

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of August 5, 2015

**SUBJECT: 2435 S. Main Street Rezoning and Area Plan Waiver
(2435 S. Main St.)
File No. Z15-005**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 2435 S. Main St. Rezoning from R1B (Single-Family Dwelling) to O (Office).

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby waives the Area Plan requirement, as no new construction is proposed and a survey of the existing improvements on the site has been provided.

STAFF RECOMMENDATION

Staff recommends that the rezoning request be **approved**, because the O (Office) zoning district will allow for uses that are compatible with the nearby multiple-family dwelling, office and retail uses and character of the area.

Staff recommends that the area plan waiver be **approved**, because no new construction to the building is proposed and an accurate survey of the existing conditions and site configuration has been provided by the petitioner.

LOCATION

The parcel is located on the east side of South Main Street, south of the Ann Arbor-Saline Road/South Main Street intersection. This site is located in the Malletts Creek watershed.

DESCRIPTION OF PETITION

The petitioner seeks to rezone this 0.38 acre lot from R1B (Single-Family Dwelling District) to O (Office) to allow for use as a local property management real estate office. The property currently contains a 1,132 square foot single-family dwelling, as well as a storage building. The only improvements anticipated are those necessary to meet building code requirements for a change in use.

In order to meet the automobile and bicycle parking requirements for the Office district, the petitioner proposes to provide four parking spaces by widening the driveway slightly on the south and striping the existing paved area in front of the storage building. One of the four

parking spaces will be barrier free. The one required bicycle parking space will be provided in the existing storage building.

Because no new floor area is proposed, the petitioner seeks to waive the area plan requirement, consistent with the standards of Chapter 57 (Land Use and Subdivision Control). A survey has been provided.

A citizen participation meeting was held on June 8, 2015 and the petitioner indicated that one individual attended and supported the proposed rezoning.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Multiple-Family Residential and Office	R4B (Multiple Family Dwelling) and O (Office)
EAST	Multiple-Family Residential	R4B
SOUTH	Multiple-Family Residential	R4B
WEST	Multiple-Family Residential	R4B

COMPARISON CHART

	EXISTING	PROPOSED	PERMITTED/ REQUIRED (EXISTING ZONING)	PERMITTED/ REQUIRED (PROPOSED ZONING)
Zoning	R1B (single-family dwelling district)	O (Office)	R1B	O
Setback – Front	88 ft	88 ft	30 ft MIN	15 ft MIN MAX - None*
Setback – Sides	North- 27.5 ft West- 31 ft	North- 27.5 ft ** West- 31 ft	MIN one side – 5ft MIN total sides – 14 ft	30 ft MIN***
Setback – Rear	130 ft	130 ft	40 ft MIN	30 ft MIN***
Building Height	2 story	2 story	30 ft MAX	55 ft MAX****
Parking – Automobile	2 spaces	4 spaces	1 space	4 spaces MIN 5 spaces MAX
Parking – Bicycle	0 space	1 space	0 space	1 space

- * In the Office District, required maximum front setback is 40 ft for new freestanding buildings constructed or site planned after January 16, 2011, otherwise none.
- ** Existing nonconforming
- *** In the Office District, required setback is 30 ft where abutting residentially zoned land.
- **** In the Office District, any area on a parcel extending 300 ft from an abutting residentially zoned land, the maximum height limits are 55 ft and 4 stories.

HISTORY

The existing single-family dwelling was constructed in Pittsfield Township in 1926. The parcel was annexed into the City on June 26, 1997. The parcel was rezoned from TWP (Township) to R1B (Single-Family Dwelling District) on August 19, 1997.

PLANNING BACKGROUND

For a 65 acre area located east of South Main Street and south of the U of M Golf Course, the Master Plan: Land Use Element states, "single-family attached and multiple-family dwellings are recommended with additional neighborhood parkland to serve the residences. Higher residential densities of up to 15 dwellings per acre can be supported if greater street access and parkland are available."

The Non-motorized Transportation Plan recommends in-street bike lanes and a sidewalk in the right-of-way in front of the site. Both have been installed.

APPLICATION FOR CHANGES IN OR ADDITIONS TO THE ZONING CHAPTER

1. The extent to which the zoning/rezoning requested is necessary:

We hereby request rezoning of 2435 S Main in order to operate J Keller Properties, LLC a local Property Management and Residential Real Estate office.

2. This zoning/rezoning will affect the public welfare and property right of persons located in the vicinity in the following ways:

There will be no affects on the surrounding properties/persons. There are no building permits requested or any construction planned.

3. This zoning/rezoning will be advantageous to the City of Ann Arbor in the following ways:

The subject property is one of the last two parcels zoned SFH in a large radius. Property is surrounded by Office, Commercial, Shopping, Athletic, University, and Church property.

4. This particular location will meet the convenience and service requirements of potential users or occupants in the following ways:

Property is on S Main Street and will be centrally located for J Keller Properties activities as a property manager and real estate brokerage.

5. Any changed or changing conditions in any particular area, or in the municipality generally which may have bearing on the proposed zoning/rezoning are:

The land use of this corridor has changed dramatically over the last 50 years from quiet to a bustling business corridor with shopping centers; offices; sport complexes, apartment communities, and a mall.

6. Other circumstances and factors which will further justify the requested zoning/rezoning are:

We do not intend to make any changes.

STAFF COMMENTS

Planning:

Zoning Request – Staff concurs with the petitioner that conditions have changed in the area since the South Area Plan recommended residential uses in 1990. Since that time, a number of multiple-family projects have been constructed in the immediate vicinity, a large shopping center exists to the west, traffic has increased along South Main Street, and the overall character of the area has changed from primarily agricultural to urban uses.

The intent of the Office District, as defined in Chapter 55, is a district applied as a transitional use buffer between residential uses and uses which would be incompatible in direct contact with residential uses. Along with the parcels to the north of the site (2385 and 2405 South Main Street) that were rezoned from R1C (Single-Family Dwelling District) to Office District in 2001, this parcel could function as a buffer between the multiple-family residential zoning and the commercial uses to the west side of South Main Street and from South Main Street itself. The rezoning to Office will allow for office uses as well as residential uses. In addition, the modest size of the lot is well suited for small office use, such as the proposed real estate office.

Area Plan – Staff supports the request to waive the area plan. There are no planned improvements to the house other than those necessary to meet building code requirements for a change in use. The site can accommodate the four minimum required parking spaces.

Engineering: City Code Chapter 47, Section 4:20 states the following provisions for drive approaches: Driveways for uses other than single and two family uses shall have a driveway opening width that is a minimum of twenty-four feet and maximum of thirty feet. The existing driveway opening width does not meet this requirement. In recognition of this existing, non-conforming condition, it is acceptable for the driveway to remain and may require modification at the time maintenance or repair is required or any site modifications.

Prepared by Lesley Rivera
Reviewed by Wendy Rampson
7/30/15

Attachments: Citizen Participation Meeting Report
Zoning/Parcel Maps
Aerial Photo
Mortgage Survey
Proposed Parking Arrangement

c: Petitioner's Agents: Jonathon Keller
1708 Maryfield Dr
Ann Arbor, MI 48103

Owners: J Keller Properties, LLC
PO Box 2093
Ann Arbor, MI 48103

City Assessor
Systems Planning
File No. Z15-005



Citizen Participation Meeting- Summary

Who: J Keller Properties, LLC

What: CPO to propose Rezoning of subject property 2435 S Main st from Res to Office

Where: Held at the Subject Property

When: 6/8/2015; 6pm

Why: Rezoning proposal

Summary of Meeting:

One citizen (Joann Coughlin- neighbor) came to meeting and was in full support of the rezoning.

Return Address
J Keller Properties, LLC
PO Box 2093
Ann Arbor MI 48106

Presorted
First-Class Mail
US Postage
PAID
VistaPrint
48174

11101 Metro Airport Ctr Dr
Ste 105
Romulus, MI 48174

Proposed Rezoning for 2435 S Main, Ann Arbor
In accordance with the City of Ann Arbor's Citizen Participation Ordinance, you are being notified that a proposal for Rezoning will be submitted to the City of Ann Arbor's Planning Department. Details about how you can learn more and comment upon this project are described on the opposite side of this card. Visit www.a2gov.org/participation for more information about citizen participation in Ann Arbor.



CURRENT RESIDENT
OR CURRENT RESIDENT
163 HARBOR WAY VAC
ANN ARBOR, MI 48103-6632



NOTICE OF REZONING- 2435 S Main St, Ann Arbor

Citizen Participation Meeting

Postcards are sent to all property owners within 1000 feet of a project site to give notice that a project petition will be submitted on 6/18/2015. This postcard is intended to invite you to contact project developers so that you can learn, ask questions, and express concerns regarding the proposed project. Your comments will be considered by the developer when finalizing plans and then incorporated into a report for City Planning Commission. This meeting will take place at **6pm on Monday, 6/8/2015** at the subject property:

Project Location



2435 S Main St, Ann Arbor MI

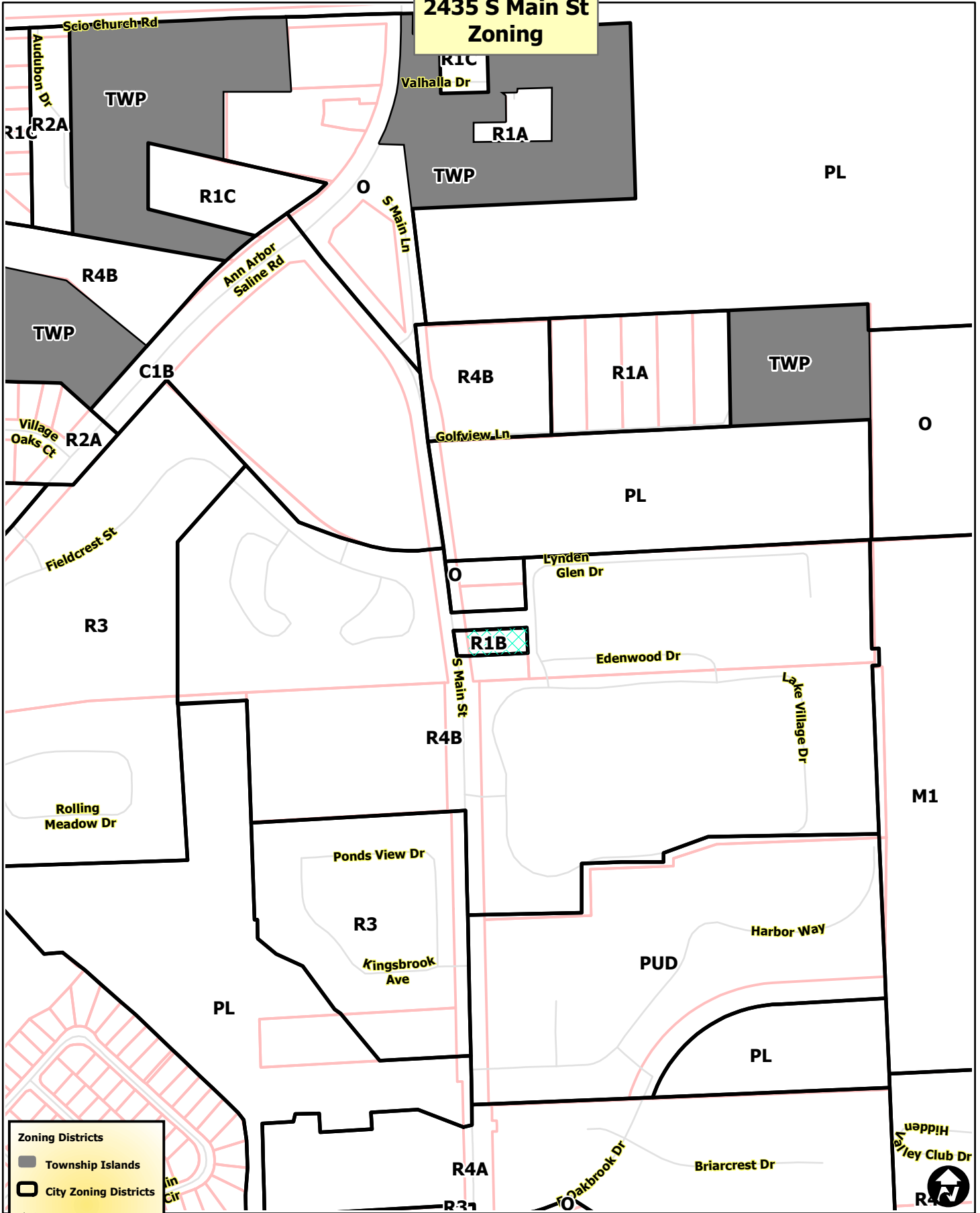
Project Description

It is hereby requested that the zoning for 2435 S Main, Ann Arbor be converted from Residential to Office. No changes requiring building permits or construction are proposed.

Questions or Comments

Questions or comments may be directed Jon Keller at Jon@JKellerProperties.com or during business hours at 734-369-8239.

**2435 S Main St
Zoning**



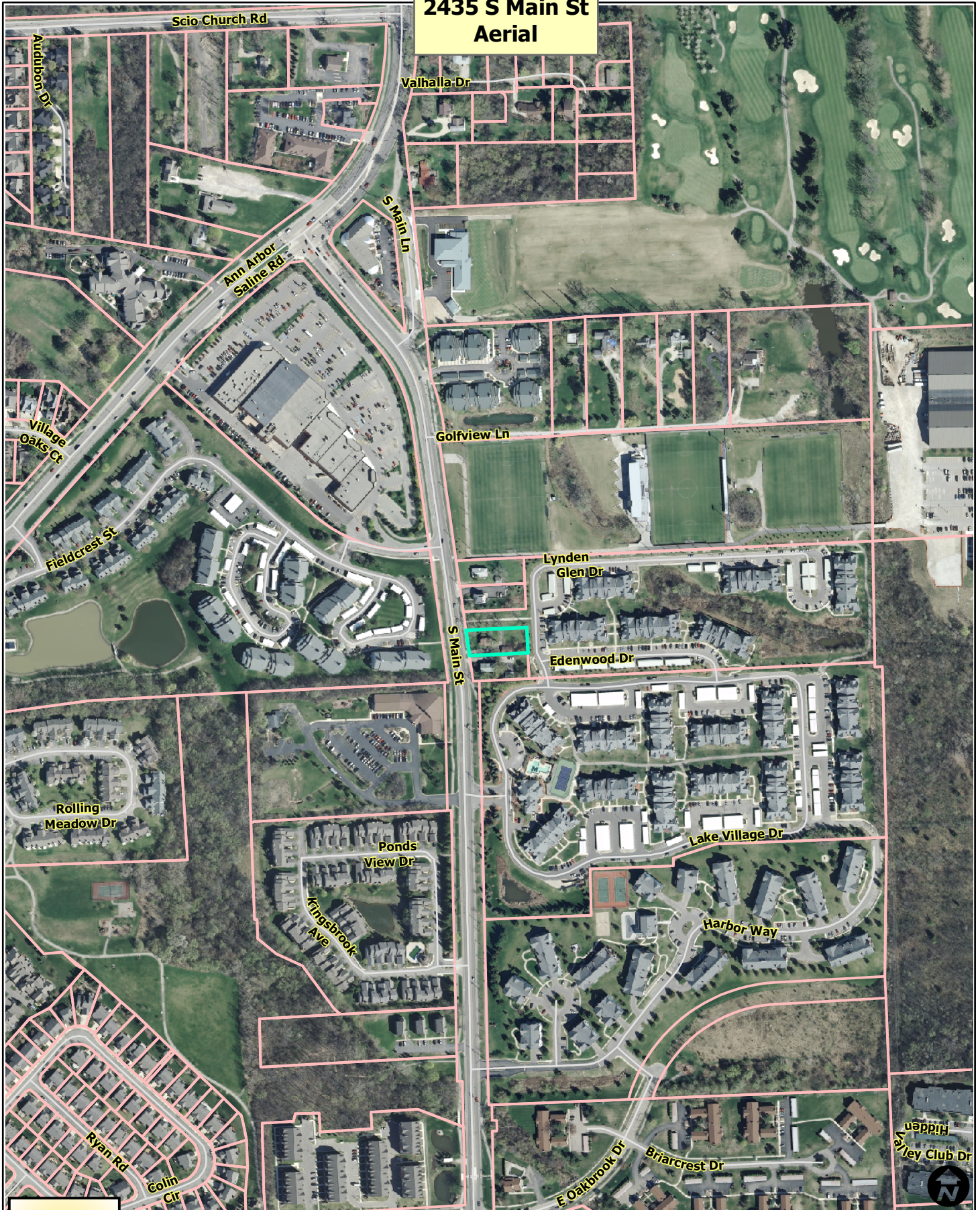
Zoning Districts

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



Map date: 4/29/2015
Terms of use: www.a2gov.org/terms

2435 S Main St Aerial

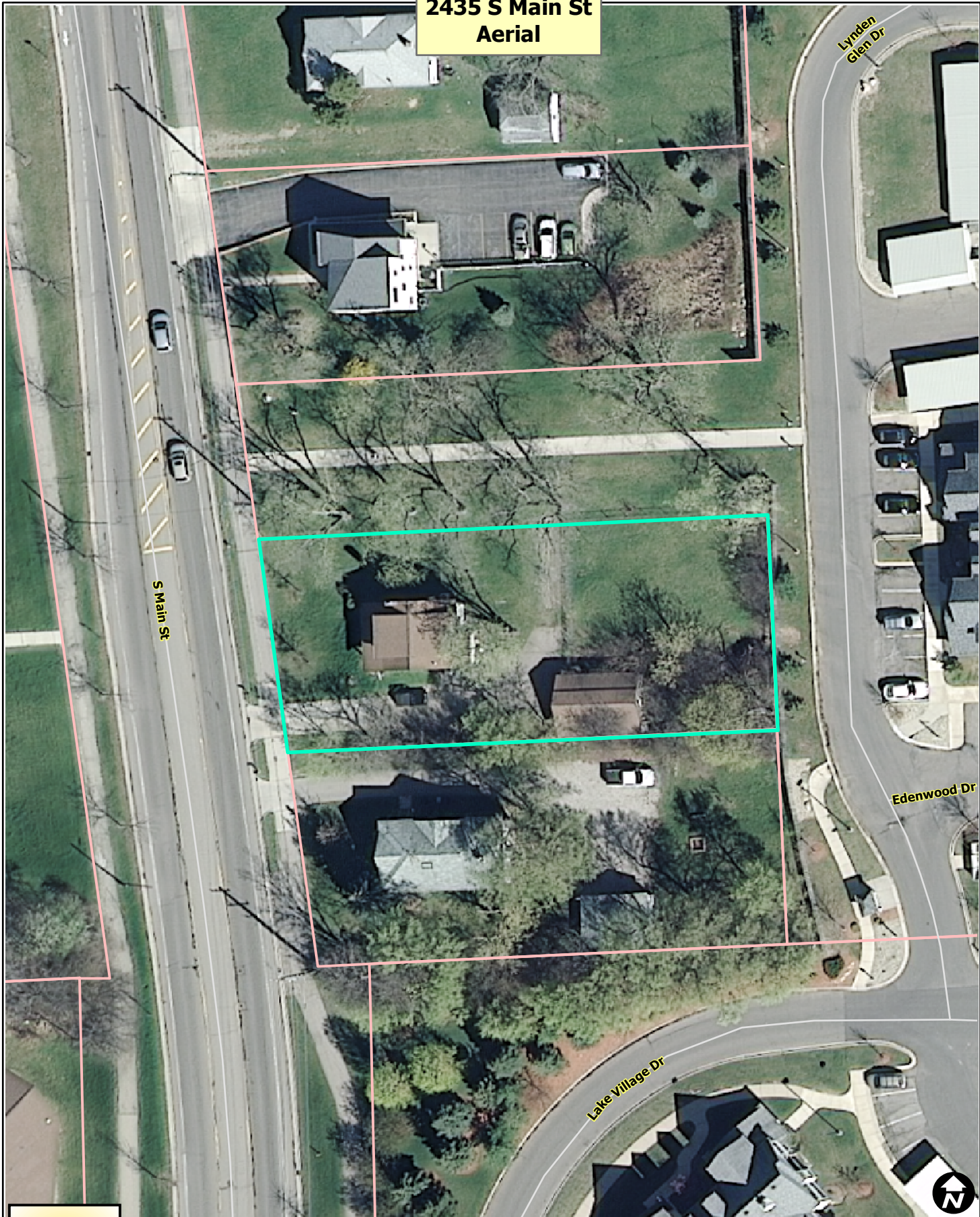





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2435 S Main St
Aerial



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-  Parcels
-  Huron River



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MORTGAGE SURVEY

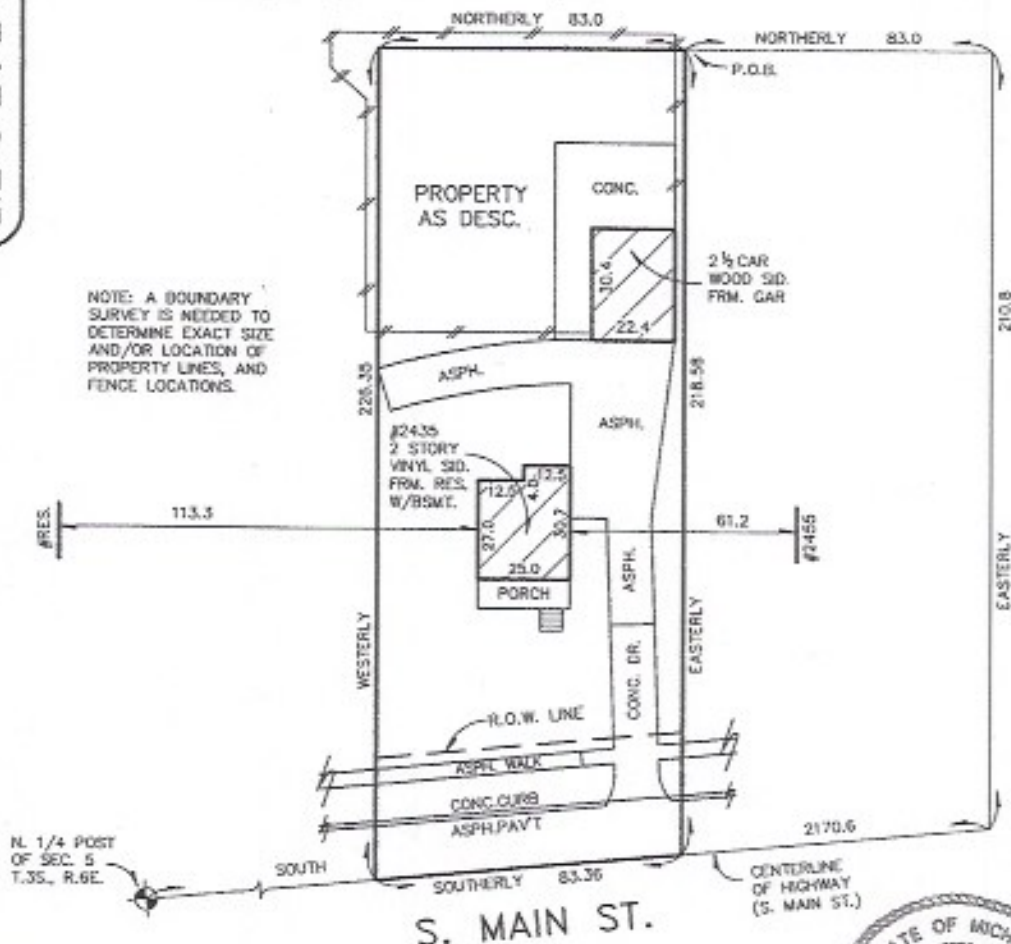
Certified to: HURON VALLEY FINANCIAL

Applicant: JONATHAN KELLER

Property Description:

Land in the City of Ann Arbor, Washtenaw County, Michigan, described as: Beginning at an iron pipe monument in the North and South quarter line of Section 5, Town 3 South, Range 6 East, 2170.6 feet South of the North quarter post of said section; thence Easterly 210.8 feet to an iron pipe; thence Northerly 83 feet for a place of Beginning; thence Northerly 83 feet to an iron pipe; thence Westerly 226.35 feet to the center of the highway; thence Southerly 83.36 feet; thence Easterly 218.58 feet to the Point of Beginning, the same being Lot 2 of State Street Highlands Subdivision, according to the unrecorded plat thereof, situated in the North half of Section 5, Pittsfield Township (now City of Ann Arbor), Washtenaw County, Michigan and being a part of the following described land: Commencing at an iron pipe monument in the North and South quarter line of Section 5, Town 3 South, Range 6 East, Meridian of Michigan, 2170.6 feet South of the North quarter post of said Section; thence Easterly along the line making a Southeastery angle of 91 degrees 25 minutes 00 seconds with the said North and South quarter line, 1330.8 feet to an iron stake; thence Northerly deflecting 88 degrees 13 minutes to the left 392.09 feet to an iron post; thence Westerly parallel with the South line 1379.57 feet to an iron pipe and stone monument in the centerline of the public highway; thence Southerly deflecting 91 degrees 51 minutes 20 seconds to the left 393.62 feet to the Place of Beginning.

Note: The property description is as furnished by client.



NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.

N. 1/4 POST OF SEC. 5 T.3S., R.6E.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.



THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

JOB NO: 15-01165 SCALE: 1"=40'
DATE: 04/13/15 DR BY: LAO

KEM-TEC PROFESSIONAL ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES
A GROUP OF COMPANIES
Eastpointe (800) 286.7222 Detroit (313) 758.0677 Ann Arbor (734) 994.0888 Grand Blanc (888) 694.0601
FAX: (588) 772.4048 FAX: (588) 772.4048 FAX: (734) 594.9887 FAX: (810) 604.9555
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MORTGAGE SURVEY

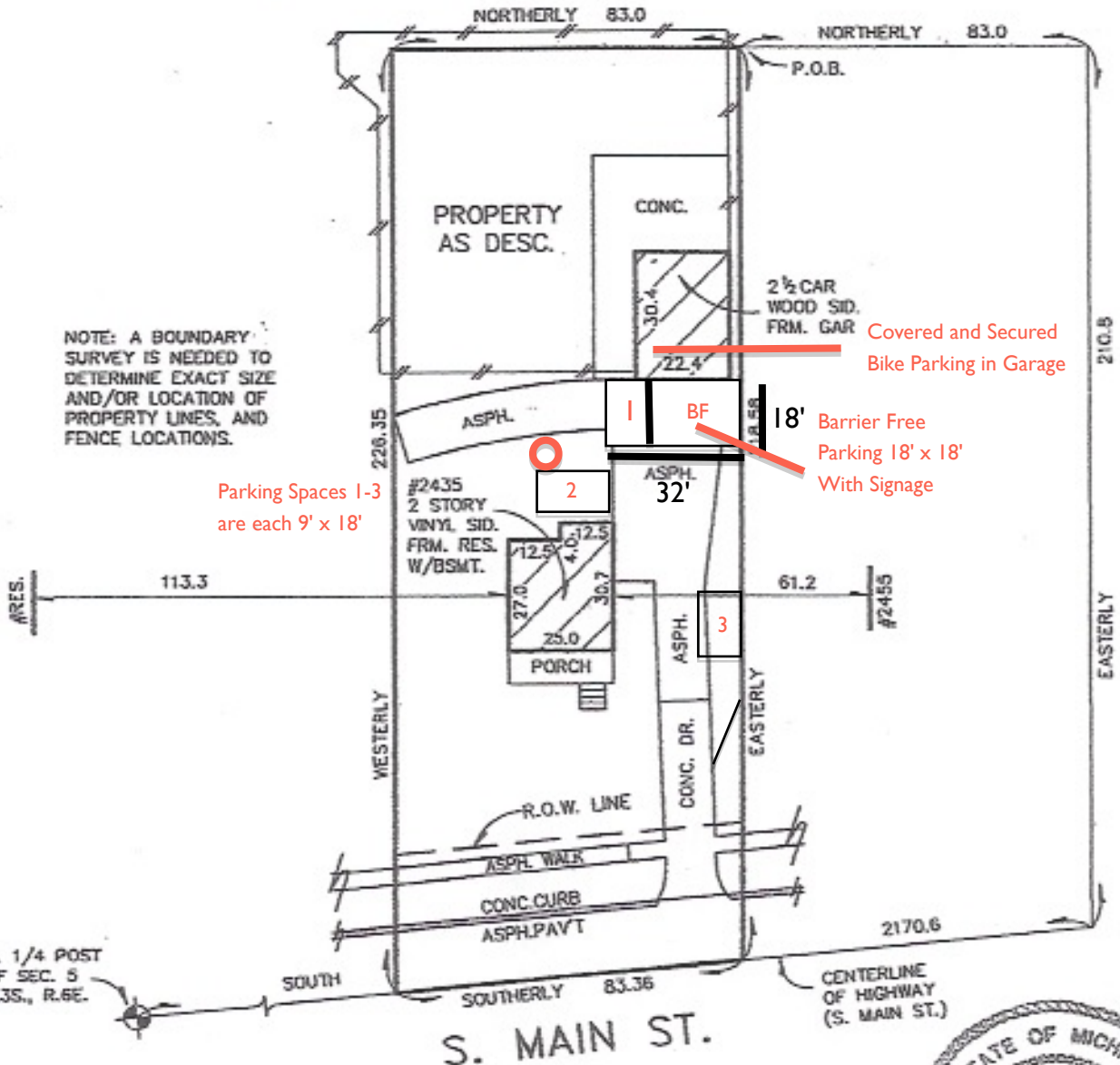
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Parking Spaces 1-3 are each 9' x 18'

Covered and Secured Bike Parking in Garage

Barrier Free Parking 18' x 18' With Signage

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