

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of December 18, 2012**

**SUBJECT: Parkway Place Rezoning  
(490 Huron Parkway)  
File No. Z12-018**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Parkway Place Rezoning from R3 (Townhouse Dwelling District) to R1B (Single-Family Dwelling District), subject to revised legal descriptions being submitted and approved prior to City Council action.

**STAFF RECOMMENDATION**

Staff recommends the zoning be **approved** because the proposed rezoning is generally consistent with the recommendations of the Master Plan: Land Use Element and would be compatible with the City's adopted plans and policies and with the surrounding properties and provide a transition from the Townhouse zoning to the north to the Public Land zoning to the south.

**LOCATION**

The site is located on the east of Huron Parkway north of Ruthven Park (Northeast Area in the Huron River Watershed).

**DESCRIPTION OF PETITION**

This 1.22 acre vacant parcel is currently zoned R3, Townhouse Dwelling District. The R3 district permits townhouse, two-family and single-family uses. The petitioner is proposing to rezone the site to R1B, Single-Family Dwelling District, to allow the parcel to be subdivided into three single family residential sites.

The site is accessed off an existing driveway off Huron Parkway, which would become a shared driveway upon completion of the land division. No additional curb cuts are proposed and there is no new construction proposed at this time.

A neighborhood meeting was held on June 14, 2012 and at the time this staff report was written no objections to this proposed rezoning were received. The Citizen Participation Report and sign-in sheet are attached to this report.

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Townhomes	R3 (Townhouse Dwelling District)
EAST	Townhomes	R3
SOUTH	City Park	PL (Public Land District)
WEST	School	PL

### COMPARISON CHART

		EXISTING	PROPOSED	EXISTING PERMITTED/REQUIRED	PROPOSED PERMITTED/REQUIRED
Zoning		R3 (Townhouse Dwelling)	R1B (Single-Family Dwelling)	R3	R1B
Gross Area		53,273 sq ft	53,273 sq ft	21,780 sq ft MIN	10,000 sq ft MIN
Lot Width		130 ft	130 ft	120 ft MIN	70 ft MIN
Minimum Lot Area per Dwelling Unit		Vacant	Vacant	4,300 sq ft	10,000 sq ft MIN
Setbacks	Front(s)	Vacant	Vacant	15 ft MIN 40 ft MAX	30 ft MIN
	Side	Vacant	Vacant	20 ft	5 ft one side 14 ft total
	Rear	Vacant	Vacant	30 ft	40 ft MIN
Building Height		Vacant	Vacant	35 ft MAX	30 ft MAX
Parking - Automobiles		None	None	2 spaces/dwelling	1 space MIN
Parking – Bicycles		None	None	1 space/5 units	None

### HISTORY

In 2006, a site plan was submitted for 12 duplex units in 6 buildings. This plan was withdrawn by the petitioner due to inactivity in 2007. In 2012, a land division was approved dividing this site from the parent parcel. Currently, a single-family home is being constructed on the parent parcel (500 Huron Parkway).

A Wetland Use Permit was issued in April 2012 to excavate approximately 10 cubic yards of fill from less than 0.01 acre of wetland located at the southwest corner of the site to install a new 6-inch sanitary sewer and to replace the excavated material within the wetland.

### PLANNING BACKGROUND

The Master Plan: Land Use Element recommends multiple-family residential uses for this site.

The 2007 Non-Motorized Plan recommends a shared use path fronting this site. A shared use path currently exists along the east side of Huron Parkway.

In 1964, City Council approved criteria for the development of Huron Parkway, including the number of curb cuts that would be allowed.

### **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.

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

The petitioner would like to divide the parcel into 3 buildable lots for single family residential homes and the current zoning will not allow the parcel to be split and accommodate the desired 3 lots because of the setback requirements in the current zoning.

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

This is a less intense use of the property which is generally desirable to neighboring property owners and consistent with other properties adjoining R3 zoning in the area. There will be considerably less traffic, noise, impervious area and less impact on the natural features on the property. These are all perceived to be desirable aspects to neighboring properties and the property rights of persons located in the vicinity.

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

The benefits stated above to the neighboring property rights of persons are also benefits to the City of Ann Arbor. Ultimately less trip generation onto Huron Parkway is a primary benefit along with less impervious area created so that Mallets Creek watershed (Huron River) watershed is not as heavily impacted if it were built to its current zoning’s full capacity.

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

Convenient location to: schools (Huron High is directly across the street), bus routes, Gallup Park, University of Michigan (main, north campus and medical campus), shopping and highway access.

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

NA

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

Less environmental impact as far as impervious area created, materials used, energy used and natural feature preservation.

### **STAFF COMMENTS**

Systems Planning – There are issues surrounding the legal descriptions for the existing parcels. Revised legal descriptions for this parcel and the parent parcel are required before City Council action.

It is noted that required fire hydrant coverage will meet city standards for the future proposed lots once the city receives the required utility easements.

Grading – An 8-inch water main was constructed into the steep slope on the parent parcel abutting the Heritage Ridge development to the north of this site. This steep slope needs to be stabilized with erosion control blankets.

Transportation – In accordance with the resolution passed by City Council in 1964, no further curb cuts will be allowed along this frontage. The curb cut that was constructed to access 500 Huron Parkway must serve any additional uses on this site.

Planning – The existing R3 zoning conceivably could allow for up to 12 dwelling units on a 1.22 acre site, although a site plan submittal for setbacks and impacts to natural features is needed to determine if this maximum number of units could be built. The proposed R1B zoning allows for a maximum of three future single-family dwelling units and has a 10-foot greater rear setback compared to R3. This increased rear setback keeps future development further away from the existing wetland located on Ruthven Park to the south.

Staff requested the petitioner rezone the property to the parent parcel, 500 Huron Parkway, to R1B for consistency. The petitioner indicated this site is no longer under their ownership and would contact the City if the owner decides to rezone this property in the future.

If rezoned to R1B, this site would not be subject to natural features review, as a site plan is not required for the proposed single-family development. With the exception of the Wetland Use Permit allowing disturbance at the southwest corner of the site, the wetlands located to the east and south of this site have not been impacted. It appears no additional natural features will be impacted from future development.

An amendment to the zoning map for single or two-family residential does not require an Area Plan per Chapter 57, Subdivision and Land Use Control.

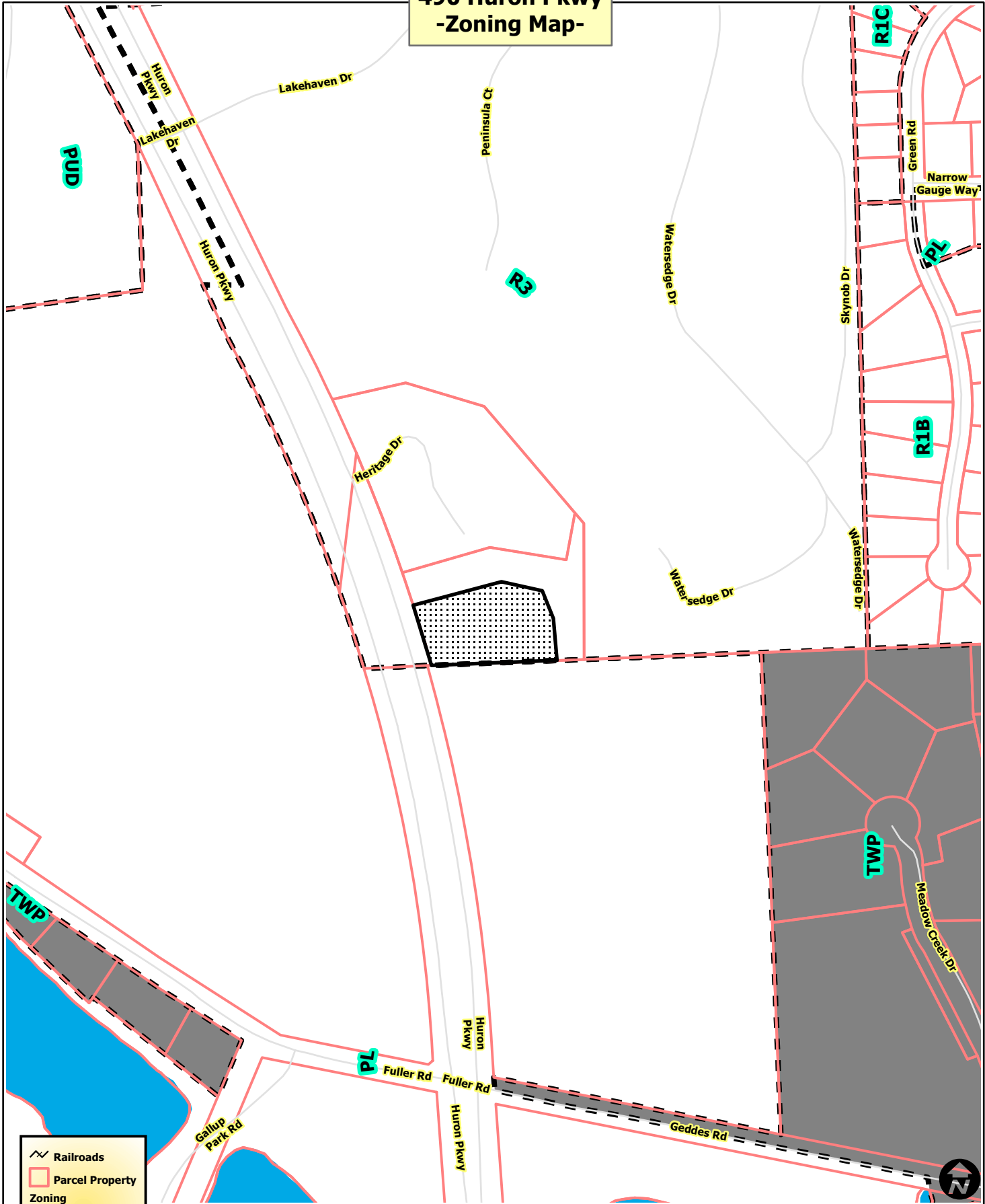
Prepared by Chris Cheng  
Reviewed by Wendy Rampson  
mg/12/14/12

Attachments:        Zoning/Parcel Maps  
                              Aerial Photo  
                              6/14/12 Citizen Participation Report  
                              Survey

c: Owner/Petitioner: Johnson Building Group, LLC  
725 W. Ellsworth Road  
Ann Arbor, MI 48108

Assessor  
Systems Planning  
File No. Z12-018

# 490 Huron Pkwy -Zoning Map-



	Railroads
	Parcel Property
<b>Zoning</b>	
	Township
	Zoning
	Huron River



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 Map Created: 11/29/2012

# 490 Huron Pkwy -Aerial Map-



-  Railroads
-  Parcel Property



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Citizen Participation Report for:  
Rezoning Application at **490 Huron Parkway, Ann Arbor, MI**

A Citizen participation meeting was held on 6/14/12 at Ann Arbor Huron High School Room 6150 @ 7 pm to inform any interested citizens and answer any questions about the pending application for rezoning of the property from R3 to R1C. The meeting was presented by Brad Cousino, P.E. from Terratek Design, Inc. the design engineer for the project.

It was presented to those in attendance that the meeting was required by the City of Ann Arbor to specifically address the rezoning request that was being applied for. It was explained that the property was seeking zoning with a **significantly** less intense use than the property was currently zoned and it seems that this was generally regarded as a good thing by those in attendance.

Much time was spent explaining the configuration and route of the **approved** utilities and driveway that were already under construction at the time of the meeting. Some concern was raised about the loss of foliage that took place to make it necessary to provide the water main loop that was mandated by the City and anticipated by connecting to the existing stub at the adjoining property (Heritage Ridge). After illustrating the utility route and explaining the City requirements for a looping water main, it was explained that the meeting was not about the approved utilities route nor the current construction and that it was about the rezoning of the property at 490 Huron Parkway.

It was expressed that the City will be holding a public hearing associated with the rezoning at a future date and they would be notified.

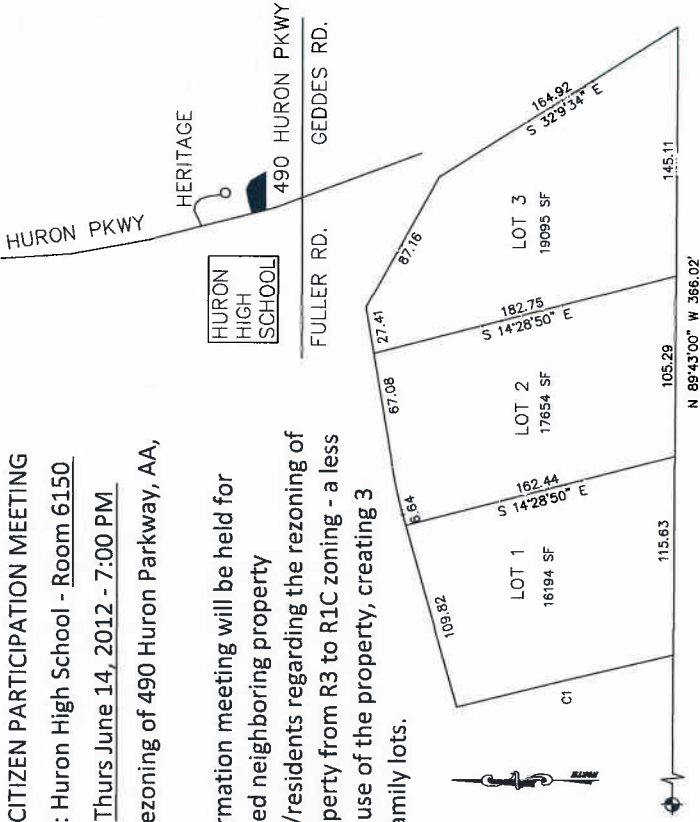
510 Addresses were notified by mail.

16 people signed the attendance sheet including two City Council members.



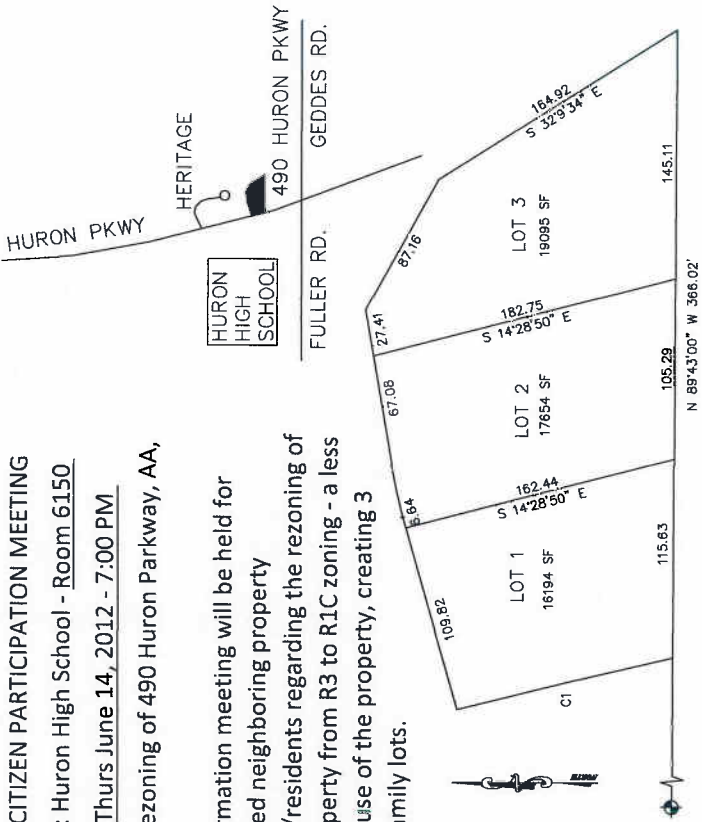
WHAT: CITIZEN PARTICIPATION MEETING  
WHERE: Huron High School - Room 6150  
WHEN: Thurs June 14, 2012 - 7:00 PM  
WHY: Rezoning of 490 Huron Parkway, AA, 48105

An information meeting will be held for interested neighboring property owners/residents regarding the rezoning of this property from R3 to R1C zoning - a less intense use of the property, creating 3 single family lots.



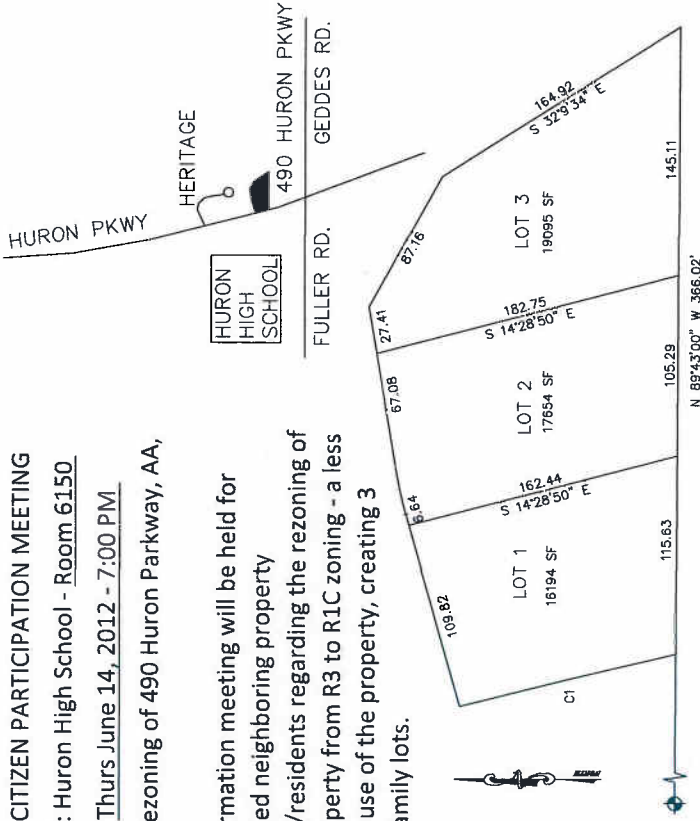
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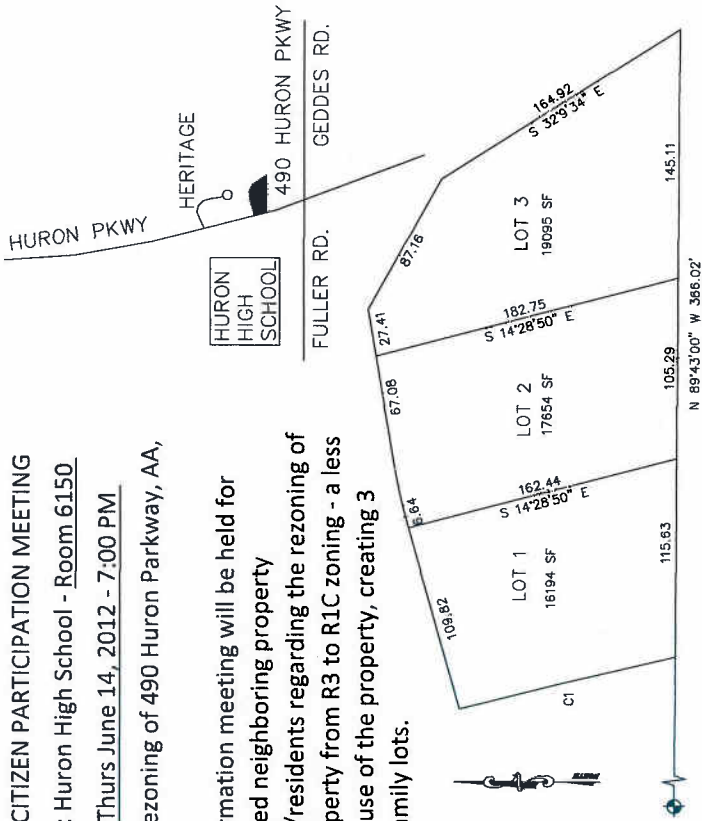
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**CITIZEN PARTICIPATION MEETING**  
**490 HURON PARKWAY - REZONING PETITION**  
**AA HURON HS**

Date: 6-14-12

Name	Company	Phone	Email
Brad Cousino	Terratek Design	734.320.4626	<a href="mailto:brad.cousino@akahn.com">brad.cousino@akahn.com</a>
<del>John King</del>	<del>Heritage Ridge</del>	<del>734 663 7759</del>	
David D. Bien	531 Heritage Ridge	734-769-4283	
Aimee Shy	Heritage Ridge	734-665-2165	
David Fisher	531 Heritage Dr.	734-769-4283	
M. P. DeGeorge	527 Heritage Dr.	734-996-0633	
John Shy	515 Heritage Dr.	734-665-2165	
Susan Fisher	518 Heritage Dr.	734-669-8866	
Tony Derezinski	City Council	734-995-2686	
JANE LUMM	" "	734-677-4010	
John King	530 Heritage	734-663-7959	
John King	518 "	734-669-8866	
Bill Robb	566 HERITAGE DR	734 769- <sup>5286</sup> <del>386</del>	
Phyllis Robb	566 HERITAGE	734 769-3086	
Bob Vogel	827 Asa Gray Dr	734 780-7695	
Rose Marie Burkett	662 Peninsula	734-662-4398	
BOB CARR	542 HERITAGE RIDGE	734-665-8287	

PROJECT:  
**PARKWAY PLACE**

REZONING AND  
LAND DIVISION

DEVELOPER:  
JOHNSON GRO.  
725 W. ELLSWORTH ROAD  
ANN ARBOR, MI 48108  
734.996.9456

ENGINEER:  
TERRATEK DESIGN, INC.  
2860 TEPEYAC HILL DR.  
ANN ARBOR, MI 48105  
734.320.4626



DESIGNED BY: BJC  
DRAWN BY: BJC  
CADD NAME: PPLANDDIVISION

DATE:  
10/23/12  
SHEET 1 OF 2

CURVE LABEL	CURVE RADIUS	CURVE LENGTH	CURVE DELTA	CHORD LENGTH	CHORD BEARING
C1	4845.00	130.34	01°32'25"	130.33	N 13°35'33" W
C2	230.00	28.37	07°04'03"	28.35	N 77°40'02" E



1" = 50'

