

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of March 17, 2009

SUBJECT: Park Annexation, Zoning and Rezoning Petitions (Group B):
Narrow Gauge Property Annexation and Zoning (A08-013 and Z08-020)
Argo Nature Area (portion) Rezoning (Z08-022)
Brookside Park Rezoning (Z08-031)
Cranbrook Park (portion) Rezoning (Z08-021)
Devonshire Park Rezoning (Z08-027)
Dolph Nature Area (portion) Rezoning (Z08-028)
Foxfire South Park (portion) Rezoning (Z08-025)
Lakewood Nature Area (portion) Rezoning (Z08-024)
Mary Beth Doyle Park (portion) Rezoning (Z08-026)
Oakridge Nature Area (portion) Rezoning (Z08-030)
Riverwood Nature Area (portion) Rezoning (Z08-029)
West Park (portion) Rezoning (Z08-023)
Farmers Market Rezoning (Z09-002)

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Narrow Gauge Property Annexation and PL (Public Land) Zoning petitions.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Argo Nature Area, Brookside Park, Cranbrook Park, Devonshire Park, Dolph Nature Area, Foxfire South Park, Lakewood Nature Area, Mary Beth Doyle Park, Oakridge Nature Area, Riverwood Nature Area, and West Park petitions for Rezoning to PL (Public Land).

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council amend the A2D2 Downtown Zoning Amendments to include the Farmers Market PL (Public Land) District.

STAFF RECOMMENDATION

Staff recommends that the petitions be approved because the parcels are within the City's ultimate boundary and the proposed zoning classifications are consistent with the permitted uses and intent of the PL (Public Land) district.

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STAFF REPORT

At its meeting on December 16, 2008, the Planning Commission postponed action on a group of 12 park sites, one requesting annexation and zoning designation and 11 requesting rezoning to PL. Staff recommended postponing while separate, unrelated amendments to the citizens participation requirements were being considered which effect these petitions. One additional rezoning petition has been added to the group and this staff report now addresses 13 park sites, as further described below.

Ordinance Amendments – An amendment to the Zoning Ordinance (Chapter 55 of the Ann Arbor City Code) were proposed in December 2008 to allow certain types of petitions to be waived from the citizens participation requirements, including petitions to rezone land to PL Public Land District. The Planning Commission recommended approval of this amendment on January 6, 2009 and the text amendment was approved by the City Council on March 2, 2009.

Group B now includes 13 parks, one requiring annexation and zoning and 12 requiring rezoning.

Parkland versus Publicly-owned Land – Additional background information was requested by the Planning Commission regarding why all public land (not just parkland) is zoned PL and how parkland is different from other publicly owned land.

It has been the City's policy to zone publicly owned land PL since 1963 when the Zoning Ordinance was expanded from four or five zoning classifications to the 25 or so now used (one of which is the PL classification). All land owned by the City of Ann Arbor, Washtenaw County, Ann Arbor Public Schools District, Ann Arbor District Library, and the University of Michigan is considered publicly owned and appropriate for PL designation.

The PL classification is a broad category and does not distinguish among the different public agencies that may own land. This is typical for a zoning classification. For example, residential zoning classifications include both owner-occupied and rental housing. Also, a PL zoning designation does not give an indication of the use of the land. This is also typical, illustrated by the wide range of existing uses of parcels zoned C1 Local Business District. Zoning designations are not indications of how land is actually used or who owns the properties. Zoning designations regulate how the land may be used.

Land owned by the City of Ann Arbor for public parks (parkland) is distinguished from other publicly owned land in at least one of three ways. Inclusion in the Parks, Recreation and Open Space Plan (the PROS Plan) is the primary way that parkland is identified and distinguished. The PROS Plan is an element of the City's master plan and is updated and adopted periodically. It contains the official list and map of all parkland within the City.

A second method that parkland is distinguished from other public lands is by City Council resolution. City Council approves all land purchases and accepts all land dedications by resolution, and the resolution will typically state the service unit that has purchased or received the land and the reason it has been purchased or dedicated. This is method serves to distinguish parkland that has been purchased or dedicated in between PROS Plan updates.

Finally, land may come with pre-existing deed restrictions that limit its use to parkland. Deed restrictions for public park use also serve to distinguish parkland from other public land that has been purchased or dedicated in between PROS Plan updates.

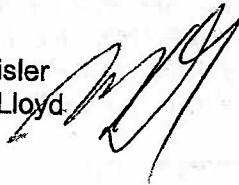
Farmers Market Added to Group B – The original list of 12 petitions in Group B have been expanded to include a rezoning petition for the Farmers Market. This site was originally planned to be part of Group C. Final preparations for both the Group C parks petitions and the A2D2 Downtown Zoning Amendments alerted staff to a potential discrepancy in the future zoning designation of the Farmers Market. One project would have petitioned to rezone the site from C2B/R Business Service/Residential District to PL while the other project would have petitioned to rezone the site to D2 Downtown Interface Base District. These projects are occurring almost simultaneously. To prevent any confusion in case either project is postponed or otherwise delayed, staff are recommending that the parks rezoning project defers to the A2D2 project. It is recommended that the A2D2 project incorporate this particular park rezoning petition in its rezoning proposal. Ultimately, regardless of which project makes its way through the public review, hearing and approval process first, the Farmers Market should be zoned PL Public Land to reflect that its primary use is as a multi-use public space. As the Planning Commission has already recommended approval of the A2D2 amendments that included the Farmers Market in the D2 district, staff is recommending the Planning Commission modify their recommendation to City Council regarding the Farmers Market only.

LOCATIONS AND DESCRIPTIONS OF INDIVIDUAL PETITIONS

Please refer to the December 16, 2008 staff report for descriptions of the Narrow Gauge property, Argo Nature Area, Brookside Park, Cranbrook Park, Devonshire Park, Dolph Nature Area, Foxfire South Park, Lakewood Nature Area, Mary Beth Doyle Park, Oakridge Nature Area, Riverwood Nature Area and West Park.

Farmers Market – The 1.06-acre Farmers Market property is a highly utilized open-air market and vendor space located northwest of Detroit Street, east of North Fourth Avenue, south of Kingsley Street, and west of North Fifth Avenue. Staff are petitioning to rezone the four parcels comprising the entire property from C2B/R Business Service/Residential to PL Public Land.

Prepared by Alexis DiLeo and Nathan Geisler
Reviewed by Connie Pulcifer and Mark Lloyd
jsj/3/10/09



Attachments: 12-16-08 Staff Report
Location Map

c: Park and Recreation Services
Assessor
Systems Planning

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of December 16, 2008

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PROPOSED CITY PLANNING COMMISSION MOTION

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PROPOSED CITY PLANNING COMMISSION MOTION

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STAFF RECOMMENDATION

Staff recommends that the petitions be **tabled** due to outstanding issues that require further attention.

DESCRIPTION OF PROJECT

Staff from the Planning and Development Services unit and the Parks and Recreation Services unit have worked jointly to identify parklands owned by the City but are not within the City jurisdiction and/or are not zoned PL Public Land. Approximately 50 parks, or portions of parks, have been identified as needing to be either annexed and zoned, or rezoned. The majority of the subject parks have been owned by the City and have been in active (or passive) parkland use for many years, some even for decades.

The 50 or so parks in need of attention were divided into four groups for effective use of time and resources. This staff report addresses 12 parks, one requiring annexation and zoning and 11 requiring rezoning.

LOCATIONS AND DESCRIPTIONS OF INDIVIDUAL PETITIONS

Narrow Gauge Property – This is a 12.9-acre natural area containing some of the highest quality natural features found within the City and was purchased in 2008. It is located at the south end of Green Road on the northeast side of the City. Approximately 0.7 acres of the property is already in the City of Ann Arbor and is currently zoned R1B Single-Family Dwelling. The remainder of the property is in Ann Arbor Township. Staff are petitioning for annexation and zoning to PL Public Land.

Argo Nature Area – This is a 22-acre linear nature area and park along the east side of the Huron River between the M-14 bridge and the Broadway Bridge. One of the City's two boat launches and canoe liveries is within the Argo Nature Area. Staff are petitioning for rezoning of a 1.25-acre stretch of the nature area below the Argo Dam from M1 Light Industrial to PL Public Land.

Brookside Park – This 0.7-acre neighborhood park at the northeast corner of Stone School Road and Baylis Drive was the location of a community well for the Brookside neighborhood. It was originally purchased by the Public Services Area; ownership was eventually transferred to the Parks and Recreation Services unit. Staff are petitioning for rezoning to PL Public Land.

Cranbrook Park – This is a 16-acre neighborhood park with many amenities and is accessed from West Oakbrook Boulevard and South Main Street. A branch of Mallets Creek runs eastward through Cranbrook Park. Staff are petitioning for rezoning of a 1.6-acre portion that was dedicated as part of the Balmoral Park Condominium development from R4A Multiple-Family Dwelling to PL Public Land.

Devonshire Park – This neighborhood park is located between Geddes Avenue and Devonshire Road west of Hickory Lane and near the Geddes Avenue entrance to Gallup Park. Staff are petitioning for rezoning from R1A Single-Family Dwelling to PL Public Land.

Dolph Nature Area – This is a 57-acre nature area on the City's west side, bordered by Wagner Road on the west, Jackson Road on the north and Parklake Avenue on the east. It contains the only naturally formed lakes in Ann Arbor, First Sister Lake and Second Sister Lake. Staff are petitioning to rezone a 0.8-acre portion on the east side of the park adjacent to Sunnywood Drive south of Lakewood Drive from R1C Single-Family Dwelling to PL Public Land.

Foxfire South Park – This is a 19-acre natural area created as part of the Foxfire neighborhood on the City's northeast side. There are three other parks, Foxfire North, Foxfire East and Foxfire West, that were also created as the neighborhood developed. Staff are petitioning for a 0.3-acre portion at the east end of Foxfire South to be rezoned from R3 Townhouse Dwelling to PL Public Land.

Lakewood Nature Area – This is a 7-acre nature area adjacent to Lakewood School with trails that connected it to Dolph Nature Area. The nature area is accessed from Lakewood School. Staff are petitioning for a 0.4-acre portion to be rezoned from R1C Single-Family Dwelling to PL Public Land.

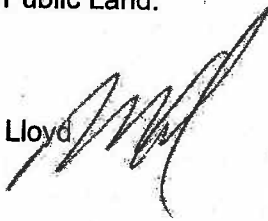
Mary Beth Doyle Park – Formerly named Brown Park, this is an 81-acre park south of Packard Road and east of Platt Road. The park contains a large pond connected to Malletts Creek, owned by the Washtenaw County Drain Commissioner, that is used for in-line flood and storm water management. Staff are petitioning to rezone a 1.3-acre portion on the east side of the park that was a parkland contribution from the Malletts Woods condominium development from PUD Planned Unit Development to PL Public Land, and a ten-acre portion on the southeast from R1C Single-Family Dwelling to PL Public Land.

Oakridge Nature Area – This nature area on the south side of Glazier Way is divided by Huron Parkway and contains a total of 7.5 acres. It is an undeveloped park established to preserve a high quality fen and an area of upland woods. Staff are petitioning to rezone a 2.4-acre portion east of Huron Parkway from PUD to PL Public Land. This portion was a parkland contribution from the adjacent Watershed Condominium development.

Riverwood Nature Area – This nature area contains several components, each of which was a parkland contribution as part of the Riverwood development. Staff are petitioning for two portions, 0.5 acre and 0.2 acre, to be rezoned from PUD to PL Public Land.

West Park – This is a 23-acre park between Huron Street, North Seventh Street, Chapin Street and Miller Avenue. Allens Creek, now in an underground pipe, runs underneath the park. Staff are petitioning to rezone a 0.2-acre portion on the south side of the park abutting Huron Street from R4C Multiple-Family Dwelling to PL Public Land.

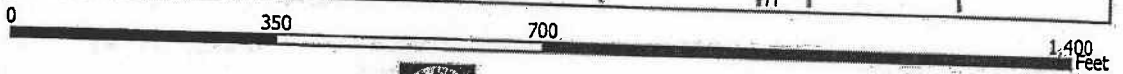
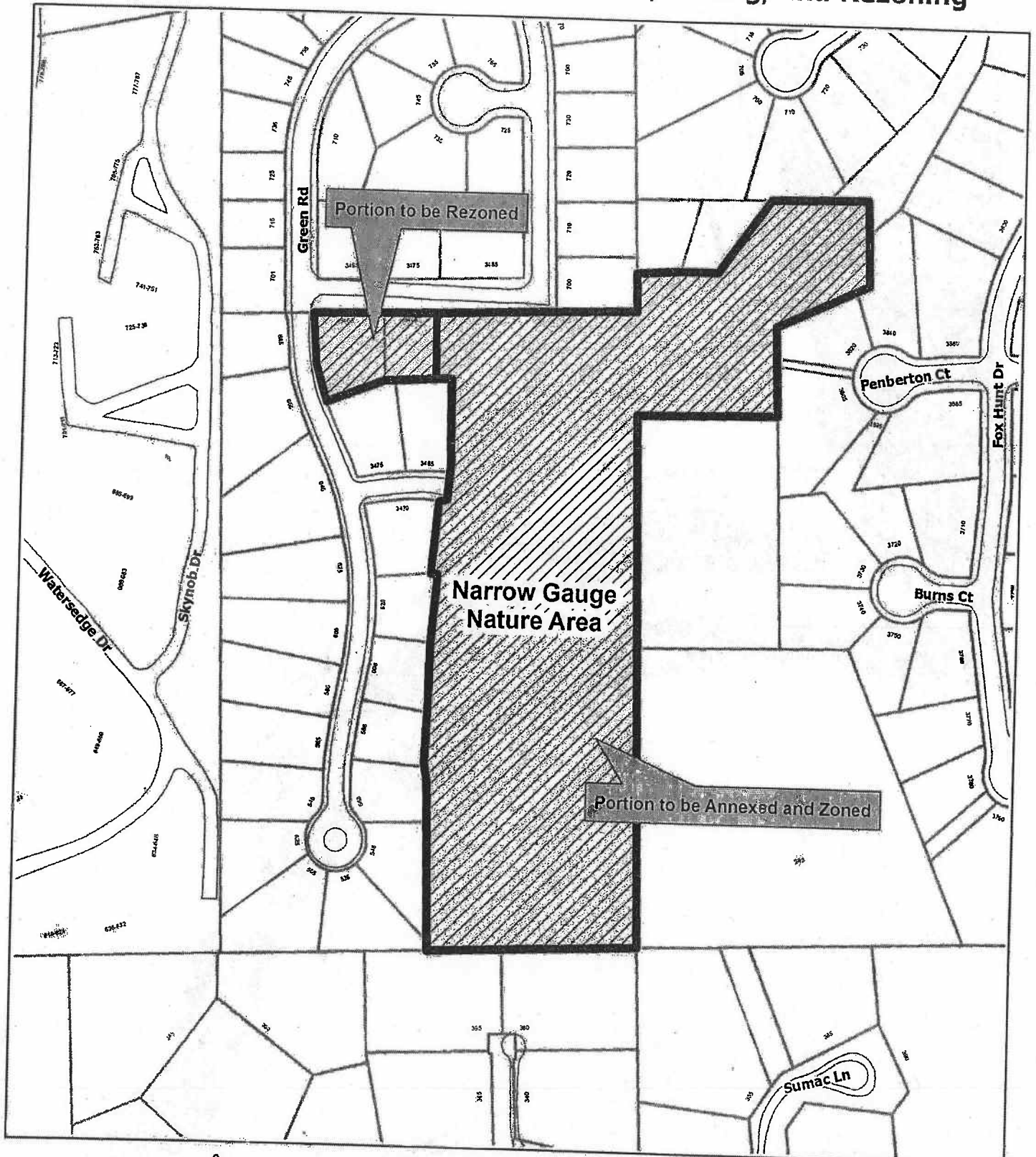
Prepared by Alexis DiLeo
Reviewed by Connie Pulcifer and Mark Lloyd
jsj/12/11/08



Attachments: Location Maps

c: Park and Recreation Services
Assessor
Systems Planning

Location Map: Narrow Gauge Nature Area Annexation, Zoning, and Rezoning



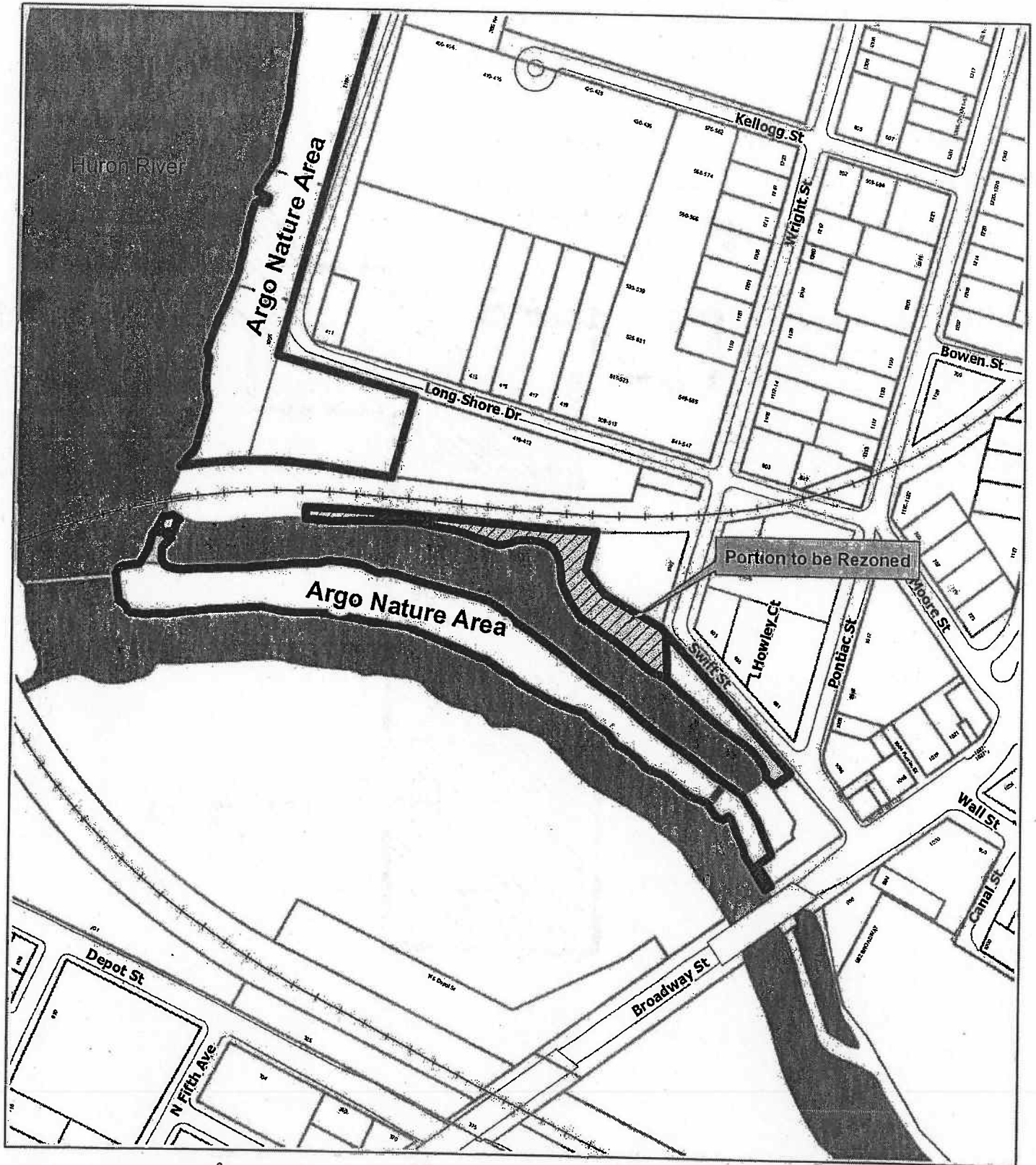
Map Legend
 Parcels



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Location Map: Argo Nature Area (portion) Rezoning



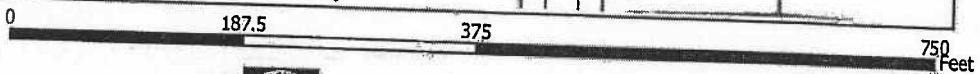
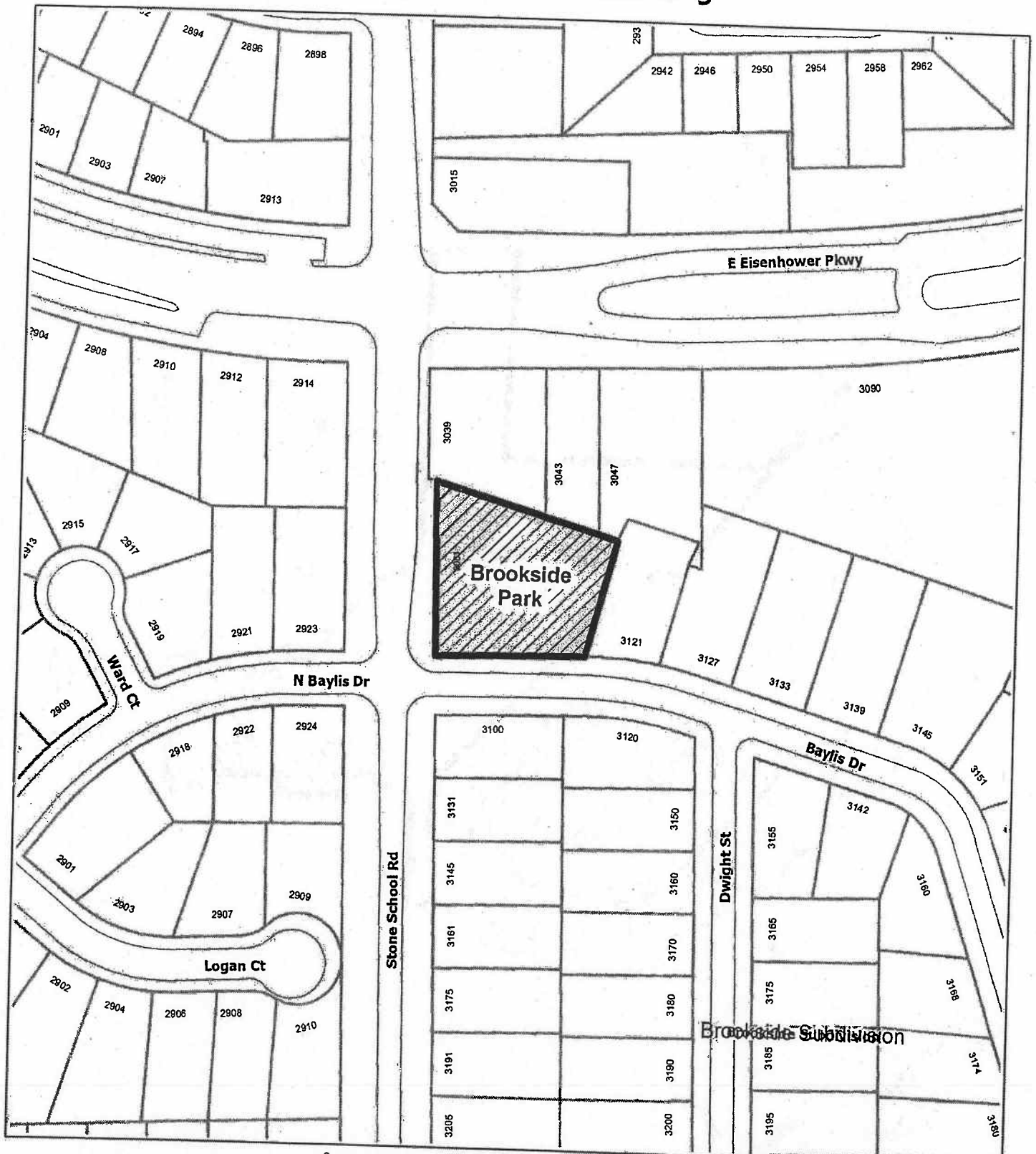
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Location Map: Brookside Park Rezoning



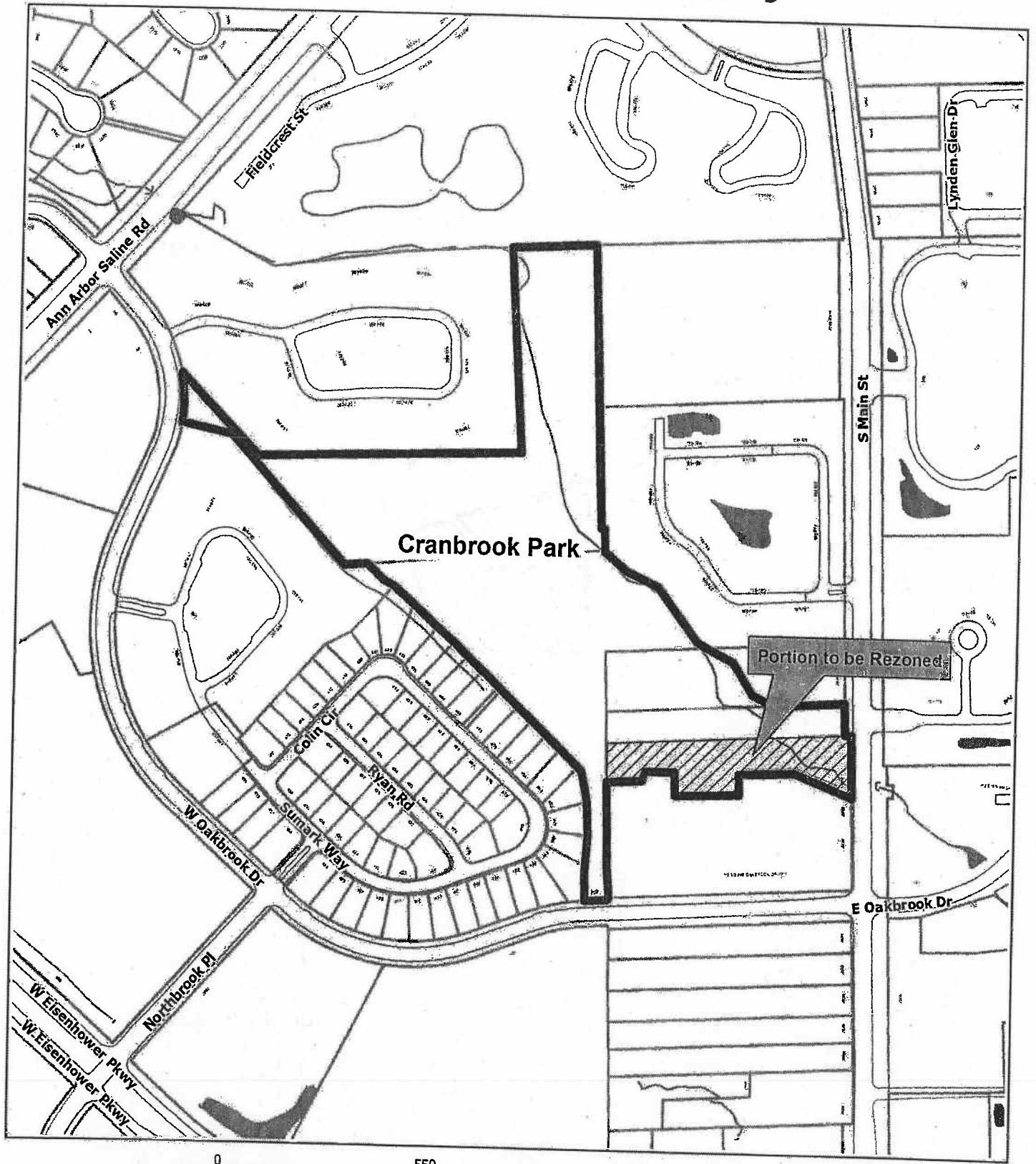
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Location Map: Cranbrook Park (portion) Rezoning



Map Legend

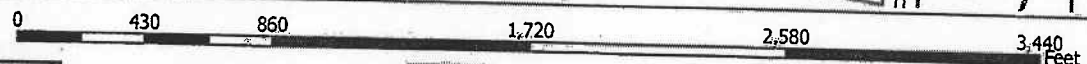
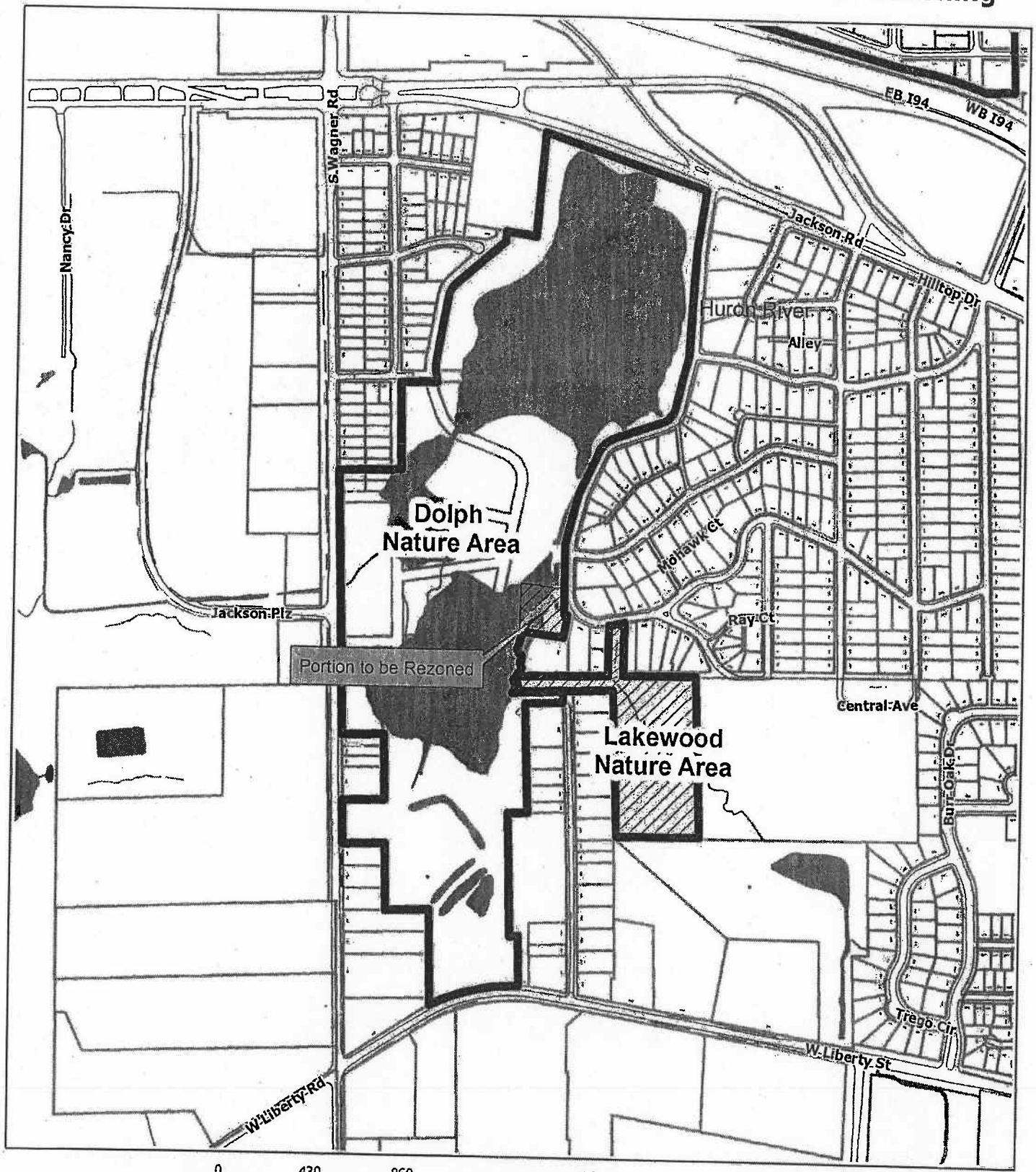
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Location Map: Dolph Nature Area (Portion) and Lakewood Nature Area Rezoning



Map Legend

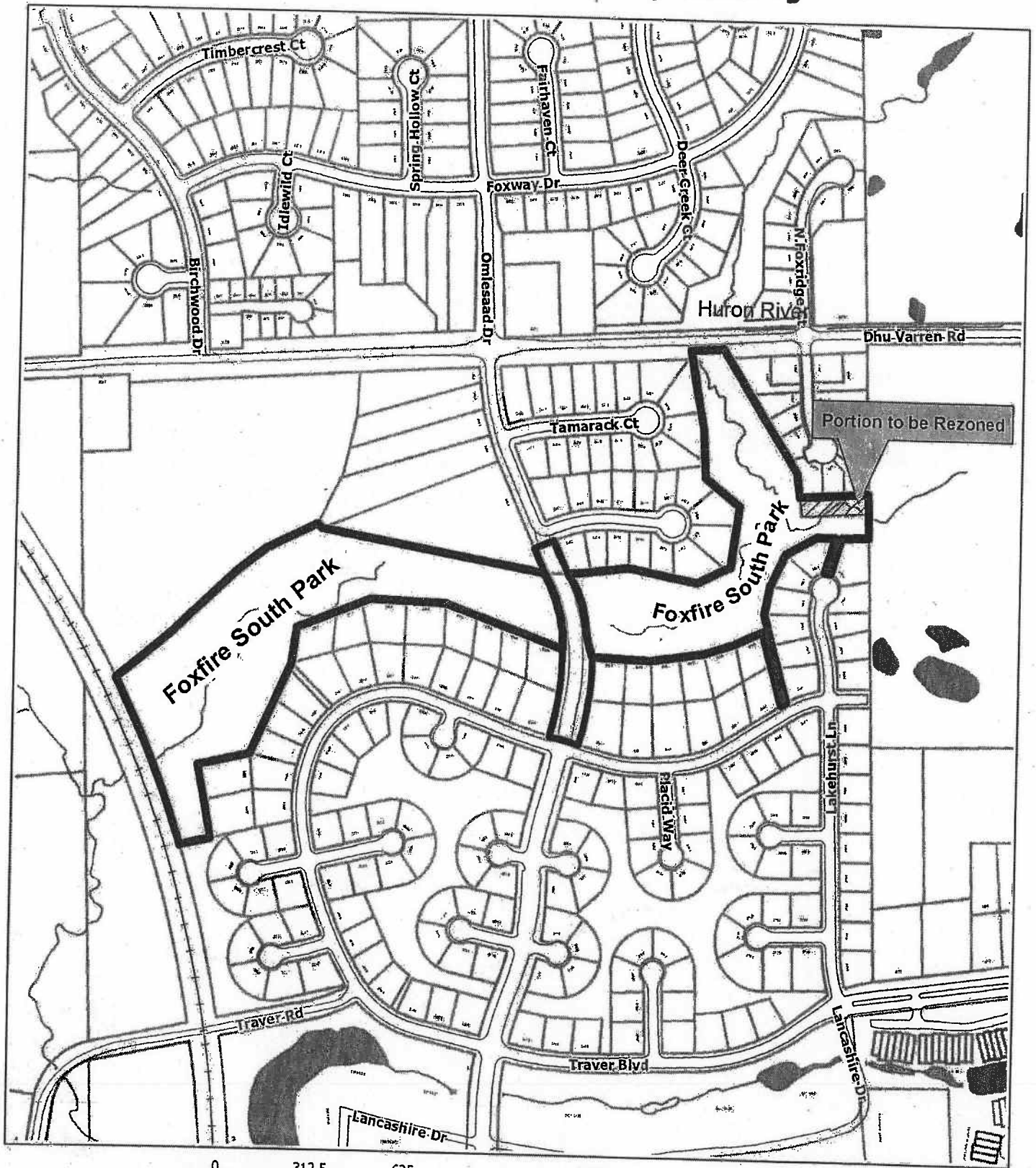
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Location Map: Foxfire South Park (Portion) Rezoning



Map Legend

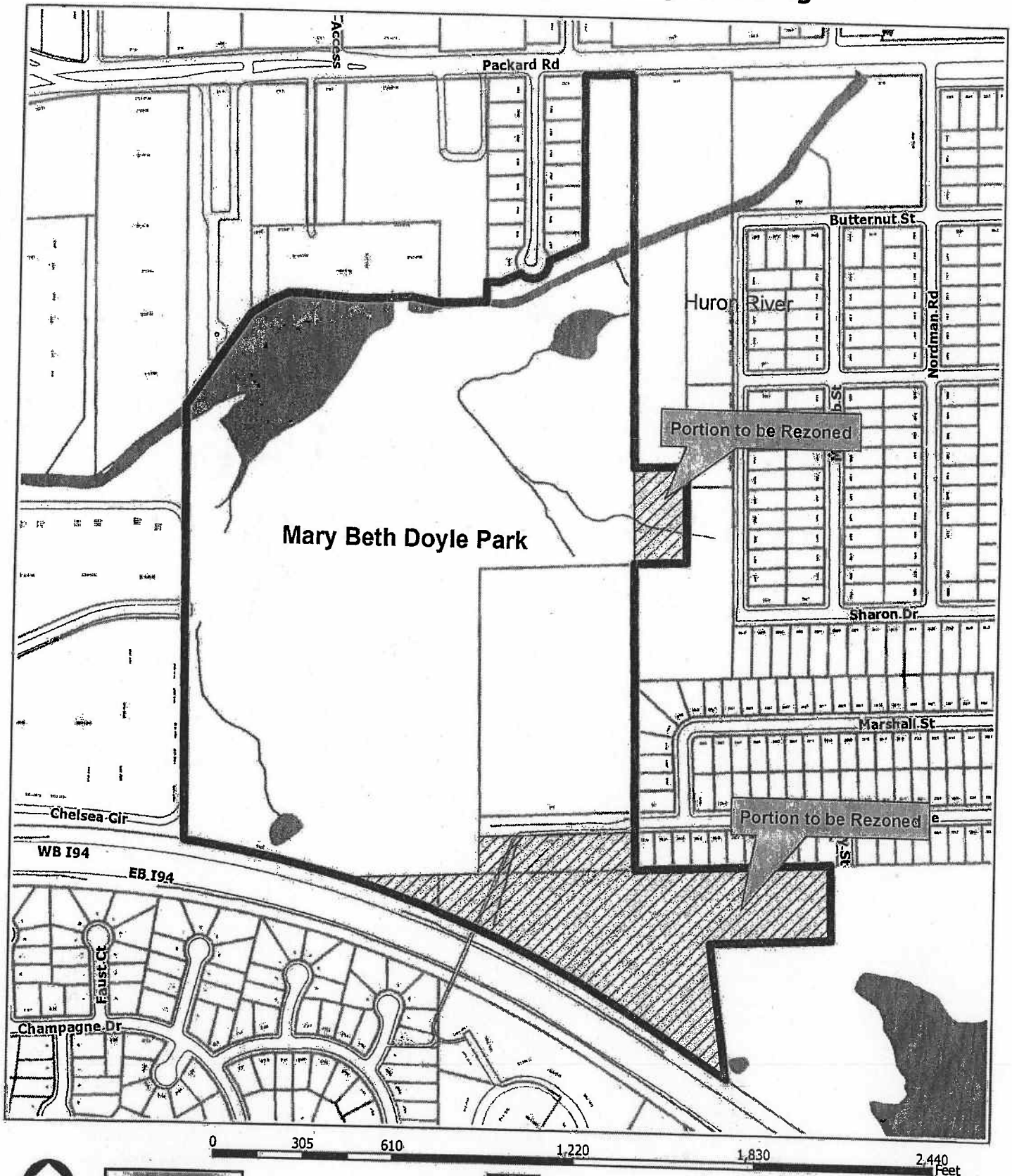
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Location Map: Mary Beth Doyle Park (Portions) Rezoning



Map Legend

- Railroads
- Parcels



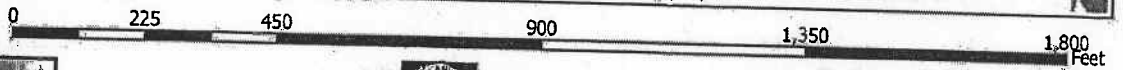
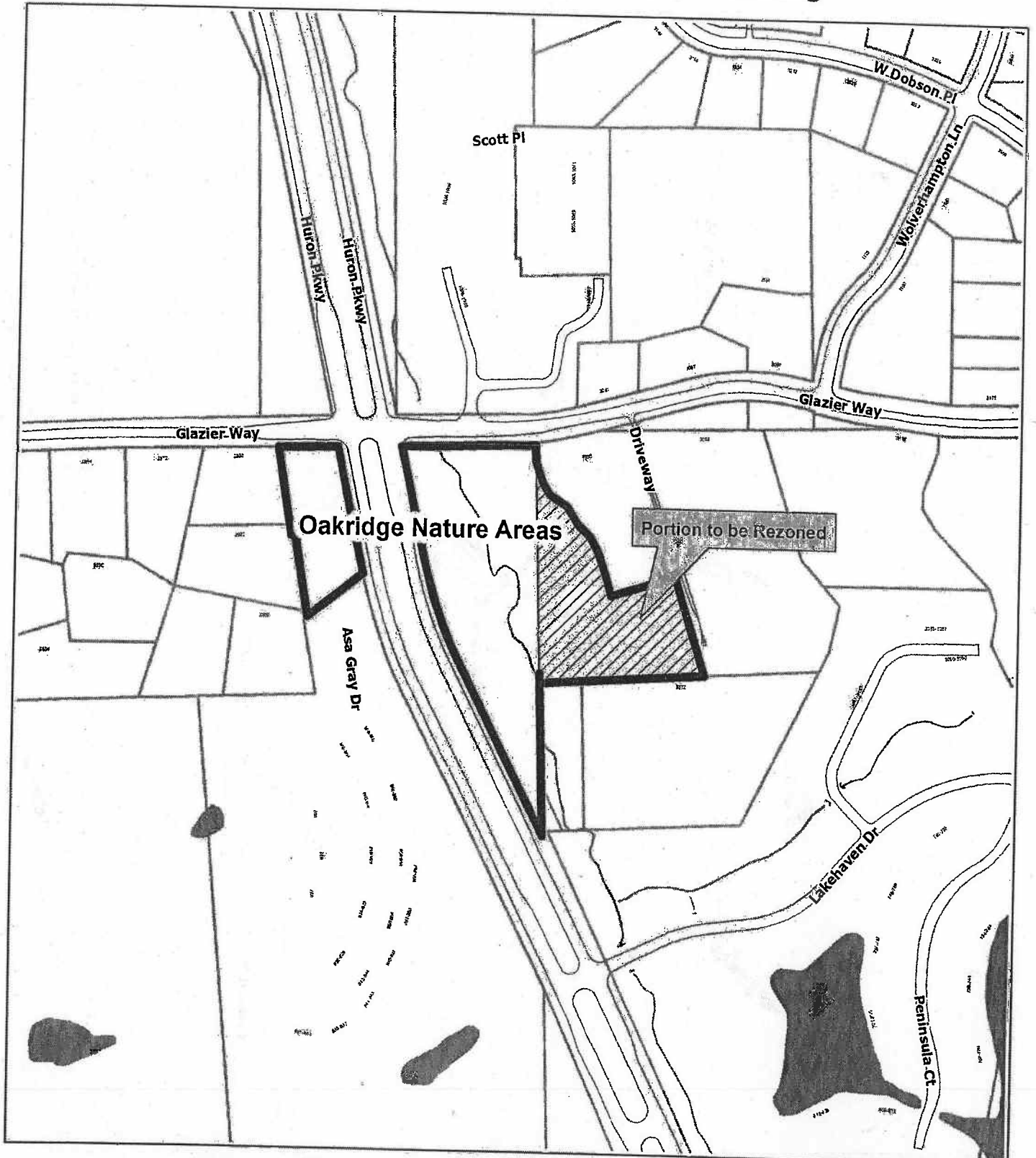
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Location Map: Oakridge Nature Area (Portion) Rezoning



Map Legend

- Railroads
- Parcels



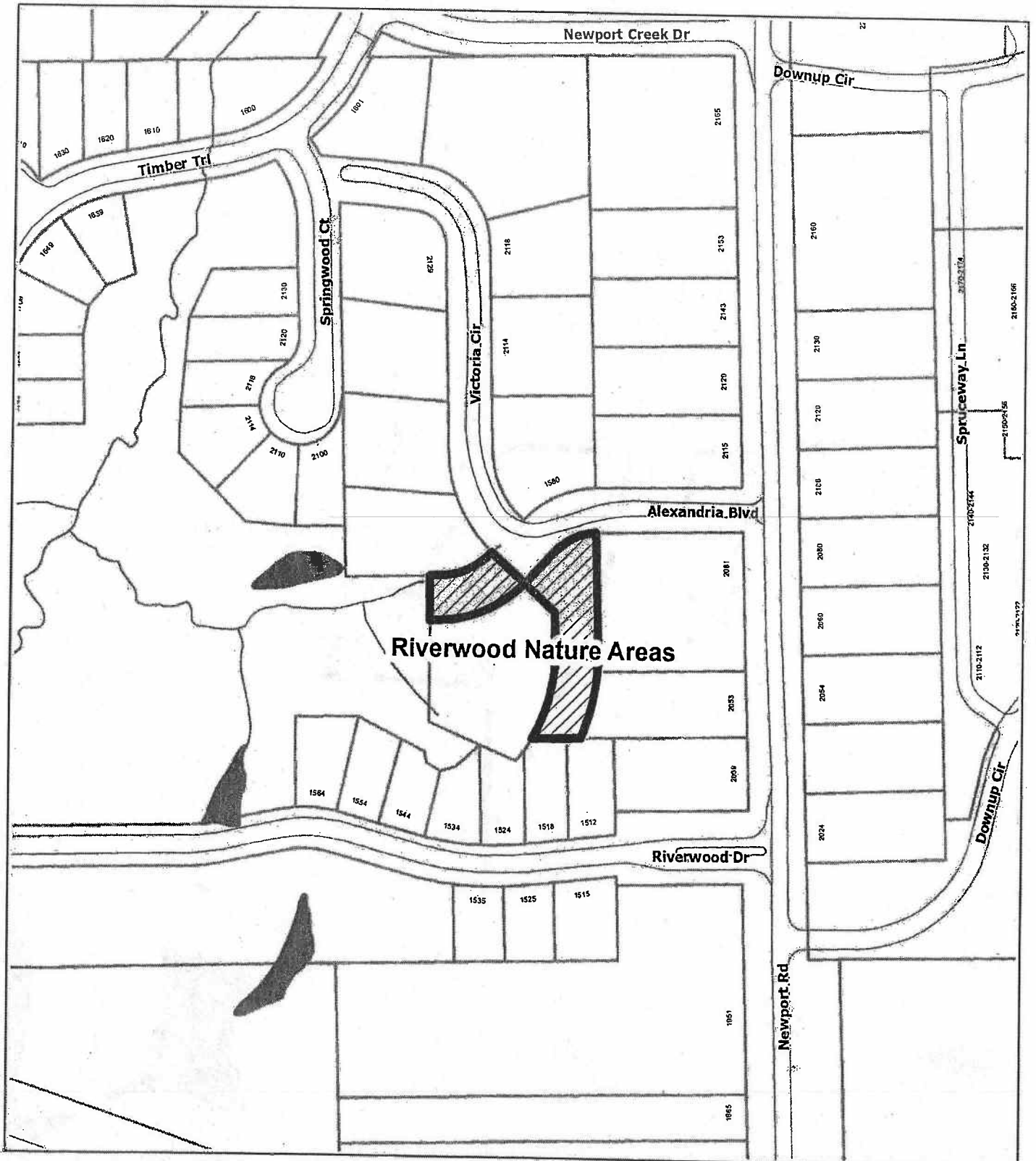
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Location Map: Riverwood Nature Area Rezoning



Map Legend

- Railroads
- Parcels



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Location Map: West Park (Portion) Rezoning



Map Legend

- Railroads
- Parcels



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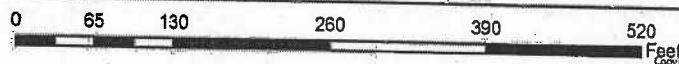
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Location Map: Farmers Market



Map Legend

- Parcels
- Edge Of Pavement
- Railroads



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