



City of Ann Arbor
Formal Minutes - Final
City Planning Commission

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Wednesday, August 7, 2013

7:00 PM

City Hall, 301 E. Huron Street, 2nd Flr.

10-a 13-0952

3325 Packard Road Rezoning for City Council Approval - A request to rezone this 0.27 acre parcel from R1C (Single-Family Dwelling District) to R2A (Two-Family Dwelling District) to allow the construction of a duplex dwelling. Ward 3. Staff Recommendation: Denial

Thacher presented the staff report.

PUBLIC HEARING

Mrs. Adoracion, 3315 Packard Rd, neighbor of empty lot, said that all their neighbor's trees are on the roof of her home, and she would like to have them cut them.

Scott Betzoldt, representative for petitioner, said he would circulate photos. Betzoldt said there was a house on the site that burned down and could not be rebuilt and that the reality of the situation is that a busy road is not an attractive area for a single-family home and that the reality of finances is that building a new home would not bring in enough rent to justify rebuilding. He said they looked at several options and noted there are duplexes in the area that are grandfathered in. He pointed out a duplex two doors down. He said during the citizen participation meeting neighbors told them there were several others in the neighborhood. He reiterated that the location is not warm and inviting for a single family. He said a new structure would be an asset to the area versus sitting vacant. He thinks the area has changed over time and that towards Platt Avenue, several of the homes have been converted to office and retail, and across the street are R4A and C3 zoning districts. He said the proposed zoning would not be out of character for the neighborhood and the proposed duplex looks like a large house, pointing out that they used a proposed footprint of a stacked duplex, attached and detached garage.

Steve Weaver, owner, said he grew up in Ann Arbor. He said this particular lot with a single-family home on it will not be purchased because of the five lane road in front. He stated that the proposed duplex will look like a standard home and will be the cornerstone, keeping other property owners from buying up lots and converting them to commercial, when coming from the west and moving eastward.

Noting no further speakers, the Chair declared the public hearing closed.

Moved by Bona, seconded by Giannola, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 3325 Packard rezoning from R1C (Single-Family Dwelling District) to R2A (Two-Family Dwelling District).

COMMISSION DISCUSSION:

Bona said the Master Plan says single-family for this district and there is no discussion about change. She said she is concerned about spot zoning, and while she empathizes with the challenge, she would like to offer some suggestions. She asked staff about the process for changing the master plan for properties along Packard Road.

Thacher said the City Planning Commission could put together a study committee, collect public comment and hold public hearings and make a recommendation to City Council.

Bona said if the Master Plan changed, that would open up opportunity to change the zoning. She said she understood that single-family is not a growing use on Packard, and asked the petitioner to think about what would be appropriate for that area. She said she does not feel a strong connection between the houses on Packard and neighborhood behind them, adding that she could not say what is appropriate for this site; since it could be office, commercial or multiple family, given the current zoning. She commented that this site could act as a buffer but she was not sure what would be appropriate. She said she does not see a study of this small area in the very near future, since there are currently so many ongoing work programs for the Planning Commission. She said based on the Master Plan, she can not approve a zoning that is different.

Parekh asked the petitioner for clarification why the site would not be attractive to single-family uses.

Weaver said the distinction is that in building a single-family home, you will have the owner family living there and raising their family, while a duplex is a rental unit where tenants come and go. He said they originally thought multi-family would be the best use of the site, but staff said that would not be supported. He said in keeping with the City's desire to keep it residential, they decided the duplex.

Parekh asked if it is less experiential rather than economic.

Weaver responded that it is trying to meet a compromise, and given the opinion of what should be looked at along the corridor as appropriate.

Briere said she had the same problem with the issue of spot zoning, and

that while this proposal may ease the pressure for other lots to convert to commercial, it may increase the pressure to convert them to duplex, which doesn't fit the current Master Plan. She said as areas change, the City updates the Master Plan, which is done on a regular basis.

Weaver said he feels that his project is a thumb in the dike to keep them from going commercial, and it will increase the tax base.

Woods said she is concerned about spot zoning as well, and while she understands the petitioner's dilemma, she takes issue with comments that the houses along Packard are not neighborhood, adding that one has to be sensitive to the neighborhood. She said she understands the economic arguments, but that is not the Commission's purview; rather, to follow the Master Plan. She said she is not convinced she has heard anything that would support changing the zoning at this site and agrees that the petitioner is between a rock and a hard place.

Giannola asked about the Citizen Participation summary and question about splitting the lot.

Thacher said the lot would not meet the minimum R1C standards, and it would need to be rezoned to R1D, but that zoning would also not be consistent with the neighborhood.

Westphal agreed with Commission comments. He applauded the owner and petitioner for coming and bringing forward the request, noting that he appreciates when issues are brought to their attention. He said they are under an obligation to uphold the Master Plan and he finds it difficult to support a rezoning of a single parcel. He asked staff if there are other examples where neighborhoods initiated an up-zoning.

Thacher said that recently there was a Council initiated re-zoning.

Rampson said there was the Golden Avenue and Lower Burn's Park neighborhood that had requested a rezoning, which was a down-zoning. She said that staff had advised the petitioner of the possibility of moving forward as a neighborhood rezoning request.

Briere asked if adjacent property owners were rezoned to R2, would they be allowed to continue their current uses and not be obligated to convert to duplexes.

Thacher, said yes.

Westphal asked if a rezoning could occur that would change the Master Plan.

Rampson said changes can be made to the Zoning Map before changes are made to the Master Plan, while staff advises that such changes be made in sync.

Bona asked about duplexes in the neighborhood and if the existing ones would be grandfathered ones.

Thacher said yes.

Bona said that she didn't believe the creeping commercial theory will happen, because the Planning Commission is not supportive of changing the zoning. She encouraged the owner and petitioner to talk to their neighbors and it might be helpful to get neighbors together to discuss the issue.

On a roll call, the vote was as follows,with the Chair declaring the motion failed and the recommendation to Council for denial.

Yeas: 0

Nays: 6 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Sabra Briere, and Paras Parekh

Absent: 3 - Eleanore Adenekan, Kenneth Clein, and Jeremy Peters