



Legislation Text

File #: 08-0288, **Version:** 2

Resolution to Require Installation of Sidewalks along Geddes Avenue and Hickory Lane Adjacent to the Racquet Club of Ann Arbor as Part of the Administrative Amendment to Approved Site Plan Approval of this resolution will require the installation of sidewalks along the Geddes Avenue and Hickory Lane frontages of the Racquet Club of Ann Arbor as part of the proposed administrative amendment to approved site plan that has been submitted to Planning and Development Services.

Background Information

The Racquet Club of Ann Arbor (RCAA) originally submitted an administrative amendment to an approved site plan on October 9, 2007, to construct a small office/garage replacement and renovate an existing baby pool. During the review of this proposal, the Systems Planning Service Unit commented that sidewalks were to be constructed on both Hickory Lane and Geddes Avenue, as required by the Public Services Department Standard Specifications (PSDSS). Systems Planning and Planning staff met twice with the petitioner to discuss this requirement along with the stated goals of the Non-Motorized Transportation Plan to construct sidewalks and promote pedestrian connections throughout the City of Ann Arbor.

During these discussions, the petitioner mentioned that previously approved site plans and administrative amendments did not require compliance with the sidewalk requirement. In particular, in 1997 a site plan for City Council approval was approved with the sidewalk fronting Hickory Lane being waived with the condition that it be installed in the future as a coordinated special assessment district. Since the 1997 site plan approval, another site plan for Planning Commission approval and two administrative amendments for this site have been approved without mention of the sidewalk requirement as part of staff comments.

To address the RCAA comments, staff consulted with the Attorney's Office to determine if an appeals process existed for the sidewalk requirement. It was noted that Division I of the PSDSS indicates that any variation relating to the "City policy aspects" within the specifications, including limited design requirements specifically identified (including sidewalks) must be approved by Council resolution (excerpt from PSDSS attached). It was determined a resolution from City Council would be needed to waive the sidewalk requirement. Planning staff requested a letter from RCAA to place the administrative amendment on hold and request a sidewalk waiver from City Council (letter attached).

Fire Hydrant Coverage

RCAA has also requested that the fire hydrant coverage requirement be waived as part of this administrative amendment. Per the attached fire hydrant coverage map, four buildings are not located within 250 feet of an existing fire hydrant as required by the PSDSS, so the Systems Planning Service Unit and the Fire Marshal have commented that this requirement must be met. Per the Systems Planning Service Unit, Council does not have the ability to waive the fire hydrant

coverage requirement. The fire hydrant section of the PSDSS is not included in the list of sections where variations may be approved by Council, as well as the fact that this is a code-required item rather than a "City policy" item. The fire hydrant coverage requirements listed in the PSDSS are consistent with the 2003 International Fire Code, which is adopted by reference as the City's fire code in Section 9:101 of Chapter 111 of Title IX of the Ann Arbor City Code. Per Section 9:108 of Chapter 111, an applicant can make an appeal to the Building Board of Appeals if they feel that "the true intent and meaning of the code have been misconstrued or wrongly interpreted."

Staff Recommendation

The previous Engineering Department and the current Systems Planning Services Unit have requested sidewalks fronting this parcel and other parcels as part of critical missing links in the City's sidewalk system, which is supported by the current Non-Motorized Transportation Plan. The 1997 memorandum from the Planning Director to the City Planning Commission (attached) explains the need for this sidewalk. With the 2007 completion of the non-motorized connection between Huron Parkway and Geddes Avenue, the need for this sidewalk across the front of the subject parcel becomes more important. The 1997 memorandum from the Planning Director allowed the parcel to be temporarily relieved from the burden of constructing the sidewalk. It should be noted that the previous deferral of construction did not originate with the Engineering staff then reviewing the site plan.

The need for the sidewalk connection still exists in 2008. A possible reason for continuing delaying the requirement of constructing the sidewalk may be the recent application by the City for MDOT Safety Grant Funding to assist in constructing a sidewalk on the north side of this portion of Geddes. If awarded this grant funding, the resulting project may provide an opportunity to construct the sidewalk fronting the subject parcel, which would then be special assessed to the property owner. However, the application does not rank in the top five regional requests and thus is not likely to receive any current funding.

Therefore, staff recommends that sidewalks be constructed on both Geddes Avenue and Hickory Lane fronting the RCAA site as part of the proposed administrative amendment to the site plan.

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Approved By: Roger W. Fraser, City Administrator

Whereas, The Systems Planning Service Unit has completed review of the Racquet Club of Ann Arbor Administrative Amendment to Approved Site Plan and determined that sidewalks are required as part of the Public Services Department Standard Specifications (PSDSS);

Whereas, The 2007 Non-Motorized Transportation Plan recognizes the need for sidewalks adjacent to the Racquet Club of Ann Arbor for connections to Gallup Park and the surrounding neighborhood; and

Whereas, Meetings with the Racquet Club of Ann Arbor have taken place during the review of the administrative amendment project to explain the need for sidewalks;

RESOLVED, That City Council waives the installation of sidewalk along Geddes Avenue and Hickory Lane adjacent to the Racquet Club of Ann Arbor, and requires fire hydrant coverage as part of the administrative amendment to approved site plan.

As Amended by City Council on April 7, 2008.