local and federal laws, ordinances, standards and regulations; and the development does not cause a public or private nuisance and does not have a detrimental effect on the public health, safety or welfare. The planned project modifications provide for a public benefit that promotes transit access and pedestrian orientation.

### **LOCATION**

This site is located at the northwest corner of Platt Road and Ellsworth Road (South Area) and is in the Swift Run watershed.

### **DESCRIPTION OF PETITION**

The subject site is 1.1 acres in size and has a zoning designation of AG Agricultural District in Pittsfield Township. The petitioner is requesting to annex the parcel into the City of Ann Arbor, C1 Local Business District zoning designation, and approval to develop a small commercial strip center. The site is currently vacant and is generally flat, sloping gently towards the northwest corner.

An 8,040-square foot, one-story retail building is proposed on the west side of the site. The building is intended for multiple retail tenants. Twenty-six parking spaces are required to serve the proposed development. A 21-space parking lot is proposed on the east side of the site with driveways to Platt Road and Ellsworth Road. The five remaining required spaces will be provided in the existing retail development across the street, at the northeast corner of Platt and

8C

Ellsworth Roads. That development is also owned by the petitioner and currently contains a Shell gas station and several retail businesses. The five spaces are not required for the gas station or retail businesses and a shared parking agreement will be recorded.

Public sidewalks already exist along Platt and Ellsworth Roads. Connections will be provided from each public sidewalk to the front of the proposed building.

Storm water management to handle the 100-year storm volume is proposed in underground pipes and chambers beneath the parking area.

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Light Industrial	TWP (Township District)
EAST	Commercial	C2B (Business Service District)
SOUTH	Public Land (municipal services center, recycle center, dog park)	PL (Public Land District)
WEST	Vacant/Light Industrial	TWP

### COMPARISION CHART

		EXISTING	PROPOSED	REQUIRED
Zoning		TWP	C1	C1
Gross Lot Area		47,916 sq ft	25,666 sq ft *	2,000 sq ft MIN
Floor Area as % of Lot Area		0% (vacant site)	31% (8,040 sq ft)	40% MAX
Setbacks	Front	0 ft (vacant site) - Platt Rd 0 ft - Ellsworth Rd	10 ft - Platt Rd 10 ft - Ellsworth Rd	25 ft MIN
	Side	0 ft (vacant site)	0 ft to west	None
	Rear	0 ft (vacant site)	20 ft to north	20 ft MIN
Height		0 ft (vacant site)	20.5 ft / 1 story	25 ft MAX
Vehicle Parking		None (vacant site)	26 spaces	1 per 310 sq ft MIN (26 MIN) 1 per 265 sq ft MAX (31 MAX)
Bicycle Parking		None (vacant site)	4 Class B	3 spaces MIN

Shading indicates planned project modifications are requested.

\* At request of Public Services Area, petitioner is conveying the easterly 27 feet of the site for additional right-of-way for Platt Road. This will have the effect of reducing the gross lot area by 22,250 square feet.

### HISTORY AND PLANNING BACKGROUND

This site is located in the South Area. The 1990 South Area Plan identifies this site as part of Area J, a 30-acre area on the west side of Platt Road between Ellsworth Road and I-94. Single-family detached residential use is the preferred future land use recommendation for all of Area J, followed by research or office/research/light industrial use. However, significant changes in the surrounding land uses and transportation system have occurred that were not anticipated at the time the South Area Plan was adopted. These changes were cited as justification for

deviating from the Plan when considering the annexation and zoning of the site at the northeast corner of Platt and Ellsworth Roads in 1995 (site of the current Shell Gas Station and small retail strip center). The evidence used in support of that decision included:

- A sizable single-family residential subdivision was proposed during the time the South Area Plan was prepared, likely prompting the recommendation for single-family detached use. Concerns were raised in the review of that subdivision that the land may be contaminated due to the landfill on the south side of Ellsworth Road and, therefore, unsuitable for residential use.
- The City subsequently acquired most of the land in Area J for Southeast Park, significantly reducing the remaining area left to develop.
- Both Platt and Ellsworth Roads have been widened and improved since 1990. At that time, Ellsworth Road did not cross I-94. Construction of the Ellsworth Road bridge over I-94 was completed in 1996.
- The site (at the northeast corner of Platt and Ellsworth Roads) is not suitable for research or office/research/light industrial as it is a relatively small, triangular-shaped parcel that does not accommodate the deep setbacks that the RE Research or ORL Office/Research/Light Industrial Districts require. There is no room for future expansion or creation of a research campus.

These same reasons continue to support deviating from the South Area Plan future land use recommendation for Area J. The subject site is too small to form a working single-family neighborhood and the traffic conditions on Platt and Ellsworth Roads make the site undesirable for multiple-family residential use. The subject site is even smaller than the site of the Shell Gas Station and retail center which was felt to be too small to support research or office/research/light industrial uses. Commercial uses would be appropriate for the remaining portion of Area J to support the neighborhoods to the north and west as well as users to the City and Township parks in the immediate vicinity.

Staff supports the proposed C1 Local Business zoning designation rather than continuing the C2B district currently found at the northeast corner of Platt and Ellsworth Roads. The C2B was apparently chosen for the site of the current Shell Gas Station and retail center to enable the gas station as a special exception use. No gas station is proposed for the subject site, and given its small size, the full range of uses allowed in C2B are not appropriate. The C1 district would allow the development as proposed and be more in keeping with the goal to provide local commercial services for the nearby residential neighborhoods and park users.

### **PLANNED PROJECT STANDARDS**

Planned project approval is requested to allow a decrease in the minimum front setback required, to 10 feet from 25 feet. The modifications will help to achieve the objectives of the development program by allowing the proposed building to be closer to the street and sidewalk, increasing the pedestrian orientation of the building.

**Based upon compliance with the following standards, the Planning Commission may recommend approval, and City Council may approve modifications of the area, height and placement regulations of the Zoning Chapter in the form of a planned project site plan:** (Petitioner comments are in plain type; *staff comments are in italics.*)

- 1. The lot(s) included in the planned project must meet the minimum gross lot size requirement of the zoning district in which they are located.**

*The lot exceeds the minimum gross lot size required in the C1 Local Business district (2,000 square feet).*

- 2. The proposed modifications of zoning requirements must provide one or more of the following:**

- a) Usable open space in excess of the minimum requirement for the zoning district.**
- b) Building or parking setback(s) in excess of the minimum requirement for the zoning district.**
- c) Preservation of natural features that exceeds ordinance requirements, especially for those existing features prioritized in the land development regulations as being of highest and mid-level concern.**
- d) Preservation of historical or architectural features.**
- e) Solar orientation or energy conserving design.**
- f) An arrangement of buildings which provides a public benefit, such as transit access, pedestrian orientation, or a reduced need for infrastructure or impervious surface.**
- g) Affordable housing for lower income households.**
- h) Permanent open spaces of 20 percent or more in any low-density residential district.**

The building will provide benefits to the public such as easy access to the building and a path to a nearby park.

*The proposed modifications will allow easier pedestrian access to the building, which is considered a modification that provides a public benefit as stated in paragraph (f).*

- 3. The planned project shall be designed in such a manner that traffic to and from the site will not be hazardous to adjacent properties.**

Our project will not be hazardous to adjacent properties.

*Staff has reviewed the proposed development for compliance with codes and regulations regarding vehicular turning movements and sight distances. The proposed development will not be hazardous to adjacent properties or to existing traffic conditions.*

- 4. The proposed modifications shall be consistent with the proper development and use of adjacent land and buildings.**

Our project modifications are consistent with similar projects in the area.

**5. Required off-street parking and landscaping must be provided in accordance with the provisions of Chapters 59 and 62.**

Off-street parking and landscaping requirements are met.

**6. The standards of density, allowable floor area and required usable open space for the zoning district(s) in which the project is located must be met.**

Proposed building area is 8,040 square feet, and up to 10,490 square feet is allowable. Therefore we are meeting allowable building area requirement.

**7. There shall be no uses within the proposed project which are not permitted uses in the zoning district(s) in which the proposed project is to be located.**

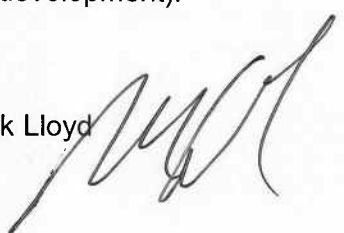
All building uses will be permitted uses.

**SERVICE UNIT COMMENTS**

Systems Planning – Improvement charges for existing water and sanitary sewer mains will be due upon annexation of the site. No storm sewer, road or sidewalk improvement charges are due. A legal description of the proposed 27-foot right-of-way dedication must be submitted with construction plans. The geodetic reference system coordinate worksheet must be revised and resubmitted for further review and staff approval prior to final site plan approval by City Council.

Planning and Development – The petition is not subject to the citizens participation requirements because it was submitted even before the requirements were proposed (submitted December 5, 2007). Staff did not suggest the petitioner voluntarily ask citizens within 1,000 feet to participate in the planning process because there are none within this radius. The only properties within 1,000 feet of the site are either owned by the City of Ann Arbor (Southeast Park and the recycle drop-off station), Pittsfield Township (Lillie Park), or by the petitioner himself (the Shell gas station and retail development).

Prepared by Alexis DiLeo  
Reviewed by Connie Pulcifer and Mark Lloyd  
jsj/5/27/07



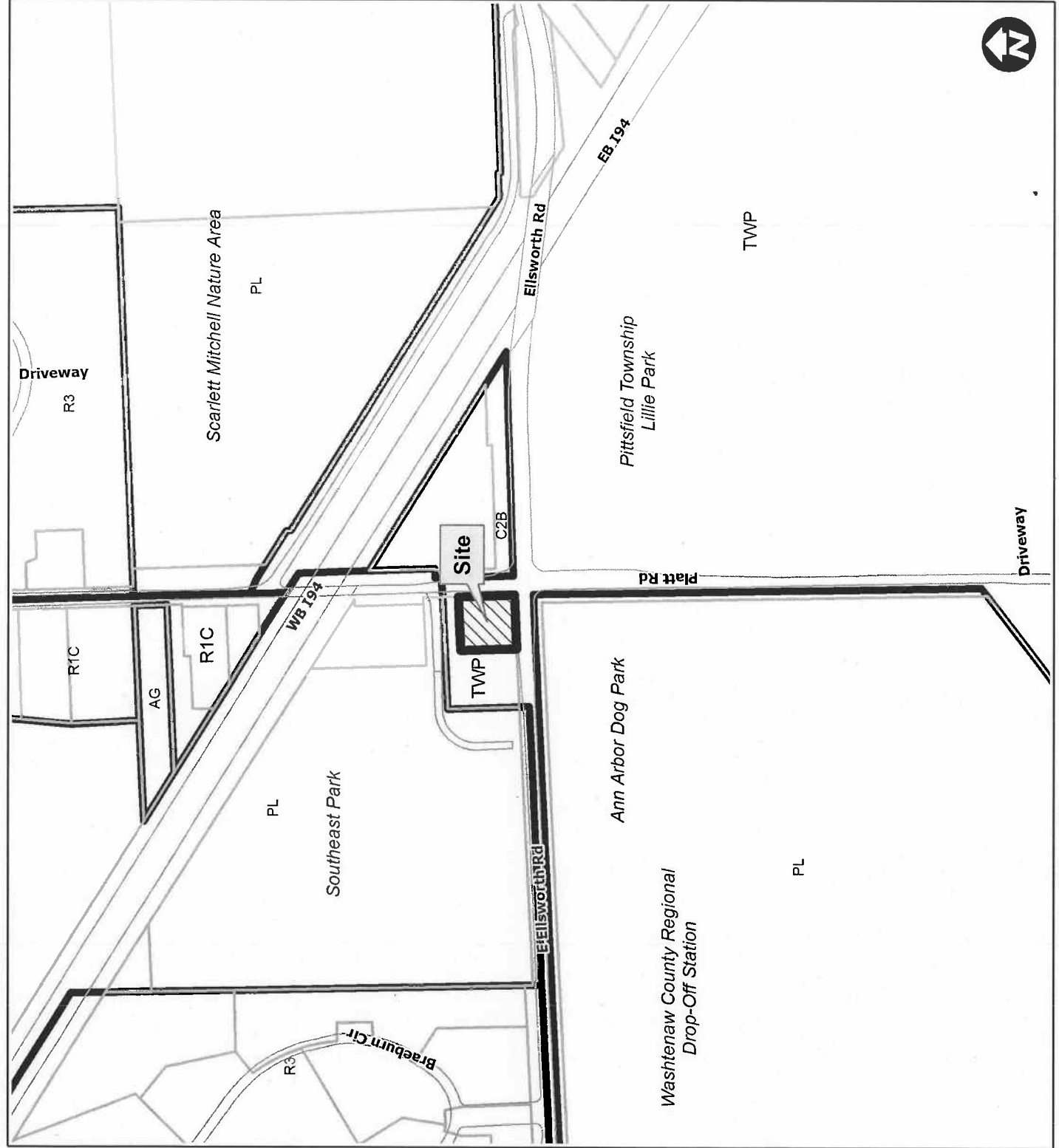
Attachments: Parcel and Zoning Map  
Aerial Photo  
Site Plan  
Elevations

c: Petitioner/Owner: Samaha & Jawich LLC  
Mr. Ihab Samaha  
3891 Platt Road  
Ann Arbor, MI 48108

City Attorney  
Systems Planning  
File Nos. A08-005, Z08-006, SP08-014

# Parcel and Zoning Map:

## "Retail Plaza" Annexation, Zoning and Site Plan



**Map Legend**

- Parcels
- Edge Of Pavement
- Railroads
- Zoning District Boundary



Copyright 2008 City of Ann Arbor, Michigan  
 No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.  
 This map complies with National Map Accuracy Standards for mapping contractors assume no legal representation for the content and/or inappropriate use of information on this map.



# Aerial Photo (2006):

## "Retail Plaza" Annexation, Zoning and Site Plan



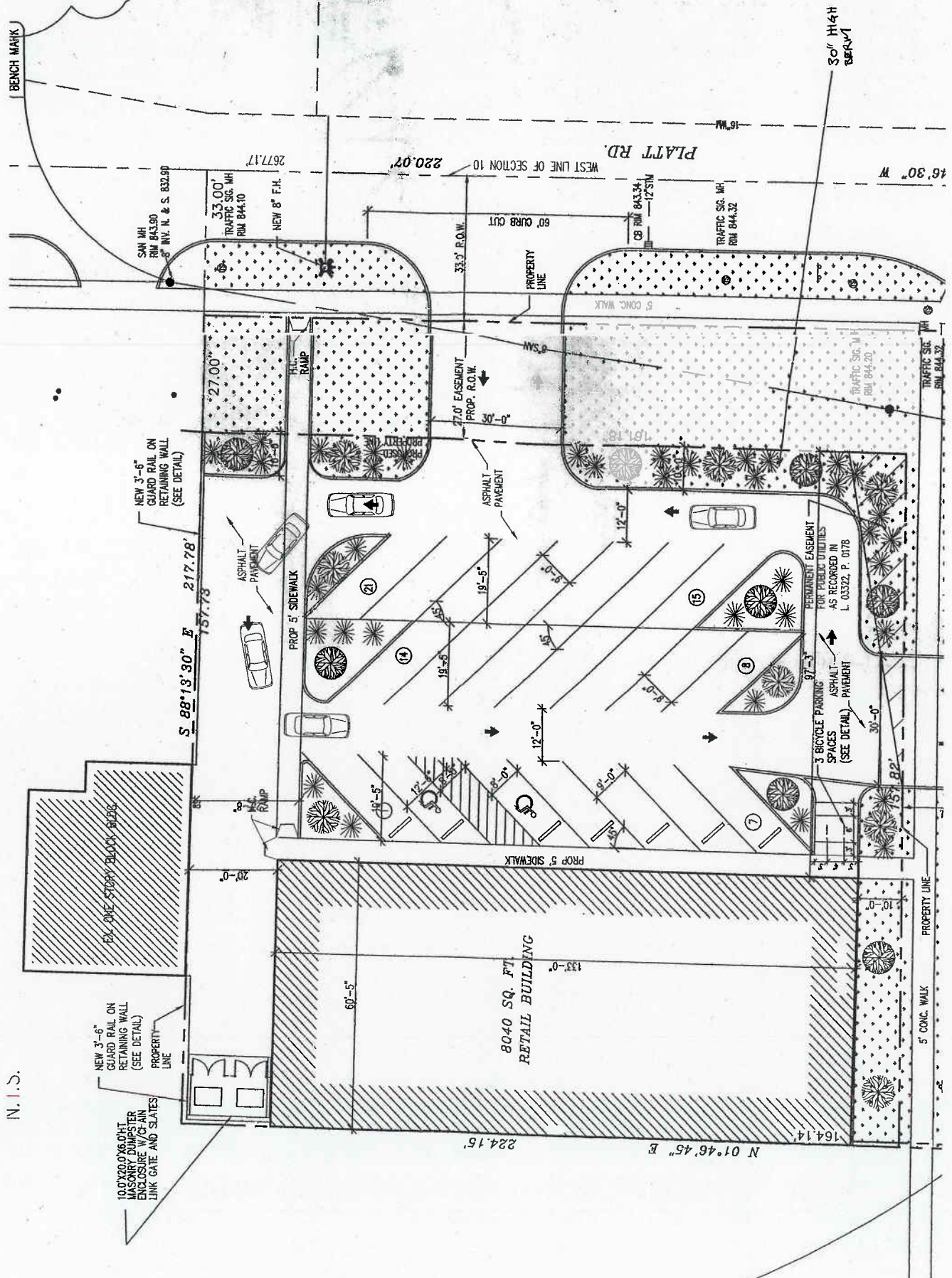
**Map Legend**  
—+— Railroads



Copyright 2008 City of Ann Arbor, Michigan  
No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.  
This map complies with National Map Accuracy Standards for mapping at 1:100,000. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information on this map.

N.I.S.

STREET FRONTAGE. AMOUNT TO BE PAID = 1 THIS AMOUNT TO BE PAID ISSUING BUILDING PERMITS



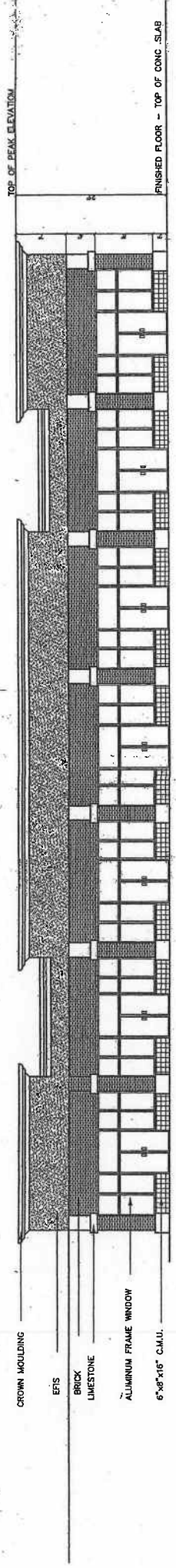
Code	Description
601	Medical
610	Hospital
620	Nursing Home
630	Chiropractic
640	Office
650	General Office
660	Medical Office
670	Medical Lab
680	Medical Store
690	Medical Office
700	Government
710	United States
720	Government
730	Government
740	Office Park
750	Research & Dev
760	Research & Dev
770	Research & Dev
780	Research & Dev
790	Research & Dev
800	Research & Dev
810	Research & Dev
820	Research & Dev
830	Research & Dev
840	Research & Dev
850	Research & Dev
860	Research & Dev
870	Research & Dev
880	Research & Dev
890	Research & Dev
900	Research & Dev
910	Research & Dev
920	Research & Dev
930	Research & Dev
940	Research & Dev
950	Research & Dev
960	Research & Dev
970	Research & Dev
980	Research & Dev
990	Research & Dev

SPOB-014  
 "Retail Plaza" Planned Project Site Plan

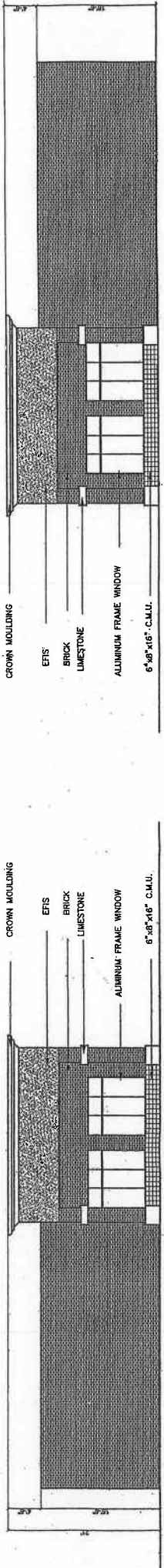
NT

BENCH MARK





WEST ELEVATION  
SCALE 1/8" = 1'



SOUTH ELEVATION  
SCALE 1/8" = 1'

SP08-014 "Retail Plaza" Planned Project Site Plan  
Architectural Elevations