

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of July 17, 2012

**SUBJECT: 922-926 Catherine Street Rezoning, Site Plan and Landscape Modification Request
(922-926 Catherine Street)
File Nos. Z12-006 and SP12-018**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 922-926 Catherine Street rezoning from PUD (Planned Unit Development District) to R4C (Multiple-Family Residential District).

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 922-926 Catherine Street Site Plan, subject to City Council approval of the requested rezoning to R4C (Multiple-Family Residential District); approval from the Zoning Board of Appeals for variances from the conflicting land use buffer requirement; and combining both lots before building permits are issued.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the proposed conflicting land use buffer modifications according to Chapter 62 (Landscape and Screening Ordinance), Section 5:603 (1) and (2).

STAFF RECOMMENDATION

Staff recommends that the zoning be **approved** because the proposed uses permitted under the R4C zoning district would be compatible with the City's adopted plans and policies and with the surrounding properties.

Staff recommends that the site plan be **approved** because it would comply with all local, state and federal laws and regulations; the development would not cause a public or private nuisance and would not have a detrimental effect on public health, safety or welfare. There are no protected natural features on this site.

Staff recommends that this landscape modification be **approved** because the modifications are consistent with the intent of the ordinance.

LOCATION

The site is located on the south side of Catherine Street, west of Glen Avenue (Central Area). This site is located in the Old Fourth Ward historic district and the Huron River watershed.

DESCRIPTION OF PETITION

The petitioner seeks to combine two 5,575-square foot vacant lots and rezone them from Planned Unit Development (PUD) to Multiple-family Dwelling (R4C) and construct a three-story townhouse building housing 5 dwelling units. Five garages containing nine parking spaces and bicycle storage will be located below the units. The total floor area of the development is approximately 9,760-square feet, and the project is to be constructed in one phase.

A minimum 14-foot front setback off Catherine Street is required due to the averaged front setbacks of properties on the same side of the street within 100 feet of this site. Additional side setbacks are also required due to the length of the proposed building. No setback variances are needed, as the proposed building location meets required front and side setbacks.

A 24-wide cub cut is proposed off Catherine Street for a driveway along the east side of the site leading to the garages. A sidewalk link is also proposed along the west side of the side connecting the front entrances of the development to the existing sidewalk fronting Catherine Street.

The proposed development provides for the required first flush storm water event, with underground storage pipes leading to the City's storm water system located in Catherine Street.

Parcels zoned R4 and adjacent to parcels principally zoned or used for residential uses require conflicting land use buffers. This site requires conflicting land use buffers, which are 15 feet wide and contain landscaping trees every 15 feet, along the south, east and west property lines. The petitioner is requesting variances from the Zoning Board of Appeals to reduce the eastern conflicting land use buffer from 15 feet to 4 feet and eliminate the required trees.

The conflicting land use buffer along the west property line meets the minimum 15-foot width and seeks to preserve existing trees in lieu of planting additional trees by requesting a landscape modification from the Landscape Ordinance (see justification under Landscape Modification; Standards for Approval below). No natural features are impacted due to this development.

The petitioner conducted a citizen participation meeting on March 15, 2012, and the meeting minutes have been attached.

HISTORY

A PUD plan for this site was approved by City Council on November 19, 1979 for a five-unit condominium development. The most significant deviation from the R4C standards was the rear setback being reduced from the required 30 feet to 17.5 feet.

On August 18, 1980, City Council approved the Catherine Street Condos Amended PUD. This amended PUD extended the building length, thereby reducing the rear setback and relocated the

refuse area. This amended PUD site plan expired in 1983 and another PUD Site Plan was approved in 1984. These projects were never constructed.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Parking Structure	R4C (Multiple-Family Dwelling District)
EAST	Townhomes	R4C
SOUTH	Single-Family Dwelling	R4C
WEST	Single-Family Dwelling	R4C

COMPARISON CHART

	EXISTING	PROPOSED	PERMITTED/ REQUIRED
Zoning	PUD (Planned Unit Development)	R4C (Multiple-Family Residential)	R4C
Gross Lot Area	11,150 sq ft combined	11,150 sq ft	8,500 sq ft MIN
Minimum Lot Area per Dwelling Unit in sq. ft.	Vacant	2,230 sq ft	2,175 sq ft MIN
Minimum Usable Open Space in Percentage of Lot Area	Vacant	46.2%	40% MIN
Set-backs	Front	NA	16.6 ft *
	Side(s)	NA	16.5 ft**
	Rear	NA	30 ft
Building Height	NA	29.25 ft	30 ft MAX
Parking - Automobiles	NA	9 spaces	8 spaces MIN
Parking – Bicycles	NA	5 spaces Class A	1 space MIN Class A

* Averaged front setback with properties within 100 feet.

** Additional side setback required when length of building exceeds 50 feet.

PLANNING BACKGROUND

The Master Plan: Land Use Element future land use map recommends multiple-family residential use for these vacant parcels. The Plan further states that a concentration of people living in the downtown and in the close-in neighborhoods helps to establish a market for retail, services and entertainment, as well as extend the cycle of downtown activity into weekend and evening hours.

The goals of the Plan include ensuring new infill development is consistent with the scale and character of existing neighborhoods, both commercial and residential. Where new buildings are desirable, the character of historic buildings, neighborhoods and streetscapes should be respectfully considered so that new buildings will complement the historic, architectural and environmental character of the neighborhood.

Landscape Modification: Standards for Approval

Flexibility in the application of the landscape and screening regulations may be allowed if certain standards are met. The modifications must be consistent with the intent of Chapter 62; be included on a site plan and in a motion approved by the City Planning Commission or City Council; and be associated with specific site conditions as listed in Section 5:608(2)(c).

Petitioner responses are noted in *italics* below:

1. What are the specific site conditions that necessitate this request and how do they warrant the modifications of Chapter 62 requirements? (See Section 5:608(2)(c)) List relevant subsection and explain how and to what extent the modifications are justified.

On the west side of the property, four large trees are being preserved. The cumulative size of these trees far exceeds the cumulative size of the trees required by ordinance. In addition, these trees provide dense shade over the entire space between the proposed building and the neighboring property. The dense shade of these trees could be detrimental to the health of any additional trees planted in this area,

It should also be noted that additional open space has been provided elsewhere on the site. The proposed plan includes 46.4% open space which is 6.4% above that required by ordinance.

2. How does the proposal meet the spirit and intent of Chapter 62? (See Section 5:600)

On the west side of the building, the existing trees already provide a significant visual buffer for the proposed building. The intent of the ordinance is to provide a buffer between conflicting land uses and as such, no additional trees are necessary for this purpose.

ZONING/REZONING JUSTIFICATION

Per Chapter 55 Section 5:107(1), the Zoning Ordinance and Zoning Map shall not be amended except "because of changed or changing conditions in a particular area or in the municipality generally, to rezone an area, extend the boundary of an existing Zoning District or to change the regulations and restrictions thereof."

The petitioner's Petition For Changes In Or Additions To The Zoning Chapter, a form provided by the Planning Department to assist petitioners in providing the required information per Chapter 55 Section 5:108(2)(a)-(g), is reprinted below. The questions are not standards for approval, rather guides to providing sufficient evidence of changed or changing conditions.

Petitioner responses are noted in *italics* below:

- **The extent to which the zoning/rezoning requested is necessary:**

The existing PUD zoning classification was created for a specific project that is no longer being considered. The proposed project does not meet the site conditions that were established when the parcels were previously zoned PUD.

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

The rezoning should have a positive effect on the public welfare and property rights of persons located in the vicinity since whatever concessions were granted as part of the PUD rezoning process (be it height, setback, or whatever) will no longer be needed.

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

The requested R4C zoning will bring the parcels back into compliance with the surrounding zoning districts. Any special considerations that were granted when the property was previously rezoned to PUD will no longer be used.

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

The target market for this development is students, UM employees, young home buyers, and empty nesters desiring convenient housing close to the university, downtown, and Kerrytown. This project is ideally positioned to meet this need.

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

In general, the improving housing market has resulted in an increased demand for the type of housing proposed for this site. In addition, the market for off-campus student housing located close to the UM has proven to be particularly strong.

- **Other circumstances which will further justify the requested zoning/rezoning are:**

The size and style of the proposed building fits very nicely with the neighboring single family residences and provides a nice transition from these houses to the larger, less traditional buildings to the east.

STAFF COMMENTS

Natural Resources Planning Coordinator – Staff supports the landscape modifications along the west property lines. The west conflicting land use buffer proposes saving four existing shade trees to use as screening in lieu of planting additional trees. A street tree escrow of \$110.10 is due before issuance of building permits.

Historic District – The proposed building and site layout plans were approved by the Historic District Commission on April 12, 2012.

Parks – The proposed five dwelling units does not meet the minimum threshold to require a parks contribution.

Systems Planning – Two footing drains are to be disconnected from the sanitary sewer system.

Planning – Staff recommends the R4C zoning for this site as it is surrounded by similar zoning and residential uses. The proposed structure also meets the averaged front setback of fourteen feet, and meets the rear and side setback requirements. This proposal also exceeds the R4C minimum open space requirements without modifications or variances.

This site requires three conflicting land use buffers. The 15-foot wide conflicting land use buffer width is met on the south and west sides of the site, but a variance is necessary on the east side to reduce this width down to 4 feet. Staff supports a variance to reduce the width, as the two conflicting land use buffers along the side property lines utilize more than one-third of the width of this site, making multiple-family residential development impractical. A variance is also needed from the required trees in this 4 foot wide buffer. The petitioner proposes to provide a hedge in this strip to screen from the eastern neighbor and meet intent of the Landscape Ordinance.

The petitioner held a neighborhood meeting on May 16, 2012, and presented their proposal. The neighborhood feedback was positive and staff has not received concerns regarding this development at the time this report was written.

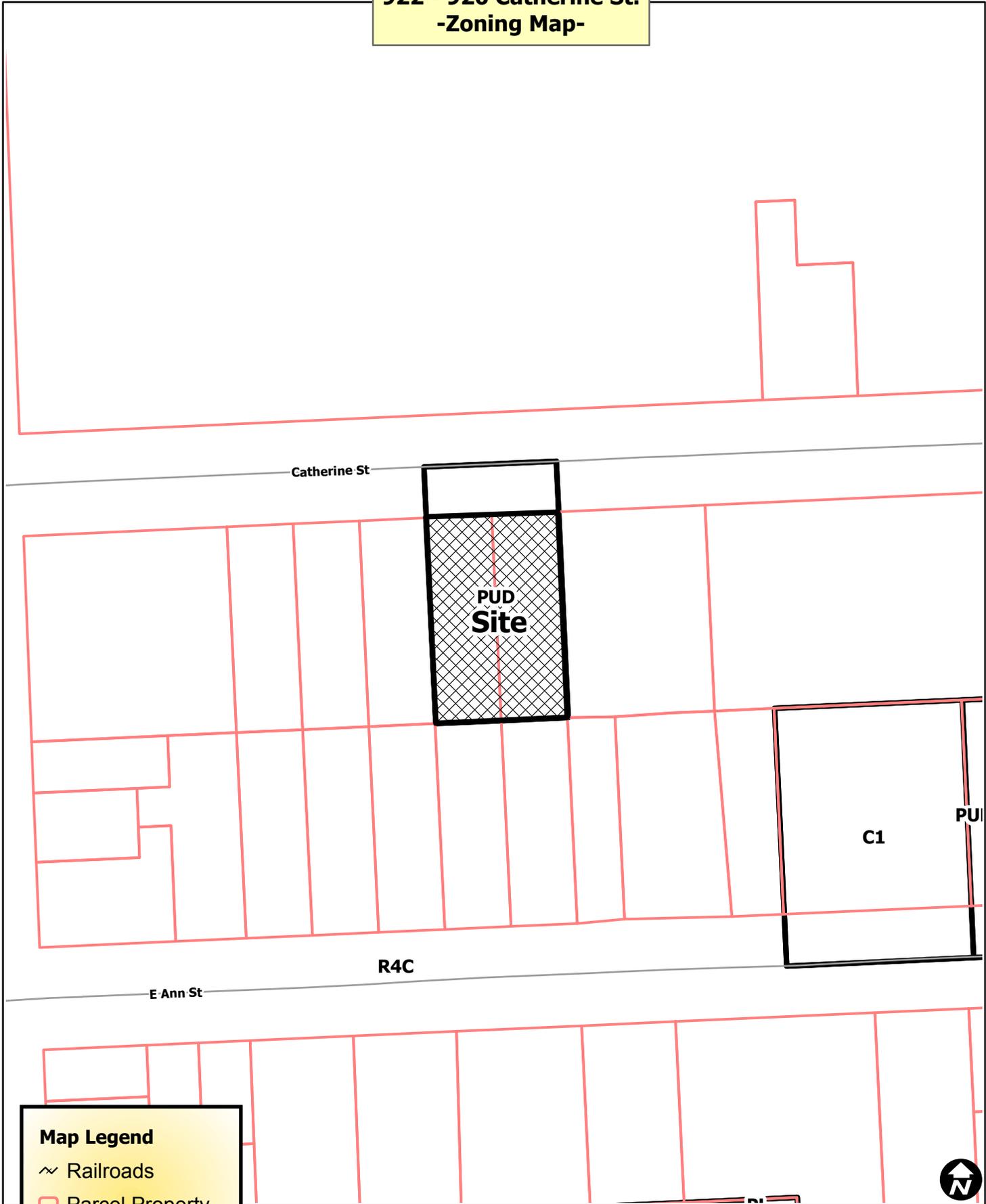
Prepared by Christopher Cheng
Reviewed by Wendy Rampson
mg/7/13/12

Attachments: Zoning Map
Aerial Map
Site Plan
Landscape Plan
Elevations
Citizen Participation Meeting Notes

c: Owner: Huron Development, LLC
408 North First Street
Ann Arbor, MI 48103

Systems Planning
File Nos. SP12-018 and Z12-006

**922 - 926 Catherine St.
-Zoning Map-**



Map Legend

- ~ Railroads
- ▭ Parcel Property
- Township
- ◻ City of Ann Arbor



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**922 - 926 Catherine St.
-Aerial Map-**



Map Legend

- ≈ Railroads
- Parcel Property



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Map Created: 9/8/2011

922 + 926 CATHERINE STREET

CITY OF ANN ARBOR MICHIGAN



SCALE 1"=10'

JULY 11, 2012 SITE PLAN REVISIONS
 JULY 5, 2012 SITE PLAN REVISIONS
 JUNE 27, 2012 SITE PLAN REVISIONS
 MAY 29, 2012 SITE PLAN SUBMITTAL
 MAY 22, 2012 REVIEW

DATE ISSUED FOR

DRAWN LAN

CHECKED CBH

JOB NO.

12FTZ01

TITLE

LAYOUT PLAN

SEAL

SHEET

COMPARISON CHART:

Zoning	Permitted R4C	Proposed R4C
Minimum Gross Lot Size	8,500 s.f.	11,150 s.f.
Width	60'	83'
Minimum Lot Area/ Dwelling Unit	2175 s.f./dwelling unit	2230 s.f./dwelling unit
Residential Units	5	5
Minimum Open Space	40%	46.40%
Setbacks		
Front Yard	12'	14"
Side Yard		
East	12'	16'-6"
West	12'	16'-6"
Rear Yard	30'	30"
Building Height	30'	29'-3"
Parking (1.5 spaces/unit)	8 spaces	9 spaces
Bicycle Parking (1 space/5 units)	5 spaces	5+ provided in garages

* Setbacks calculated based on building height per Section 5-52 of the Ann Arbor Code of Ordinances

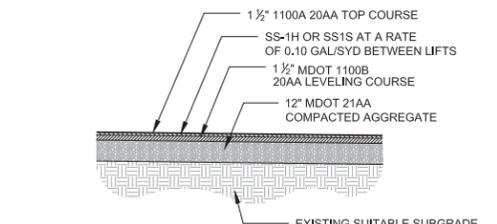
FRONT YARD SETBACK CALCULATIONS:

ADDRESS	FRONT YARD SETBACK
916 Catherine	11'
918 Catherine	10'-6"
920 Catherine	10'
996 Catherine	25'
1010 Catherine	15'
TOTAL	71.5' (+ 5' for avg. setback)

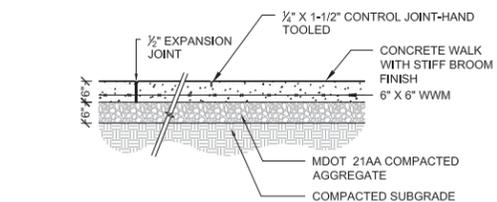
Front yard setback for 922 Catherine + 926 Catherine = App. 14'

LEGEND:

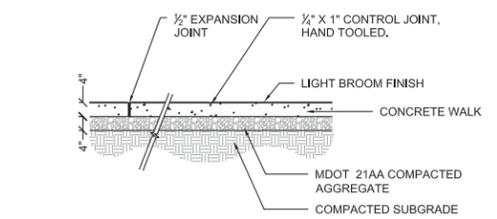
- PROPERTY BOUNDARY
- LOT LINE
- ROAD CENTERLINE
- BUILDING ENVELOPE
- EXISTING FENCE
- YARD INLET
- ⊕ CATCH BASIN
- ⊕ MANHOLE
- ⊕ EXISTING UTILITY POLE
- ⊕ EXISTING LIGHT POLE
- ⊕ EXISTING MAIL BOX
- ⊕ EXISTING DECIDUOUS TREE
- ASPHALT SURFACE
- CONCRETE SURFACE
- DRY-LAID STONE RETAINING WALL
- MODULAR RETAINING WALL



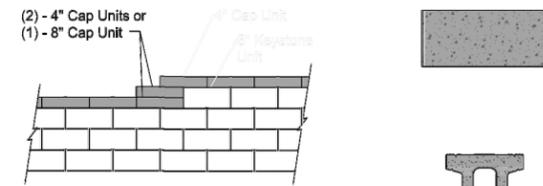
1 ASPHALT DRIVE
 SCALE: 1/2" = 1'-0"



2 CONCRETE DRIVE APPROACH
 SCALE: 1/2" = 1'-0"

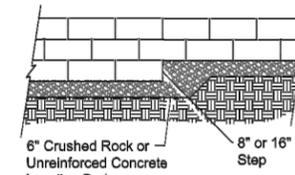


3 3' WIDE CONCRETE WALK
 SCALE: 1/2" = 1'-0"



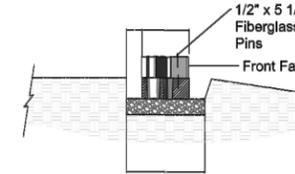
Note:
 1. Secure all cap units with Keystone Kapseal or equal.

Top of Wall Steps



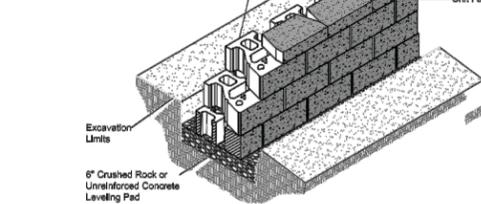
Elevation

Note:
 1. The leveling pad is to be constructed of crushed stone or 2000 psi ± unreinforced concrete.



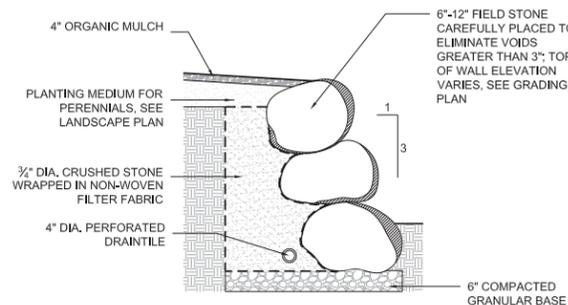
Section
 Leveling Pad Detail

Base Leveling Pad Notes:
 1. The leveling pad is to be constructed of crushed stone or 2000 psi unreinforced concrete.
 2. The base foundation is to be approved by the site geotechnical engineer prior to placement of the leveling pad.

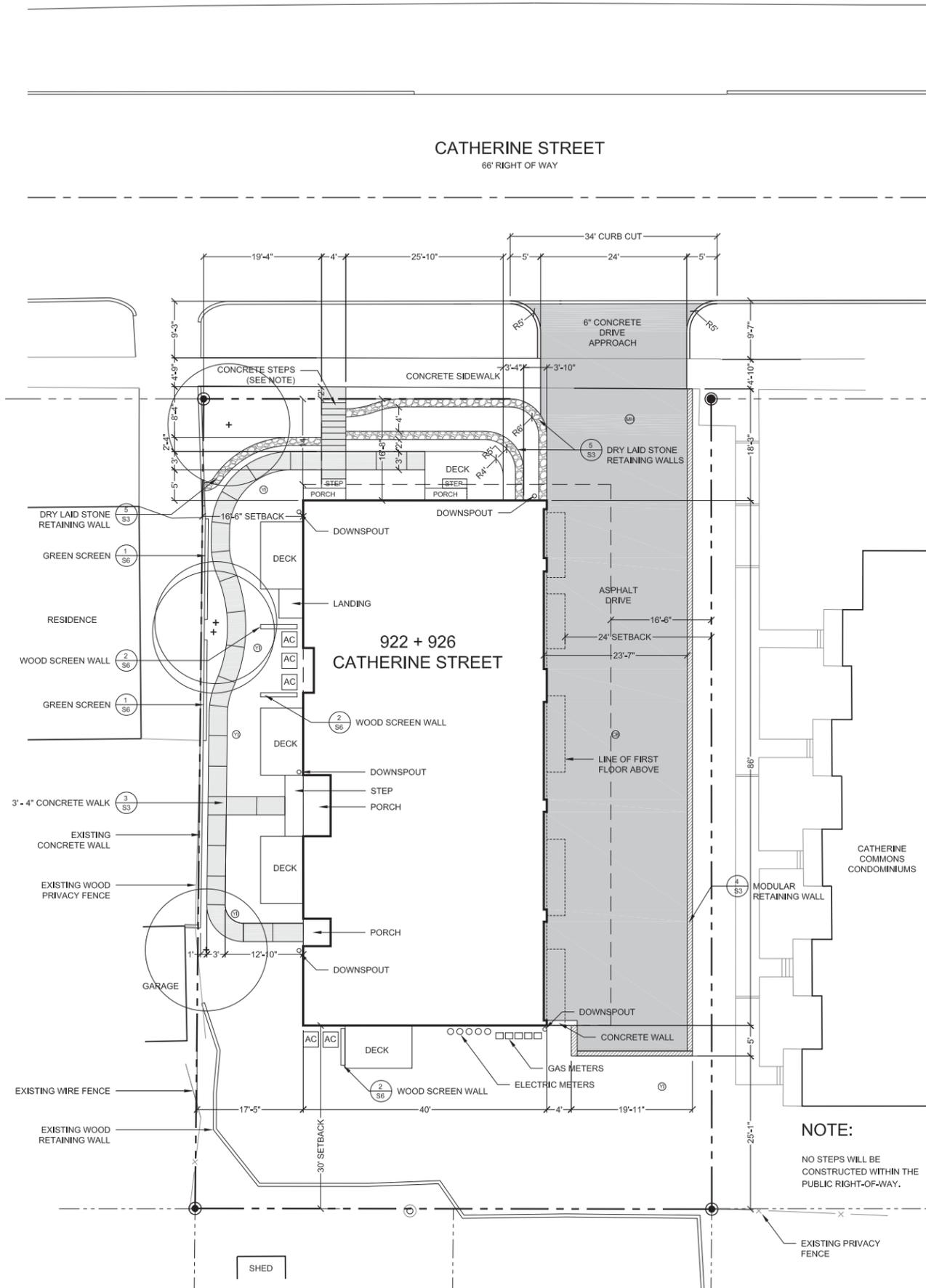


Standard Unit/Base Pad Isometric Section View
 * Dimensions & Weight May Vary by Region

4 MODULAR RETAINING WALL
 NOT TO SCALE

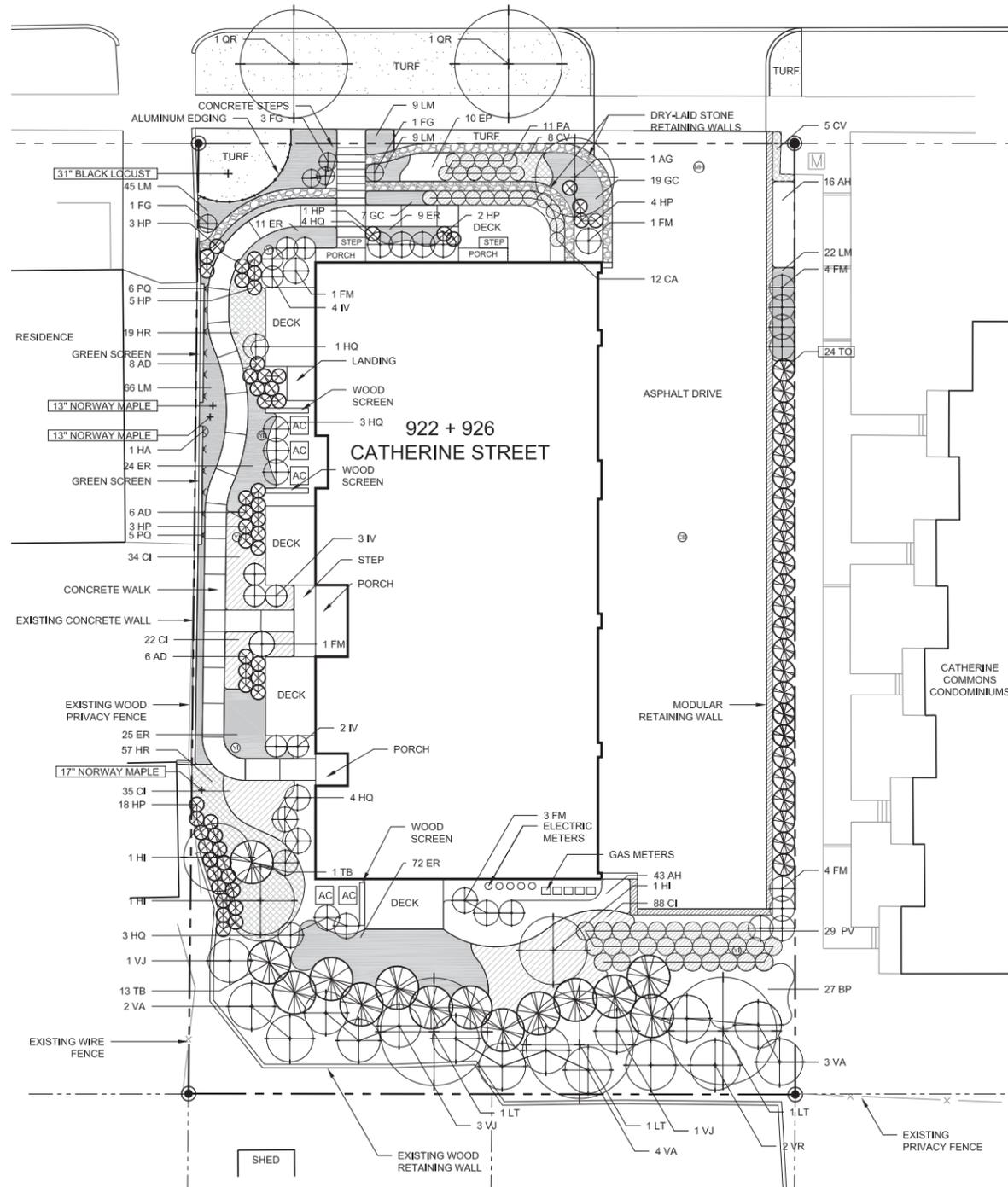


5 DRY-LAID STONE RETAINING WALL
 SCALE: 1/2" = 1'-0"



NOTE:
 NO STEPS WILL BE CONSTRUCTED WITHIN THE PUBLIC RIGHT-OF-WAY.

CATHERINE STREET



PLANT SCHEDULE:

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	SPACING	NOTES
TREES							
AS	1	<i>Amelanchier x grandifolia</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry	7'-8" hgt.	3&B	as shown	clump form; 5 stem min.
HI	3	<i>Hamamelis x intermedia</i> 'Arnold Promise'	Arnold Promise Witch Hazel	4'-5" hgt.	3&B	as shown	clump form
LT	3	<i>Liriodendron tulipifera</i>	Tulip Tree	2"-2 1/2" cal.	3&B	as shown	
QR	2	<i>Quercus rubra</i>	Northern Red Oak	2"-2 1/2" cal.	3&B	as shown	
SHRUBS							
FG	5	<i>Fothergilla gardenii</i>	Dwarf Fothergilla	18"-24" hgt.	container	as shown	
FM	14	<i>Fothergilla quercifolia</i> 'Mount Airy'	Mount Airy Fothergilla	24"-30" hgt.	container	as shown	
HQ	15	<i>Hydrangea quercifolia</i> 'Pee Wee'	Pee Wee Oakleaf Hydrangea	18"-24" hgt.	container	as shown	
IV	9	<i>Hea virginica</i> 'Little Henry'	Little Henry Sneezeweed	18"-24" hgt.	container	as shown	
TB	14	<i>Toxus baccata</i> 'Regardens'	Regardens Emerald Green	18"-24" hgt.	container	as shown	
TO	3	<i>Toxus occidentalis</i> 'Emerald Green'	Emerald Green Arborvitae	4'-5" hgt.	container	33" o.c.	
VA	9	<i>Viburnum rhytidophyloides</i> 'Allegheny'	Allegheny Viburnum	30"-36" hgt.	container	as shown	
VR	2	<i>Viburnum rhytidophyllum</i>	leather Leaf Viburnum	30"-36" hgt.	container	as shown	
VI	5	<i>Viburnum x juddii</i>	Judd Viburnum	30"-36" hgt.	container	as shown	
PERENNIALS							
At	59	<i>Amsonia hubrichtii</i>	Blue Star	1 gal.	container	13" o.c.	
AD	20	<i>Ananas dioicus</i>	Goat's Beard	1 gal.	container	as shown	
BP	27	<i>Baptisia</i> 'Purple Smoke'	Purple Smoke false Indigo	1 gal.	container	24" o.c.	
CV	13	<i>Coreopsis verticillata</i> 'Zagreb'	Cutleaf Tickseed	1 gal.	container	13" o.c.	
EP	10	<i>Echinacea purpurea</i> 'Kim's Knee High'	Kim's Knee High Coneflower	1 gal.	container	13" o.c.	
EX	143	<i>Eupatorium x rubrum</i>	Bishop's Hat	1 gal.	container	13" o.c.	
GC	26	<i>Geranium x cantabrigiense</i> 'Bikovo'	Grimesbill	1 gal.	container	13" o.c.	
HP	36	<i>Hosta 'Paul's Glory'</i>	Paul's Glory Hosta	1 gal.	container	as shown	
LM	153	<i>Liriope muscari</i> 'Silver Sunproof'	Irregular Lily Turf	1 gal.	container	13" o.c.	
HR	76	<i>Helleborus</i> 'Royal Heritage'	Hellebore	1 gal.	container	13" o.c.	
ORNAMENTAL GRASSES							
CA	12	<i>Calamagrostis x acutiflora</i> 'Karl Foerster'	Karl Foerster Feather Reed Grass	1 gal.	container	24" o.c.	
CI	179	<i>Carex</i> 'Ice Dance'	Ice Dance Sedge	1 gal.	container	15" o.c.	
PV	29	<i>Panicum virgatum</i> 'Rotstrahlbusch'	Rotstrahlbusch Switch Grass	1 gal.	container	33" o.c.	
PA	11	<i>Pennisetum alopecuroides</i> 'Hameln'	Dwarf Fountain Grass	1 gal.	container	24" o.c.	
VINES							
HA	1	<i>Hydrangea anomala</i> spp. <i>petiolaris</i>	Climbing Hydrangea	3 gal.	container	as noted	plant at base of green screen
PC	11	<i>Parthenocissis quinquefolia</i>	Virginia Creeper	2 gal.	container	as noted	plant at base of green screen

NOTES:

- DOUBLE SHREDDED HARDWOOD MULCH SHOULD BE APPLIED TO ALL PLANTING BEDS. FOR BEDS THAT INCLUDE TREES OR SHRUBS, MULCH SHALL BE HELD A MIN. OF 3" FROM TRUNK.
- PER CITY ORDINANCE, ONE STREET TREE PER 45' OF STREET FRONTAGE IS PROVIDED. TWO STREET TREES ARE PROVIDED FOR 80' OF STREET FRONTAGE ALONG THE PROPERTY.

CONFLICTING LAND USE BUFFER:

REQUIRED	PROPOSED	
	EAST	WEST
15' wide (min.) landscape buffer strip	4' wide buffer	16'-6" wide buffer (including walk and decks)
One tree for each 15' of a cutting land (13.6 LF/15) = 9 TREES	No trees provided (shrubs preferred by residents)	4 existing large trees provide significant buffer
Hedge, berm, wall, or fence to form a continuous screen (min. 4' high)	4' high hedge provided (24 Arborvitae)	6'-10" high greenscreen provided (32' in length)



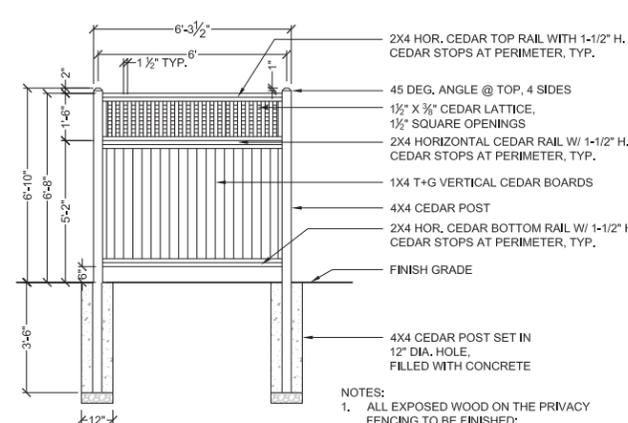
234 Nichols Arcade
Ann Arbor, MI
48104
Telephone 734.665.0211
Facsimile 734.665.5722

922 + 926
CATHERINE STREET

CITY OF ANN ARBOR
MICHIGAN

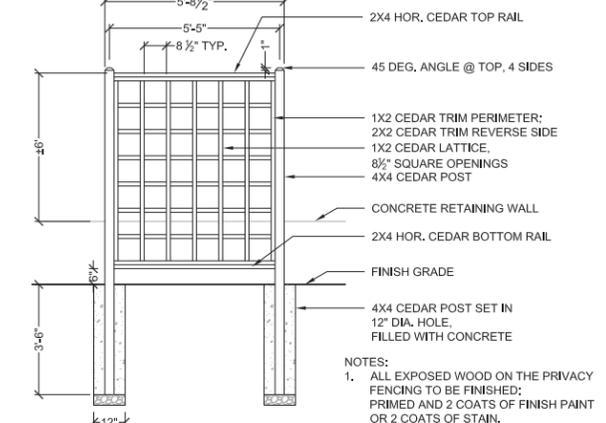


SCALE 1"=10'



2 WOOD SCREEN WALL

SCALE: 3/8" = 1'-0"

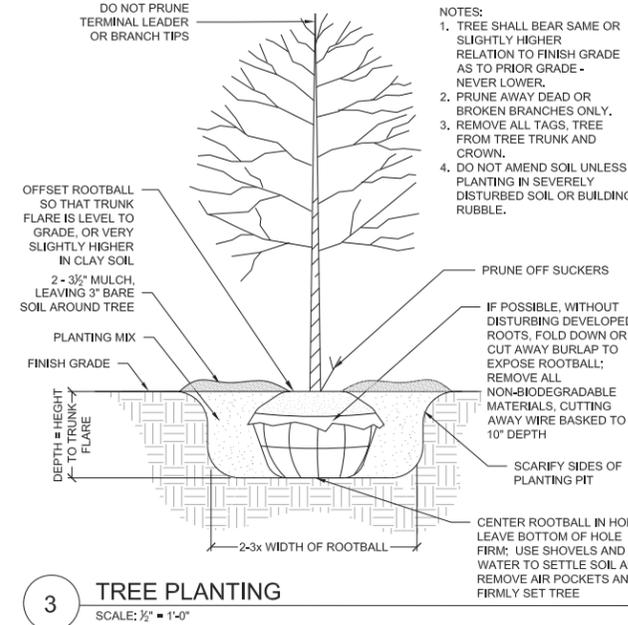


1 GREEN SCREEN

SCALE: 3/8" = 1'-0"

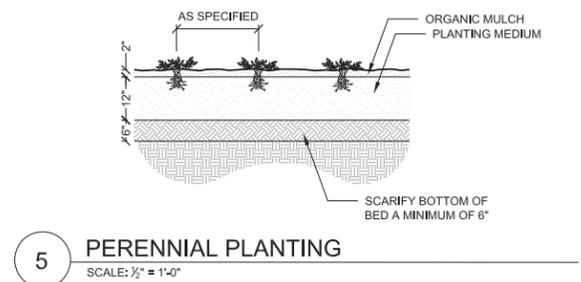
LEGEND:

- PROPERTY BOUNDARY
- LOT LINE
- ROAD CENTERLINE
- - - EXISTING FENCE
- x x x YARD INLET
- ⊙ CATCH BASIN
- ⊕ MANHOLE
- ⊙ EXISTING UTILITY POLE
- ☀ EXISTING LIGHT POLE
- M EXISTING MAIL BOX
- + EXISTING DECIDUOUS TREE
- ⊕ PROPOSED DECIDUOUS TREE
- ⊕ PROPOSED DECIDUOUS SHRUB
- ⊕ PROPOSED EVERGREEN SHRUB
- ⊕ PROPOSED LARGE PERENNIAL
- ⊕ PROPOSED ORNAMENTAL GRASS
- ⊕ PROPOSED PERENNIAL BED
- ⊕ PROPOSED GROUNDCOVER
- ⊕ PROPOSED GREEN SCREEN
- ⊕ PROPOSED ALUMINUM EDGING
- ⊕ DRY-LAID STONE RETAINING WALL



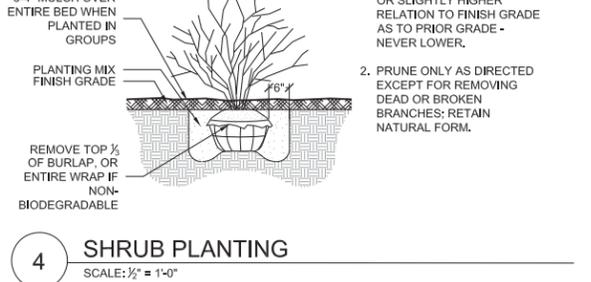
3 TREE PLANTING

SCALE: 1/2" = 1'-0"



5 PERENNIAL PLANTING

SCALE: 1/2" = 1'-0"



4 SHRUB PLANTING

SCALE: 1/2" = 1'-0"

JULY 11, 2012 SITE PLAN REVISIONS
JULY 5, 2012 SITE PLAN REVISIONS
JUNE 27, 2012 SITE PLAN REVISIONS
MAY 29, 2012 SITE PLAN SUBMITTAL
MAY 22, 2012 REVIEW

DATE ISSUED FOR
DRAWN LAN
CHECKED CBH

JOB NO.
12FTZ01

TITLE
LANDSCAPE PLAN

SEAL

SHEET

Citizen Participation Report

922-926 Catherine St.

Citizen Participation meeting: May 16, 2012, 7 PM St. Andrews Church, Ann Arbor

Citizen Notification: All residents within 1000 ft. of proposed project, mailing list provided by Mia Gale

Number of Citizens Attending meeting: 2

Meeting Summary:

The meeting was attended by neighbors WAP John, the property owner directly adjacent to the 922-926 Catherine project on the West, and Ray Detter. Also attending were myself and Linc Poley, the project architect.

Both citizens attendees expressed support for the proposed project. The design was complimented as fitting in with the neighborhood, and would be a welcome addition.

It should be noted that prior to the citizen participation meeting, Tom Fitzsimmons of Huron Development met several times with neighbors and attended an Old Fourth Ward neighborhood meeting to describe the proposed project and solicit feedback.

Tom Fitzsimmons

Huron Development

