

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of June 15, 2010

SUBJECT: 1943 Jackson Road Rezoning (File No. Z08-034)

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 1943 Jackson Road Rezoning from Unzoned to R4C (Multiple-Family Dwelling District).

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the waiver of the requirement for an area plan.

STAFF RECOMMENDATION

Staff recommends the proposed rezoning be **approved** because it would be consistent with the City's adopted plans and policies and compatible with surrounding land uses.

Staff recommends that the area plan waiver be **approved** because no new construction is proposed and the rezoning was initiated by staff.

STAFF REPORT

In 2004, staff initiated a rezoning for this single-family residential parcel, which has remained unzoned since its annexation in 1987. At the July 7, 2004, City Planning Commission meeting, the property owner stated he owned the subject property and the adjacent property to the east and was exploring the possibility of a mixed use development for both sites. The property owner requested the rezoning petition be postponed to allow additional time for a different rezoning designation.

Since that time, no rezoning petition has been submitted to staff for review. Recently, staff contacted the property owner about the status of the rezoning, and the property owner indicated the originally proposed R4C zoning, Multiple-Family Dwelling District, is acceptable.

Prepared by Chris Cheng
Reviewed by Wendy Rampson
jsj/6/9/10

Attachments: July 7, 2004 Staff Report
July 7, 2004 Planning Commission Minutes
Zoning and Parcel Map
Aerial Photo

ANN ARBOR PLANNING DEPARTMENT STAFF REPORT

For Planning Commission Meeting of July 7, 2004

SUBJECT: 1943 Jackson Road Rezoning (File No. 9302G17.2)

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 1943 Jackson Road Rezoning from Unzoned to R4C (Multiple-family Dwelling District).

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the waiver of the requirement for an area plan.

STAFF RECOMMENDATION

Staff recommends the proposed rezoning be **approved** because it would be consistent with the City's adopted plans and policies and compatible with surrounding land uses.

Staff recommends that the area plan waiver be **approved** because no new construction is proposed and the rezoning is initiated by staff.

LOCATION

The site is located on the south side of Jackson Road between Glendale and Burwood. This site is in the Allen Creek Watershed.

BACKGROUND

The 1.2-acre parcel at 1943 Jackson Road contains a single-family home and a brick structure (formerly Barnard Plating). In April 2004, the property owner applied for, and was issued, a demolition permit to raze the existing brick structure. Through the permit application, staff was alerted to the fact that the property was unzoned and is taking the initiative to apply an R4C zoning designation.

The existing parcel and zoning map (attached) show R1C (Single-family Dwelling District), R4B and R4C (Multiple-family Dwelling District) zoning on the adjacent parcels. The existing zoning districts have remained unchanged for the past ten years. The Hillside Terrace Retirement Center is located to the east and the Jackson West apartments are located west of the site. Across Jackson Road, to the north, are the Grandview and Fairview Heights single-family subdivisions. Multiple-family dwellings are located to the south. There appear to be no significant natural features on the site other than a number of landmark trees near the perimeter.

	LAND USE	ZONING
NORTH	Single-family Residential	R1C (Single-family Dwelling District)
EAST	Multiple-family Residential (retirement center)	R4B (Multiple-family Dwelling District)
SOUTH	Multiple-family Residential	R4C (Multiple-family Dwelling District)
WEST	Multiple-family Residential	R1C (Single-family Dwelling District)

HISTORY

The subject parcel was annexed in 1987, under the ownership of Hillside Terrace, and has been without a zoning designation since. In 1994, the Hillside Terrace property was zoned to R4B to accommodate an expansion of the retirement center. The subject parcel was not included in the rezoning since it had recently been sold and was no longer owned by Hillside Terrace. Staff noted in the 1994 staff report that it was anticipated that the site would be zoned when the West Area Plan was completed and provided a recommended zoning for the site. The West Area Plan was adopted in 1995.

MASTER PLAN RECOMMENDATIONS

The West Area Plan, adopted in April 1995, provides the following site specific recommendations for this property (Site 28):

“Although the Barnard Plating factory building remains on the property, it has not been in operation for some time, and any redevelopment would likely require a clean-up of the site since there is a strong possibility of contamination. Assuming that contamination can be mitigated, multiple-family residential uses at the R4C density standards are recommended for the site. The recommendation is justified by its compatibility with the surrounding multiple-family uses, as well as the need for additional multiple-family residential uses in this area.”

PLANNING COMMENTS

Since an unzoned parcel may leave the City vulnerable to any proposed and possibly incompatible land use, Planning staff has initiated a City zoning designation. The R4C, Multiple-Family Dwelling District, is specifically recommended in the West Area Plan. The property owner is not in favor of this zoning designation and would like to see the property designated C1, Local Business District. He has indicated that he is in the process of working on a proposal for a mixed-use development. This staff-initiated zoning, however, will in no way preclude the property owner from pursuing a zoning of his choice when he is ready to make a formal proposal.

If developed under the R4C standards, this site could yield a maximum of 24 dwelling units (2,175 square feet minimum lot area per dwelling unit). However, with a minimum of 40 percent usable open space required, it is unlikely this number of units could be accommodated on this site.

b. Public Hearing and Action on Amendment to Chapter 55, Zoning Ordinance, to rezone 1943 Jackson Road from UNZ (Unzoned District) to R4C (Multiple-Family Dwelling District) - Staff Recommendation: Approval

Vaughn described the proposal and showed photographs of the site.

Jeffrey Starman, representing the petitioner, stated that the petitioner also owned the adjacent Hillside Terrace. When they purchased the property in April 2003, he said, they were aware of the unzoned nature of the property and that it would have to be zoned. Following the purchase, he said, they spent their time focusing on Hillside Terrace and working toward removing the building that had been a plating business. He said they were then contacted by the City about the zoning of the property, as this needed to be done. He said the petitioners had a very general plan as to what they would like to do with this property, which involved a mixed use development tied in with Hillside Terrace. He said the envisioned 10 to 14 private senior housing units and perhaps an office component, like a small doctor's office or another type of office that could serve the seniors living on the site and other members of the community. He said it was their hope to present a plan to the Planning Commission, adding that they thought they could have something put together in a reasonable timeframe. He said they would like the opportunity to do this before Commission ruled on this zoning.

Nancy Mohagus, a resident of the house to the west, stated that some of the residents in this neighborhood were concerned about traffic at the rear of the property, which was a dirt road with some houses. She said there was concern that it would be paved, thereby creating a straight cut through to Stadium Boulevard. She said the neighborhood was nice and quiet and the residents were concerned about the property being used appropriately.

Noting no further speakers, Thorp declared the public hearing continued.

Moved by D'Amour, supported by Elbing, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 1943 Jackson Road Rezoning from Unzoned to R4C (Multiple-Family Dwelling District).

Potts thought there was merit in waiting to make a recommendation on the zoning. She said the house on this site was a beautiful landmark and it would be wonderful if it could be saved. She thought housing units on this site would be suitable but, if the petitioner were thinking about a mixed use, she said the R4C zoning would not work.

Blake stated that if the property were zoned R4C at this time, there was nothing stopping the petitioner from requesting a rezoning in the future. He asked if there were an immediate danger from not zoning the property now.

Vaughn replied there were no dangers specifically related to this site, but said property should not be left unzoned. He said this property has been unzoned for quite some time and staff was suggesting R4C because that was what the West Area Plan recommended.

Lipson said there was always a risk if property were left unzoned, but if the petitioners were willing to work with the City and willing to sign something that said they would not do anything on the property until it was zoned, he thought that would be acceptable. With that, he would not have a problem waiting to make a zoning recommendation.

Carlberg did not want to waste staff time by rezoning the property now and then reviewing another rezoning request in the future. She was appreciative that the petitioner had shared potential development plans for this site and was comfortable with waiting for the petitioner to come back with a proposal.

Blake understood Commissioner Carlberg's point, but did not necessarily agree. He stated that the West Area Plan, in which many people put time and effort, recommended R4C zoning for this site and he thought that should be honored. The City could consider a proposal if submitted by the petitioner, he said.

D'Amour agreed, stating that, having spent a lot of time on the Northeast Area Plan, the zoning recommendations contained in the master plan were important and should be honored.

Thorp asked when the West Area Plan was adopted.

Vaughn replied 1995.

Thorp said this meant the zoning recommendation for this parcel was ten years old. He said the R4C zoning was not consistent with what the mixed use development the petitioner was contemplating and asked if the petitioner, during discussions with staff, was comfortable with the R4C zoning classification.

Vaughn replied no, stating that the petitioner initially thought C1 zoning was desirable but said there may be other districts that were more appropriate for what the petitioner was proposing. He said staff originally rejected the C1 zoning because it was inconsistent with surrounding uses, adding that site specific recommendations in the master plan were given more weight than a more broad recommendation. However, he said, staff was open to hearing the petitioner's thoughts if there were changing conditions in the area.

Lipson thought a medical facility on this site to serve seniors would be compatible. He asked the petitioner what the current plans were for the existing house on the property.

Starman stated that if there were to be an office use on this site, the existing building could be used for that. He said it was their intention to use the existing building and it was their hope the building could be saved.

Lipson asked if an environmental assessment had been done on the site.

Starman replied yes, stating that there was minimal aluminum oxide contamination found on the site, which was a soil removal issue.

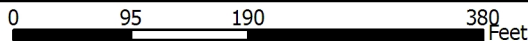
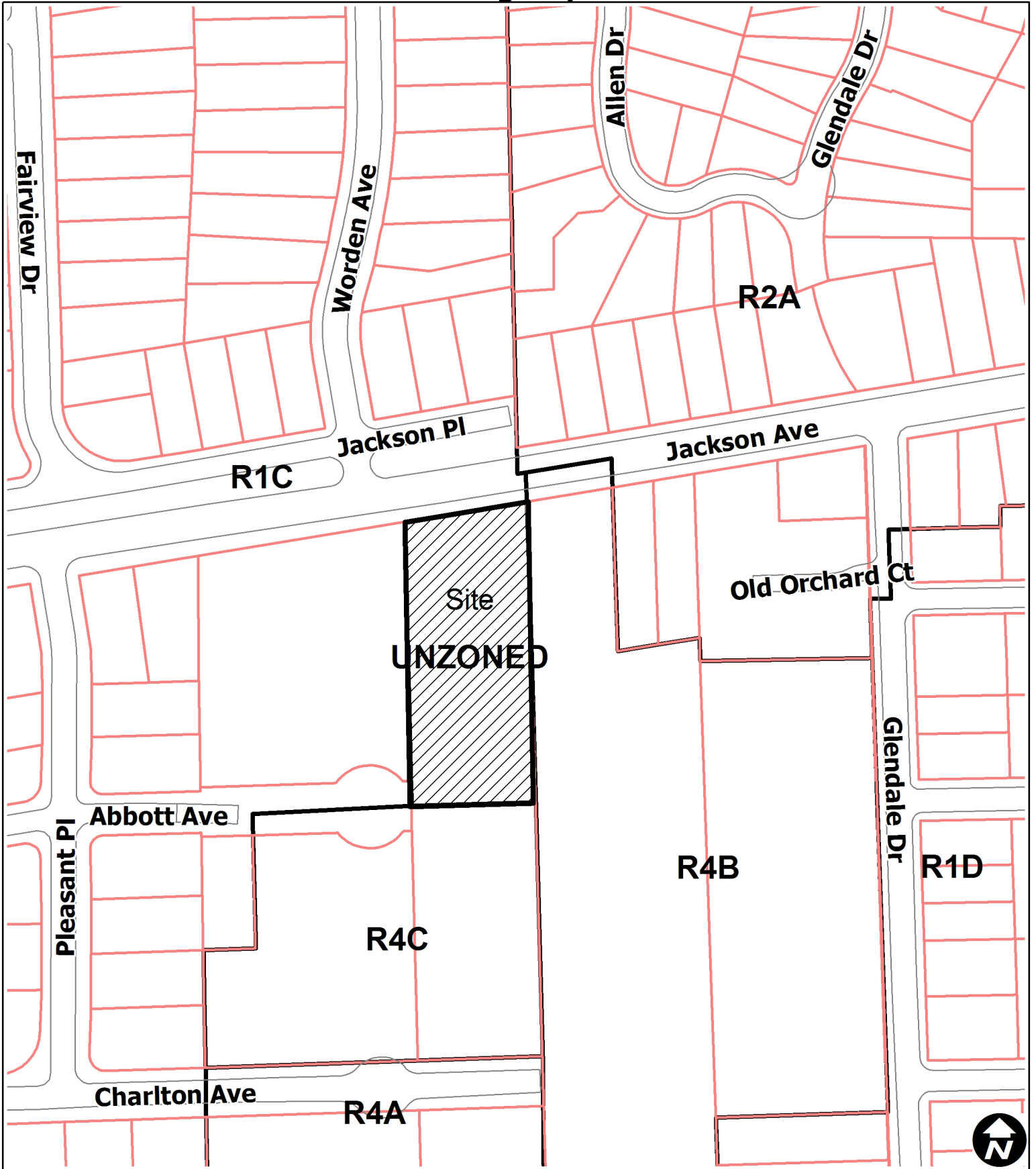
Moved by Carlberg, supported by Lipson, to table action.

A vote on the motion to table showed:

YEAS: Carlberg, D'Amour, Elbing, Lipson, Potts, Thorp
NAYS: Blake
ABSENT: Hall, Pratt

Motion carried.

1943 Jackson Road Rezoning -Zoning Map-



Maps available online:

<http://gisweb.ewashtenaw.org/website/mapwashtenaw/>

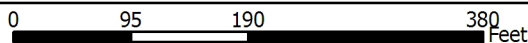
Map Legend
— Railroads

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1943 Jackson Road Rezoning -Aerial Map-



Map Legend
— Railroads



Maps available online:
<http://gisweb.ewashtenaw.org/website/mapwashtenaw/>

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