

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of January 20, 2016

**SUBJECT: Banyan Court Site Condominium Site Plan for City Council Approval  
1654 South Maple Road  
File No. SP15-039**

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

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Banyan Court Site Condominium Site Plan and Development Agreement, subject to receiving approval by the Water Resources Commissioner and prior to scheduling for City Council action.

### **STAFF RECOMMENDATION**

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

### **STAFF REPORT**

The Planning Commission, following a public hearing, postponed action on this petition at their November 17, 2015 meeting to allow additional time to complete revised plan reviews and for the petitioner to address outstanding issues.

In order to address the Water Resources Commissioner's comments regarding the storm water management system, the plan has been revised to reduce the number of single-family homes proposed to allow for a significantly enlarged storm water management area on the west side of the site. Now 8 single-family homes are proposed on a private street as a site condominium, 10 previously.

The proposed private street is approximately 125 feet shorter and has a uniform width of 26 feet. The previously proposed parking bays on the south side of the street have been removed because on-street parking is not required when there are 8 or fewer lots. Also because of the removed parking bays, the private street buffer along the south side of the site is wider. It has a minimum width of 20 feet; the previous plan had a buffer ranging from 12 to 24 feet.

The proposed lots, which are site condominium units, still are at least 9,800-square feet each and provide at least the minimum required front, side and rear setbacks. The revised, reduced layout does not affect natural features any differently than before, 10 of the 17 existing landmark trees continue to be saved.

### **COMMENTS PENDING, DISMISSED OR UNRESOLVED**

Planning – The proposed site plan conforms to the Zoning Ordinance regulations for single-family homes in the R1C district and all other development review-related ordinances. The proposed land use is consistent with the future land use recommendation and the design incorporates some of the recommendations for residential neighborhood developments in the Master Plan Land Use Element. A draft development agreement has been prepared and is attached.

Forestry/Natural Resources – One proposed mitigation tree species, Concolor Fir, is not native to Michigan and must be changed. The landscape requirement chart must be revised for clarity, as well as the tree protection fence around two particular trees. These items can be addressed prior to scheduling for City Council action.

Engineering – The plans must be corrected to show the sanitary sewer flow mitigation to the nearest tenth. The developer should consider relocating the proposed fire hydrant to the north side of the private street so, in the event of a fire, the hoses would not cross the road and further block vehicular traffic. These items can be addressed prior to scheduling for City Council action.

Water Resources Commissioner – Revised plans have been submitted and initially appear to have addressed the major concerns previously identified. Our review will not be completed until after January 20, therefore, any recommendation should be subject to receiving preliminary plan approval from the Water Resources Commissioner prior to scheduling for City Council action.

Prepared by Alexis DiLeo  
Reviewed by Ben Carlisle  
1/15/2016

Attachments: Site Plan  
1/15/2016 Draft Development Agreement  
11/17/2015 Planning Staff Report

c: Petitioner: Ann Arbor Builders, Inc.  
202 East Madison Street  
Ann Arbor, MI 48104

Petitioner's Agent: Perimeter Engineering LLC  
Kathy Keinath  
11245 Boyce Road  
Chelsea, MI 48118

Owner: Donald C. Taylor Trust  
1654 South Maple Road  
Ann Arbor, MI 48103

Systems Planning

1654 South Maple Road  
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File No. SP15-039

**BANYAN COURT DEVELOPMENT AGREEMENT**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Ann Arbor, a Michigan Municipal Corporation, with principal address at 301 East Huron Street, Ann Arbor, Michigan 48107, hereinafter called the CITY; and 1654 South Maple Road LLC, a Michigan Limited Liability Company, with principal address at 202 East Madison Street, Ann Arbor, Michigan, 48104, hereinafter called the PROPRIETOR, witnesses that:

WHEREAS, the PROPRIETOR owns certain land in the City of Ann Arbor, described below and site planned as Banyan Court, and

WHEREAS, the PROPRIETOR has caused certain land in the City of Ann Arbor, described below to be surveyed, mapped and site planned as Banyan Court, and desires site plan and development agreement approval thereof, and

WHEREAS, the PROPRIETOR desires to build or use certain improvements with and without the necessity of special assessments by the CITY, and

WHEREAS, the CITY desires to insure that all of the improvements required by pertinent CITY ordinances and regulations be properly made, and that the PROPRIETOR will install these improvements prior to any permits being issued.

**THE PROPRIETOR(S) HEREBY AGREE(S):**

(P-1) To prepare and submit to the CITY for approval plans and specifications ("the Plans") prepared by a registered professional engineer for construction of public water and sanitary sewer mains, private storm water management systems, private streets, ("the Improvements") provided that no work on said Improvements shall be commenced until the Plans have been approved by the City Administrator or designee, and until such other relevant information to CITY service areas as shall be reasonably required has been provided.

(P-2) To construct all improvements set forth in Paragraph P-1 of this Agreement in accordance with the approved Plans and to repair all defects in the improvements that occur within one year from the date of acceptance of the Improvements by the CITY, commencing on the latest date of the acceptance of any Improvements by the CITY. If the PROPRIETOR fails to construct the improvements, the CITY may send notice via first class mail to the PROPRIETOR at the address listed above requiring it to commence and complete the improvements in the notice within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the PROPRIETOR, if the PROPRIETOR does not complete the work within the time set forth in the notice. Every owner of a portion of the property, including co-owners of condominium units, shall pay a pro-rata share of the cost of the work. That portion of the cost of the work attributable to each condominium unit shall be a lien on that Property and may be collected as a single tax parcel assessment as provided in Chapter 13 of the Ann Arbor City Code.

(P-3) To furnish, within 30 days of completion, an engineer's certificate that the construction of the public and private improvements set forth in Paragraph P-1 above have been completed in accordance with the specifications of the CITY in accordance with the approved plans. The engineer's certificate will cover only those items the PROPRIETOR'S engineer inspects.

(P-4) Prior to the issuance of building permits and recording the master deed, to deposit with a mutually acceptable escrow agent fully executed documents in a form acceptable to the CITY, which will convey, upon delivery to the CITY, easements for the construction and maintenance of public utilities and solid waste collection. The escrow agreement shall provide for delivery of the documents to the CITY solely upon the condition that the CITY has accepted the public Improvement to be conveyed by the easement.

(P-5) To provide, prior to the issuance of building permits, a signing plan to the Fire Department and install all street name signs according to CITY specifications and to provide and install such temporary warning signs during the construction period as are appropriate to protect the health, safety and welfare of the public. At the request of the PROPRIETOR, the CITY will provide and install all street name signs and invoice the PROPRIETOR for actual cost of installation.

(P-6) Prior to issuance of building permits for the condominium units, to install the condominium unit monuments and condominium unit corners or provide escrow funds to insure placement of monuments and condominium unit corners in accordance with section 125 of Public Act No. 288, Subdivision Control Act, for all condominium units and assign condominium unit numbers in the master deed that conform to those on the approved site plan.

(P-7) To install all water mains, storm sewers, and sanitary sewers and private streets, through the first course of asphalt, pursuant to CITY approved plans and specifications, necessary to connect the site with existing CITY systems adjacent to the site prior to the issuance of any building permits.

(P-8) To be included in a future special assessment district, along with other benefiting property, for the construction of additional improvements to South Maple Road, such as street widening, storm sewers, curb and gutter, sidewalks, bike paths, street lights, and the planting of trees along South Maple Road frontage when such improvements are determined by the CITY to be necessary. (A provision shall be included in the master deed of the project stating that if the CITY undertakes to establish a special assessment district to improve South Maple Road

each unit shall be assessed its pro rata share of the cost of improvements allocable to the Property.)

(P-9) To indemnify and hold the CITY harmless from any claims, losses, liabilities, damages or expenses (including reasonable attorney fees) suffered or incurred by the CITY based upon or resulting from any acts or omissions of the PROPRIETOR, its employees, agents, subcontractors, invitees, or licensees in the design, construction, maintenance or repair of any of the Improvements required under this Agreement and the approved site plan.

(P-10) To cause to be maintained General Liability Insurance and Property Damage Insurance in the minimum amount of \$1,000,000 per occurrence and naming the CITY as named insured to protect and indemnify the CITY against any claims for damage due to public use of the public improvement(s) in the development prior to final written acceptance of the public improvement(s) by the CITY. Evidence of such insurance shall be produced prior to any construction of improvement and a copy filed with the City Clerk's Office and shall remain in full force and effect during construction of the public improvement(s) and until notice of acceptance by the CITY of the Improvements.

(P-11) Existing landmark trees shown on the site plan as trees to be saved shall be maintained by the PROPRIETOR or each condominium unit owner in good condition for a minimum of three years after acceptance of the public improvements by the CITY or granting of Certificate of Occupancy or final approval of the unit. Existing landmark trees that are determined by the CITY to be dead, dying or severely damaged due to construction activity within three years after acceptance of the public improvements or granting of Certificate of Occupancy or final approval of the unit, shall be replaced by the PROPRIETOR as provided by Chapter 57 of the Ann Arbor City Code.

(P-12) For the benefit of the residents of the PROPRIETOR'S development, to make a park contribution of \$ 6,200.00 to the CITY Parks and Recreation Services Unit prior to the issuance of certificates of occupancy for improvements to a park within a ½ mile of the site, such as South Maple Park, Mushroom Park, Dicken Woods and Hansen Park.

(P-13) To deposit, prior to any building permits being issued, a street tree planting escrow account with the Parks and Recreation Services Unit in the form of a check payable to the City of Ann Arbor. The escrow amount shall be based on the CITY policy in effect at that time. The City Administrator may authorize the PROPRIETOR to install the street trees if planted in accordance with CITY standards and specifications. If the street trees are found to be acceptable by the CITY, the escrow amount will be returned to the PROPRIETOR one year after the date of acceptance by the CITY.

(P-14) To create an association composed of all owners of Banyan Court condominium, hereinafter called the "Association", in which membership shall be required by covenants and restrictions recorded as part of the master deed for Banyan Court. The association(s) shall be responsible for and shall execute the appropriate documents insuring perpetual maintenance and ownership of the landscape materials, exterior lighting, on-site storm water management system, private street, sidewalks and paths, and all other common elements.

(P-15) To construct, repair and/or adequately maintain on-site storm water management system. If the PROPRIETOR fails to construct, repair and/or maintain the private storm water management system, the CITY may send notice via first class mail to the PROPRIETOR at the address listed above, requiring it to commence and complete the items stated in the notice

within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the PROPRIETOR if the PROPRIETOR does not complete the work within the time set forth in the notice.

(P-16) After construction of the private on-site storm water management system, to maintain it until non-developer co-owners elect one or more directors to the Association's board of directors. Thereafter, by provision in the master deed, the Association shall own and maintain the storm water management system. Any proposed changes to the system must be approved by the City of Ann Arbor Systems Planning and Planning and Development Services Units. If the PROPRIETOR or Association, as appropriate, fails to maintain any portion of the system, the CITY may send notice via first class mail to the PROPRIETOR, or Association, at the address listed above, requiring it to commence and complete the maintenance stated in the notice within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the PROPRIETOR or Association if the PROPRIETOR or Association does not complete the work, as appropriate, within the time set forth in the notice. If the CITY completes the work, and the costs remain unpaid by the Association for 60 days after notice via first class mail, the CITY may bill each condominium unit for the pro rata share of the total cost, or assess the pro rata share of those costs to each condominium unit as a single tax parcel assessment as provided in Chapter 13 of Ann Arbor City Code. Provisions for maintenance and responsibility for the storm water management system, as well as the pro rata share of each condominium unit shall be included by the PROPRIETOR in the master deed.

(P-17) After construction of the private on-site storm water management system, to commission an annual inspection of the system by a registered professional engineer evaluating its operation and stating required maintenance or repairs, and to provide a written copy of this evaluation to the CITY Public Services Area.

(P-18) To prepare and submit to the Planning and Development Services Unit one copy of the Master Deed, along with the required review fee, prior to issuance of building permits.

(P-19) To design, construct, repair and maintain this development in accordance with the provisions of Chapter 119 (Noise Control) to ensure that any noise emanating from said development will not impact nearby residents or businesses. In addition, PROPRIETOR shall review existing noise sources surrounding said development and incorporate necessary design and construction techniques to ensure that future tenants will not be exposed to noise sources in violation of Chapter 119.

(P-20) To remove all discarded building materials and rubbish from the development at least once each month during construction of the development improvements, and within one month after completion or abandonment of construction.

(P-21) No lot in Banyan Court may be divided such that an additional building parcel is created.

(P-22) Prior to application for and issuance of certificates of occupancy, to disconnect \_\_\_two footing drains, which is based upon the uses currently existing on the Property and those currently contemplated by the Site Plan in accordance with the Guidelines for Completion of Footing Drain Disconnections, Table A, and adopted by City Council, August 18, 2003 and revised November 30, 2005 (the "Guidelines"), or to provide an alternative method of mitigation that results in an equivalent amount of sanitary flow removal, in accordance with the

Guidelines. In the event the actual intensity of uses contemplated by the Site Plan are either increased or decreased, City and PROPRIETOR agree to adjust the number of footing drains to be disconnected, or the amount of alternative mitigation to be provided, in accordance with the Guidelines. PROPRIETOR may be allowed to obtain partial certificates of occupancy for the development prior to the completion of all of the required footing drain disconnects on a prorated basis at the Discretion of the CITY Public Services Area.

(P-23) PROPRIETOR is the sole title holder in fee simple of the land described below except for any mortgage, easements and deed restrictions of record and that the person(s) signing below on behalf of PROPRIETOR has (have) legal authority and capacity to enter into this agreement for PROPRIETOR.

(P-24) Failure to construct, repair and/or maintain the site pursuant to the approved site plan and/or failure to comply with any of this approved development agreement's terms and conditions shall constitute a material breach of the Agreement and the CITY shall have all remedies in law and/or in equity necessary to ensure that the PROPRIETOR complies with the approved site plan and/or the terms and conditions of the approved development agreement. The PROPRIETOR shall be responsible for all costs and expenses including reasonable attorney fees incurred by the CITY in enforcing the terms and conditions of the approved site plan and/or development agreement.

(P-25) In addition to any other remedy set forth in this Agreement or in law or equity, if PROPRIETOR fails to make a timely or full payments to the CITY as set forth elsewhere in the Agreement to the CITY in the agreed upon manner, any unpaid amount(s) shall become a lien, as provided under Ann Arbor City Code and recorded with the Washtenaw County Register of Deeds, against the land described below and may be placed on the CITY tax roll as a single lot assessment, or if the development is converted to condominium ownership, every owner of a portion of the property shall pay a pro-rata share of the amount of the payments attributable to each condominium unit. If the unpaid amount(s), in whole or in part, has been recorded as a lien on the CITY'S tax roll and with the Washtenaw County Register of Deeds, upon payment of the amount in full along with any penalties and interest, the CITY, upon request, will execute an instrument in recordable form acknowledging full satisfaction of this condition.

(P-26) To pay for the cost of recording this Agreement with the Washtenaw County Register of Deeds, and to pay for the cost of recording all documents granting easements to the CITY.

**THE CITY HEREBY AGREES:**

(C-1) In consideration of the above undertakings, to approve the Banyan Court Site Plan.

(C-2) To use the park contribution described above for improvements to South Maple Park, Mushroom Park, Dicken Woods, and/or Hansen Park.

(C-3) To provide timely and reasonable CITY inspections as may be required during construction.

(C-4) To record this agreement with the Washtenaw County Register of Deeds.



**GENERAL TERMS**

Both the PROPRIETOR and the CITY agree as follows:

(T-1) This agreement is not intended to create a contractual right for third parties.

(T-2) This Agreement and any of its terms, conditions, or provisions cannot be modified, amended, or waived unless in writing and unless executed by both parties to this Agreement. Any representations or statements, whether oral or in writing, not contained in this Agreement shall not be binding on either party.

(T-3) This Agreement and any of its terms or conditions shall not be assigned or transferred to any other individual or entity unless prior approval of the CITY is received. Such approval shall not be withheld unreasonably.

(T-4) The obligations and conditions on the PROPRIETOR, as set forth above in this Agreement and in the approved site plan, shall be binding on any successors and assigns in ownership of the following described parcel:

***legal description(s) to be inserted here***

(T-5) In addition to any other remedy in law or in equity failure to comply with all of the above paragraphs on the part of the PROPRIETOR, or any part of the approved site plan, in part or in whole, shall give the CITY adequate basis and cause to issue a stop work order for any previously-issued building permits and shall be an adequate basis and cause for the CITY to deny the issuance of any building permits, certificates of occupancy, or any other permits unless and until the CITY has notified the PROPRIETOR in writing that the PROPRIETOR has satisfactorily corrected the item(s) the PROPRIETOR has failed to perform.

(T-6) This agreement shall be interpreted, enforced and governed under the laws of the State of Michigan and Ann Arbor City Code.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day first above written.

Witnesses:

\_\_\_\_\_

\_\_\_\_\_

CITY OF ANN ARBOR, MICHIGAN  
301 East Huron Street  
Ann Arbor, Michigan 48107

By: \_\_\_\_\_  
Christopher Taylor, Mayor

By: \_\_\_\_\_  
Jacqueline Beaudry, City Clerk

Approved as to Substance:

\_\_\_\_\_  
Steven D. Powers, City Administrator

Approved as to Form:

\_\_\_\_\_  
Stephen K. Postema, City Attorney

Witness:

\_\_\_\_\_

By: \_\_\_\_\_  
Alex De Parry, its managing member

STATE OF MICHIGAN    )  
                                  ) ss:  
County of Washtenaw    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Christopher Taylor, Mayor, and Jacqueline Beaudry, Clerk of the City of Ann Arbor, a Michigan Municipal Corporation, to me known to be the persons who executed this foregoing instrument, and to me known to be such Mayor and Clerk of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said Corporation by its authority.

\_\_\_\_\_  
NOTARY PUBLIC  
County of Washtenaw, State of Michigan  
My Commission Expires: \_\_\_\_\_  
Acting in the County of Washtenaw

STATE OF MICHIGAN    )  
                                  ) ss:  
County of Washtenaw    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person who executed the foregoing instrument, and acknowledged that he executed the foregoing instrument as his free act and deed.

---

NOTARY PUBLIC  
County of Washtenaw, State of Michigan  
My Commission Expires: \_\_\_\_\_  
Acting in the County of Washtenaw

DRAFTED BY AND AFTER RECORDING RETURN TO:  
Ann Arbor Planning & Development Services  
Post Office Box 8647  
Ann Arbor, Michigan 48107  
(734) 794-6265

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of November 17, 2015**

**SUBJECT: Banyan Court Site Condominium Site Plan for City Council Approval  
1654 South Maple Road  
File No. SP15-039**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Banyan Court Site Condominium Site Plan and Development Agreement.

**STAFF RECOMMENDATION**

Staff recommends that this petition be **postponed** to allow additional time to complete revised plan reviews and for the petitioner to address outstanding issues.

**LOCATION**

This site is located on the west side of South Maple Road between Jade Court and Country Village Court (West Area; Malletts Creek watershed; Ward 4).

**DESCRIPTION OF PROJECT**

The petitioner seeks approval to develop 10 single-family homes on a private street as a site condominium on a 2.75-acre site in the R1C (Single-Family Dwelling) district. The site is currently vacant but had a single-family home, a large pole barn and several small sheds until this past summer. The site also contains 17 landmark trees.

A private street is proposed along the south side of the site with a 12 to 24-foot wide conflicting land use buffer between it and the neighboring single-family development to the south. The private street includes three bays for 10 on-street parallel parking spaces on the south side and a sidewalk along the length of the north side.

The proposed lots, which are actually site condominium units, range in size from 9,817 square feet to 13,075 square feet. Each of the lots can accommodate a two-story home of 2,000-square feet or more, including a two-car attached garaged. Minimum required front, side and rear setbacks are achieved with each lot.

Ten of the 17 existing landmark trees on the site are proposed to be saved. All but one of the saved landmark trees are within the setback area, not the buildable envelope, of the proposed lots. Mitigation trees for the removed landmark trees will be planted on-site. Whether additional

mitigation trees must be planted in a city park or a donation to the street tree fund is required to satisfy the total amount of mitigation is still being evaluated.

Soils on the site have very limited infiltration capacity and the site is within the upper reaches of the Malletts Creek watershed. Therefore, the proposed storm water management plan utilizes a series of rain gardens and bioswales to act as forebays and provide a treatment train approach. An underground detention system has been sized for detention of 120% of the required volume. The Washtenaw County Water Resources Commissioner’s office is reviewing and will approve the storm water management system.

The petitioner has offered a contribution of \$6,200.00 for parkland instead of a providing an on-site playground or donating land to the parkland system.

One AAATA route serves the site with a stop on the east side of South Maple Road at Dicken Drive, approximately 300 feet south of the site. The estimated project cost is \$4,000,000.

**COMPARISON CHART**

		<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED</b>
Zoning		R1C (Single-Family)	R1C	R1C
Lot Area		120,661 sq ft (2.77 ac)	9,817 sq ft MIN	7,200 sq ft MIN
Density		0.4 dwelling units/acre	4 dwelling units/acre	6 dwelling units/acre MAX
Lot Width		163 ft	60 ft MIN	60 ft MIN
Setbacks	Front	70 ft	25 ft MIN from public ROW, 20 ft MIN to edge of private street pavement	25 ft MIN to ROW 10 ft MIN to edge of private street pavement
	Side	70 ft north side 50 ft south side	5 ft MIN	5 ft MIN
	Rear	600 ft	30 ftMIN	30 ft MIN
Height		20 ft approximately	30 ft MAX	30 ft MAX

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
<b>NORTH</b>	Single-Family Dwellings	R1C (Single-Family Dwelling)
<b>EAST</b>	Single-Family Dwellings	R1C
<b>SOUTH</b>	Single-Family Dwellings	R1C
<b>WEST</b>	I-94, Scio Township	TWP

### PLANNING BACKGROUND

This site is located in the West planning area. The Master Plan Land Use Element recommends continuing single or two-family residential uses for the site and the surrounding area.

Chapter 5 of the Land Use Element addresses community oriented design and includes a section design to help ensure that future development projects are designed with the larger community in mind (see page 26). Particularly applicable design elements in that section for the proposed development include:

- Front Porches – usable front porches should be provided in new residential neighborhoods to enhance the sense of community and increase neighborhood security by increasing surveillance.
- Garages – garage doors should be located behind or no closer to the street than the front of the house to encourage pedestrian and bicycle safety, encourage a pedestrian oriented neighborhood and reduce the image of a garage dominated streetscape. Garages should not be the dominant feature along the streetscape.

All four (4) submitted home models show a projected garage. The applicant should offer a non-projected garage model to be consistent with the Master Plan.

### COMMENTS PENDING, DISMISSED OR UNRESOLVED

Planning – A draft development agreement is still being prepared and will be finalized when all outstanding issues noted by staff have been resolved so that the appropriate details may be included.

Forestry/Natural Resources – The revised plans are still being reviewed by staff. Confirmation that the revisions, or additional comments that must be addressed, are pending.

Engineering – Staff has identified additional revisions that must be made to the proposed plans involving the proposed street and utility easements on the site, relationship of the bioswales and rain gardens with public utility easements, sanitary sewer mitigation calculations and modeling.

Water Resources Commissioner – Further revisions to the proposed storm water management plan have been requested.

Malletts Creek Coordinating Committee – The MCCC provided suggestions on the originally submitted proposed development and storm water management plan, including no net increase to the rate or volume of water directed to Malletts Creek and utilizing a treatment train approach. A treatment train approach has been incorporated into the stormwater management design.

Traffic – The revised plans are still being reviewed by staff. Confirmation that the revisions, or additional comments that must be addressed, are pending.

Solid Waste/Recycling – The revised plans are still being reviewed by staff. Confirmation that the revisions or additional comments that must be addressed are pending.

Fire Marshal – The revised plans address previous staff comments and may be approved.

Parks – The park contribution will be used for parks within a ½-mile of the site: South Maple Park, Mushroom Park, Dicken Woods and Hansen parks.

Prepared by Alexis DiLeo

Reviewed by Ben Carlisle

11/13/2015

Attachments:   Zoning Map  
                    Aerial Photo  
                    Site Plan

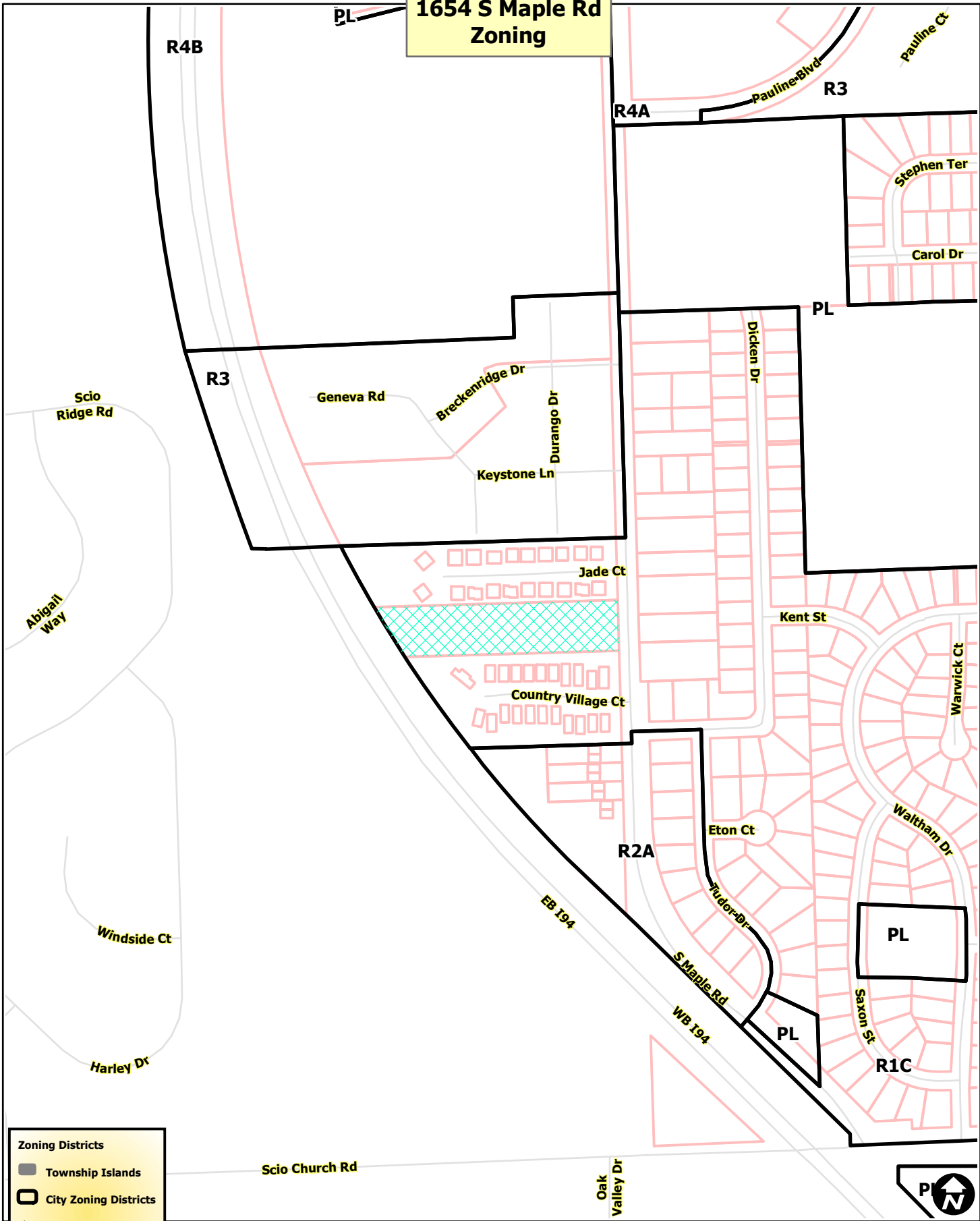
c:     Petitioner: Ann Arbor Builders, Inc.  
                    202 East Madison Street  
                    Ann Arbor, MI 48104

Petitioner's Agent:   Perimeter Engineering LLC  
                                    Kathy Keinath  
                                    11245 Boyce Road  
                                    Chelsea, MI 48118

Owner:     Donald C. Taylor Trust  
                    1654 South Maple Road  
                    Ann Arbor, MI 48103

Systems Planning  
File No. SP15-039

**1654 S Maple Rd Zoning**



**Zoning Districts**

- Township Islands
- City Zoning Districts
- Railroads
- Parcels
- Huron River

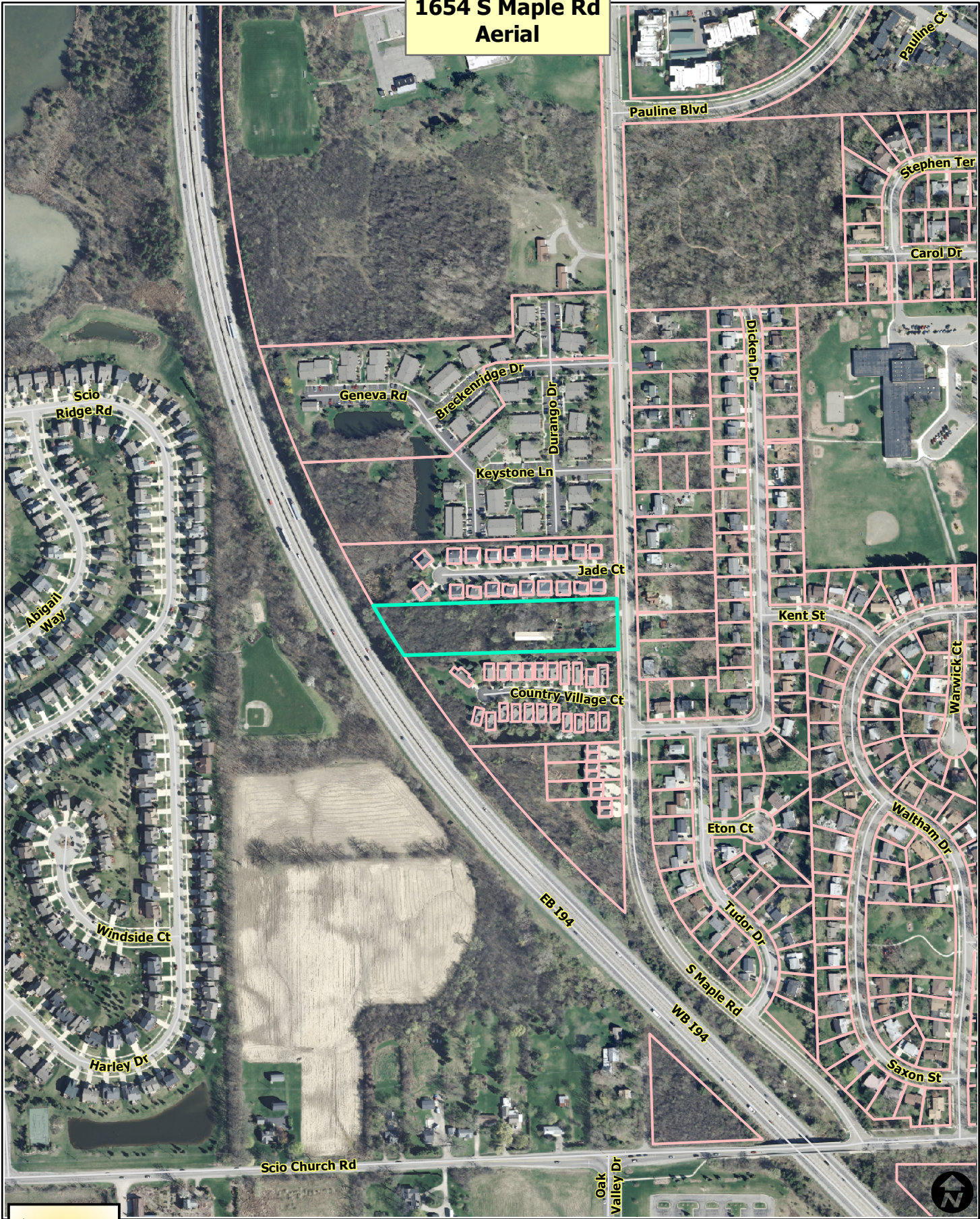


Map date 6/24/2015  
 Any aerial imagery is circa 2012 unless otherwise noted  
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# 1654 S Maple Rd Aerial



- Railroads
- Parcels
- Huron River



Map date 6/24/2015  
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# 1654 S Maple Rd Aerial



- Railroads
- Parcels
- Huron River



Map date 6/24/2015  
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# BANYAN COURT

## 1654 SOUTH MAPLE ROAD CITY OF ANN ARBOR, WASHTENAW COUNTY SITE PLAN SP15-039

DEVELOPER/PETITIONER:  
ANN ARBOR BUILDERS, INC.  
ALEX DE PARRY  
202 EAST MADISON  
ANN ARBOR, MI 48104  
PHONE: 734-781-8980

OWNER:  
DONALD C. TAYLOR TRUST  
THOMAS DEW  
1654 S. MAPLE  
ANN ARBOR, MI 48108

ENGINEER/PETITIONER'S AGENT:  
PERIMETER ENGINEERING, LLC  
KATHY KEINATH, P.E.  
11246 BOYCE ROAD  
CHELSEA, MICHIGAN 48118  
PHONE: 734-216-8941

LANDSCAPE ARCHITECT:  
O'REILLY LANDSCAPE DESIGN, INC.  
12081 PRINCENWOOD DR  
FENTON, MI 48430  
PHONE: 734-278-8448

SURVEYOR:  
ARBOR LAND CONSULTANTS  
PAUL SCHWIMMER  
2636 MADRONO  
ANN ARBOR, MI 48108  
PHONE: 734-666-2980

### COMMUNITY ANALYSIS

THE PROPOSED PROJECT IS LOCATED ON SOUTH MAPLE ROAD BETWEEN HAYDON COURT AND COUNTRY VILLAGE COURT. THE SITE CONTAINS ONE LOT THAT IS ZONED R1C. THE EXISTING USE IS SINGLE FAMILY RESIDENCE. THE PROPOSED USE IS RESIDENTIAL AND WILL BE MARKETED TO EMPTY NESTERS. THE PROPERTY TO THE WEST, EAST AND SOUTH IS CURRENTLY ZONED RESIDENTIAL. THE I-94 EXPRESSWAY IS LOCATED DIRECTLY TO THE WEST OF THE PROPERTY. THE PROPOSED DEVELOPMENT WILL NOT IMPACT PUBLIC SCHOOLS, AIR OR WATER QUALITY.

THE PROPOSED DEVELOPMENT WILL BE AN IMPROVEMENT TO THE EXISTING SITE WHICH INCLUDES TWO OLDER, UNMAINTAINED BUILDINGS AND DETORATED RETAINING WALLS. THE PROJECT WILL BE HARMONIOUS WITH THE OTHER PROPERTIES IN THE NEIGHBORHOOD AND SPECIFICALLY THE PROPERTIES TO THE SOUTH AND NORTH OF THE SITE THAT CONSIST OF SIMILAR LAYOUTS.

### DEVELOPMENT PROGRAM

THIS PROJECT INCLUDES THE DEVELOPMENT OF A 2.77 ACRE PARCEL LOCATED ON THE WEST SIDE OF MAPLE ROAD SOUTH OF THE INTERSECTION OF PAULINE BOULEVARD TO CREATE 10 LOTS FOR SINGLE FAMILY HOMES ALONG A PRIVATE STREET. EACH HOME WILL BE APPROXIMATELY 1,800 SQ. FT. AND DEVELOPED AS SITE CONDOMINIUMS. THE HOMES WILL BE A MIX OF 1-1/2 STORY AND 2 STORY HOMES CONSISTENT WITH THE SIZE AND CHARACTER OF THE NEIGHBORING CONDOMINIUM PROPERTIES LOCATED IMMEDIATELY NORTH AND SOUTH OF THE PROPERTY. DUE TO THE PROXIMITY OF THE I-94 HIGHWAY WEST OF THE PROPERTY, A BUFFERING AREA TO INCLUDE BERMING AND DEVELOPMENT HAS BEEN PLANNED TO PROVIDE ADEQUATE PARKING, INGRESS AND EGRESS, STORM WATER MANAGEMENT FACILITIES, PEDESTRIAN CONNECTIONS AND ALL OTHER REQUIRED SITE ELEMENTS. THE SITE IS TO BE DEVELOPED IN ONE PHASE. THE PROPOSED PROJECT IS SCHEDULED TO BEGIN UPON APPROVAL AND COMPLETED BY 2017. CONSTRUCTION COST ARE CURRENTLY ESTIMATED TO BE \$4,000,000.

STATEMENT OF INTEREST IN LAND:  
ANN ARBOR BUILDERS IS ACTING AS THE PETITIONER AND DEVELOPER OF THE SITE.

### TRAFFIC IMPACT ANALYSIS

VEHICULAR, PEDESTRIAN AND BICYCLE ROUTES ARE SHOWN ON THE PLANS. NO TRUCK TRAFFIC TO THE SITE IS ANTICIPATED. BASED ON THE INSTITUTE OF TRANSPORTATION ENGINEERS COMMON TRIP GENERATIONS FOR DETACHED HOUSING OF 1.00 TRIP PER UNIT, THE SITE WILL GENERATE 10 TRIPS PER PM PEAK HOUR. NO TRAFFIC STUDY IS REQUIRED BASED ON CITY CODE.

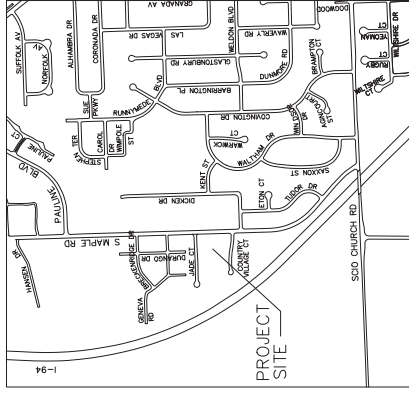
### SOLID WASTE DISPOSAL PLAN

THE DEVELOPMENT PROPOSES TO PROVIDE REUSE AND RECYCLING CARTS FOR EACH BUILDING UNIT THAT WOULD BE PLACED CURBSIDE FOR PICKUP BY THE CITY OF ANN ARBOR.

**SOIL EVALUATION**  
THE SOILS ON THE SITE ARE MIAMI SERIES (mb). THE SOILS ARE CLASSIFIED AS HYDRAULIC SOILS GROUP IS. ON SITE THERE ARE REVERSED SLOPES LOCATED IN THE REAR OF THE PROPERTY. THESE TESTS WERE PERFORMED IN COORDINATION WITH THE WASHTENAW COUNTY WATER RESOURCES COMMISSIONERS OFFICE.

### NATURAL FEATURES

THERE ARE NO FLOODPLAINS, WOODLAND OR WETLANDS ON THE SITE. THERE ARE REVERSED SLOPES LOCATED IN THE REAR OF THE PROPERTY. CONSULTANT AND LANDSCAPE ARCHITECT HAS BEEN PROVIDED TO VERIFY THAT NO WOODLANDS OR WETLANDS ARE LOCATED ON THE PROPERTY. THE PROPOSED LAYOUT WAS SELECTED TO MINIMIZE DISTURBANCE TO THE LANDMARK TREES. REPLACEMENT TREES HAVE BEEN PROVIDED AS ALLOWED BY CODE. THE LANDMARK TREES ARE SHOWN ON THE EXISTING CONDITIONS PLAN AND ALTERNATIVE ANALYSIS PLAN.



LOCATION MAP  
N.T.S.

**LEGAL DESCRIPTION:** TAX ID 09-08-98-400-001 Commencing at the East 1/4 Corner, Section 36, Township 2 South, Range 5 East, Seco Township, Washtenaw County, State of Michigan; thence S00°07'50"W 1026.50 feet along the east line of said Section and the centerline of South Maple Road; thence S89°32'30"W 33.00 feet for a Place of Beginning; thence continuing along the north line of Country Village Condominiums as recorded in Washtenaw County Condominium Subdivision Plan 145; thence along the easterly right-of-way line of Interstate 94 highway nontangentially 189.28 feet along the arc of a 3674.72 foot radius circular curve concave to the northeast, having a central angle of 02°57'05", and a chord which bears N29°33'34"W 189.28 feet; thence N89°47'30"E 780.76 feet (previously recorded as 780.14 feet) along the south line of Morningdale Condominiums as recorded in Washtenaw County Condominium Subdivision Plan 163; thence S00°07'30"W 1633.8 feet along the west right-of-way line of said South Maple Road to the Place of Beginning; Being a part of the SE 1/4 of said Section 36 and containing 2.77 acres of land, more or less.

**ANN ARBOR BUILDERS, INC.**  
SHEET NO. 8P-01  
DATE 11-1-15  
SCALE N.T.S.  
DR. K.K. CH. K.K.

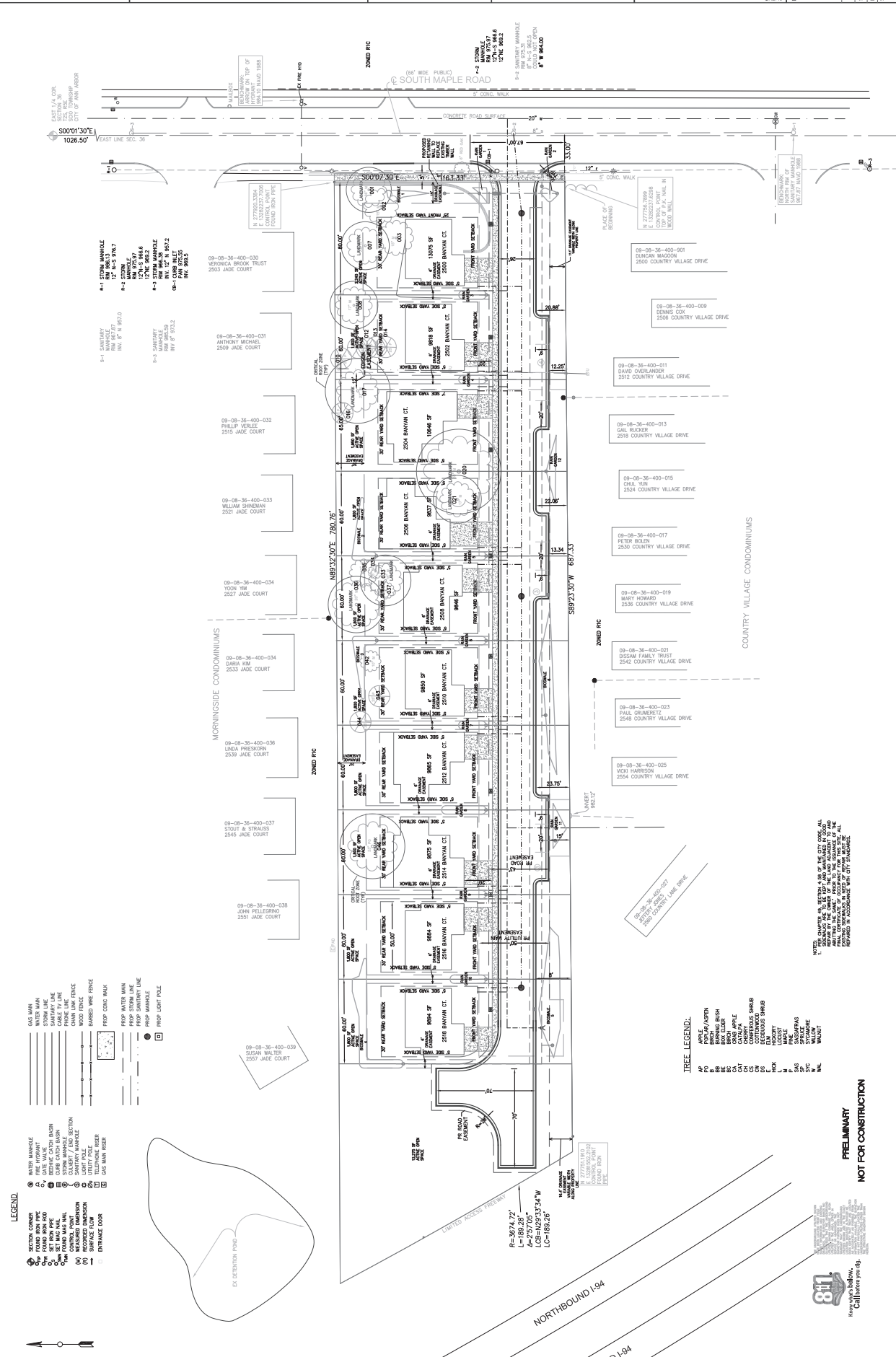
**SHEET INDEX**

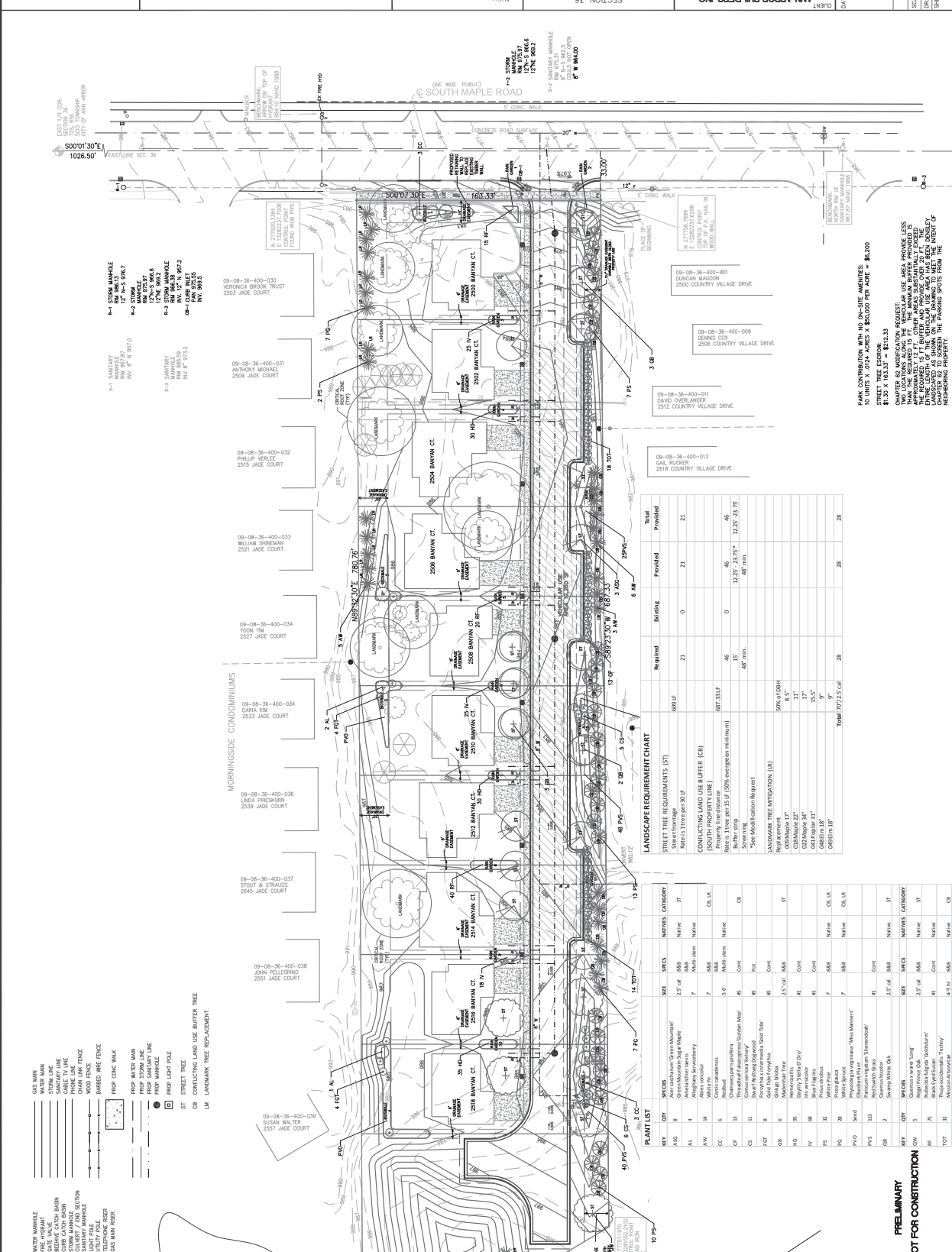
SP-01	COVER
SP-02	EXISTING CONDITIONS
SP-03	LAYOUT PLAN
SP-04	GRADING AND UTILITIES PLAN
SP-06	LANDSCAPE PLAN
SP-08	SOIL EROSION CONTROL PLAN
SP-07	STORM WATER MANAGEMENT PLAN
SP-08	NATURAL FEATURES ANALYSIS
SP-09	DETAILS
SP-10	ELEVATIONS AND FLOOR PLANS
SP-11	PHOTOMETRICS



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**LANDSCAPE REQUIREMENT CHART**

STREET TREE REQUIREMENTS (ST)	Required	Existing	Provided	Total Provided
STREET TREE PER 100 LF	21	0	21	21
CONJECTURING LAND USE BUFFER (CLB)	46	0	46	46
Property line distance	13,227.75'	13,227.75'	13,227.75'	13,227.75'
Minimum 1 tree per 15 LF (50% evergreen minimum)	487 trees	0	487 trees	487 trees
Screening	487 trees	0	487 trees	487 trees
*See Model Elevation Request.				
LANDMARK TREE MITIGATION (LBT)				
Ref: adjacent				
003 Maple 17'				
002 Maple 17'				
022 Maple 34'				
041 Poplar 31'				
046 Elm 18'				
<b>Total 707/2.5 cal</b>	<b>28</b>	<b>0</b>	<b>28</b>	<b>28</b>

**PLANT LIST**

KEY	QTY	SPECIES	SIZE	SPKS	MATURE CATEGORY
AGS	8	Green Mound Juniper	2' F. B&B	Native	ST
AL	4	Arbutus Menziesii	7' Multi stem	Native	CLB
AWF	14	Arbutus Menziesii	7' Multi stem	Native	CLB
CC	6	Cornus canadensis	5' F	Native	CLB
CP	13	Thornless Blackberry	5' F	Native	CLB
CS	11	Downy Woodpecker	5' F	Native	CLB
FEF	8	Green Mound Juniper	2' F. B&B	Native	ST
GB	6	Green Mound Juniper	2' F. B&B	Native	ST
GD	58	Downy Woodpecker	5' F	Native	CLB
IV	58	Downy Woodpecker	5' F	Native	CLB
PS	12	White Pine	7' B&B	Native	CLB
PD	28	Downy Woodpecker	5' F	Native	CLB
PVO	28	Downy Woodpecker	5' F	Native	CLB
PVS	12	Downy Woodpecker	5' F	Native	CLB
OB	2	Downy Woodpecker	5' F	Native	CLB
QTY	5	Quercus macrocarpa	2' F. B&B	Native	ST
QTY	75	Black-eyed Susan	4.5' B&B	Native	CLB
TOT	12	Mission Blackberry	4.5' B&B	Native	CLB

**PRELIMINARY**  
**NOT FOR CONSTRUCTION**

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11-1-15  
 DATE 9-28-15  
 SCALE N.T.S.  
 DR. K.K. CH. K.K.  
 SHEET NO. SP-10

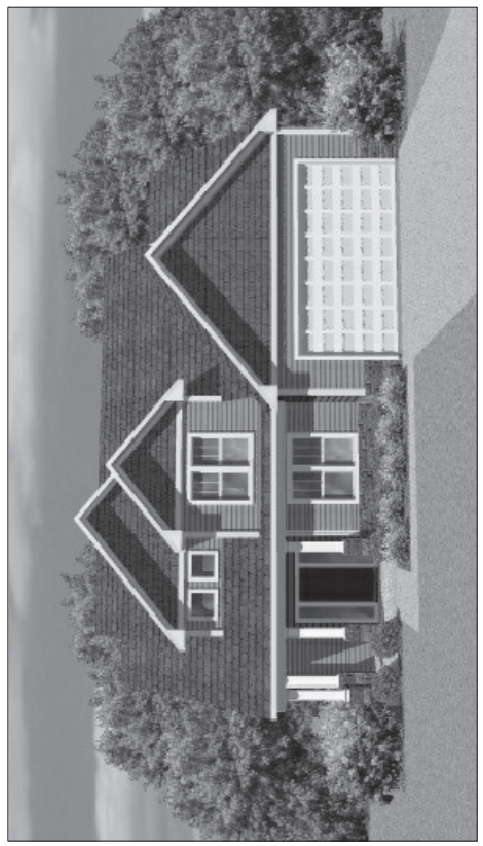
CLIENT  
**ANN ARBOR BUILDERS, INC.**  
 BANYAN COURT  
 SITE PLAN  
 ELEVATIONS AND FLOOR PLANS

SECTION 36  
 TOWN 2 SOUTH, RANGE 5 EAST  
 CITY OF ANN ARBOR  
 WASHTEWAW COUNTY, MI

Model:  
 Construction site only in the  
 presence of the architect.  
 The architect shall be  
 responsible for obtaining all  
 necessary permits and  
 approvals in the work of any  
 contractor, or of any other person.

**PERIMETER**

PERIMETER ENGINEERING LLC  
 CHELSEA MI 48118  
 1166 SERVICE ROAD  
 734-216-9941



NOTE:  
 THE FLOOR PLANS ILLUSTRATED HEREIN ARE FOR CONCEPTUAL PURPOSES TO  
 ILLUSTRATE THE GENERAL DESIGN INTENT AND RELATIVE HOME SIZE PROPOSED  
 FOR THE MARKET AREA. THE FLOOR PLANS ARE SUBJECT TO MODIFICATION  
 BASED ON MARKET CONDITIONS, BUYER PREFERENCES AND CUSTOMIZATION FOR  
 SPECIFIC LOT PLANNING CRITERIA.

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**MASSING ELEVATION**

