

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of March 3, 2015

**SUBJECT: Tiny Buddha Yoga Studio Special Exception Use  
(1717 Pauline Boulevard)  
File No. SEU15-002**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions) and, therefore, approves the Tiny Buddha Yoga Studio Special Exception Use for a yoga/wellness studio, subject to installation of a minimum of 2 bicycle parking spaces.

### **STAFF RECOMMENDATION**

Staff recommends the special exception use be **approved** because the proposed use is of such location, size and character as to be compatible with the zoning district in which the site is situated; and the location and size of the proposed use, its nature and intensity, the site layout and access, and effect of the proposed use on public services would not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood.

### **LOCATION**

The site is located on the south side of Pauline Boulevard, east of West Stadium Boulevard (West Area, Allen Creek Watershed).

### **DESCRIPTION OF PETITION**

The petitioner seeks special exception use approval for an indoor recreation use, specifically a yoga/wellness studio, in an existing 1,050 square foot former office building. The parcel is 9,452 square foot in size and zoned O (Office District). Indoor recreation use is interpreted to be allowed with special exception use approval by Section 5:10.12(2)(d) of the Zoning Ordinance.

The yoga studio is a facility available to members and by appointment only, offering physical and mental therapy through the use of yoga. Class sizes generally will range from 8-10 people and hours of classes will be in the late morning and early evening.

There are no changes proposed to the exterior of the building or the site layout, including the parking lot. The existing parking lot has 7 parking spaces, including one barrier free space. A minimum of 5 parking spaces would be required by code and there are 7 provided on site.

The petitioner mailed a postcard notice, as required, when the application was submitted. Staff has received letters of general support from neighbors and also letters of support from neighbors who are members and are now able to walk to the location.

## SPECIAL EXCEPTION USE STANDARDS

The Planning Commission, in arriving at its decision relative to any application for a special exception, shall apply the following standards per Section 5:104(3). The standard is provided in bold, the petitioner's response is provided in regular type, and staff comments, if any, are provided in italics.

**(a) The proposed use or uses shall be of such location, size and character as to be compatible with the appropriate and orderly development of the zoning district and adjacent zoning districts in which the site is situated. In applying this standard, the Planning Commission shall consider whether the proposed use:**

**1. Will be consistent with the general objectives of the City Master Plan;**

Yes, does not require rezoning and is consistent with the City Master Plan.

*Staff: The office district is used throughout the City as a buffer zone between residential uses and more intense land uses. The requested special exception use will continue to serve as a buffer between the more intense residential uses adjacent to the west and the residential neighborhoods to the south and east.*

**2. Will be designed, constructed, operated, and maintained in a manner that is compatible with the existing and planned character of the general vicinity;**

Yes. The facility would operate in a manner similar to normally permitted use.

*Staff: The proposed use will be located in an existing building, and its operation will be consistent with the historical use of the building by medical and dental office tenants.*

**3. Will be consistent with the general character of the neighborhood considering population density, design, scale and bulk; and the intensity and character of activity;**

Yes, the proposed use does not change the general character of the neighborhood considering it will be a tenant space built out. There will be no additional population density component as it is not residential. The activity will be similar to that of a health practitioner's office.

*Staff: The proposed use has some of the same characteristics as a traditional health practitioner's office. It will have the same general hours of operations, but the numbers of employees will be less. The overall numbers of patrons will be approximately the same as the same general intensity as the existing offices uses at this site as well as most of the other permitted principal uses allowed in the O district.*

**4. Will not be detrimental to the use, peaceful enjoyment, economic value or development of neighboring property, or the neighborhood area in general;**

The proposed use will not impact the peaceful enjoyment and economic value or development of the surrounding property as it will operate within the parameters of a health practitioner's office offering services by appointment.

*Staff: As stated elsewhere in this section, the proposed use has many of the same characteristics as a traditional health practitioner's office. It will have the same general hours of operations, numbers of employees and numbers of customers, and the same general intensity as the existing offices uses at this site as well as most of the other permitted principle uses allowed in the O district. It will not be detrimental to the use, peaceful enjoyment, economic value or development of neighboring property or the neighborhood.*

**5. Will not have a detrimental effect on the natural environment.**

Tenant build-out does impact the environment at all.

**(b) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use or uses, the assembly of persons in connection therewith, and the effect of the proposed use on public services and facilities, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. In applying this standard the Planning Commission shall consider, at minimum:**

**6. The location of and access to off-street parking and the safe provisions for pedestrian traffic;**

There will be no alterations to the existing parking lot. The parking lot will be re-stripped and there will be not impacts to the existing pedestrian traffic flow.

**7. The relationship of the proposed use to main traffic thoroughfares and to streets and road intersections;**

No relationship - will not change. Traffic patterns will remain consistent with current office use.

**8. Vehicular turning movements in relationship to traffic flow routes;**

There will be no changes to vehicular turning movements and no change to traffic flow routes.

**9. The intensity and character of traffic and parking conditions on the site, and in the general area;**

Nine (9) vehicle parking spaces which will be more than adequate for proposed use. It is expected that many clients will walk or ride bikes to the facility.

*Staff: The plot plan submitted with the petition shows 7 parking spaces, including one barrier free space, are proposed on the existing parking lot. Based on the petitioner's description of the proposed use, it will generate less traffic than a traditional medical office and may generate less vehicle trips than some types of business offices.*

**10. The requirements for additional public services and facilities which will be created by the proposed use will not be detrimental to the social and economic welfare of the community.**

No need for additional public services.

**SURROUNDING LAND USES AND ZONING**

	LAND USE	ZONING
NORTH	Single-Family Residential	R1C (Single-Family)
EAST	Single-Family Residential	R1C (Single-Family)
SOUTH	Single-Family Residential	R1C (Single-Family)
WEST	Multiple-Family Residential	R4B (Multiple-Family)

**COMPARISON CHART**

	EXISTING	PROPOSED	REQUIRED
Zoning	O Office District	O Office District	O Office District
Gross Lot Area	9,452 sq ft	9,452 sq ft	6,000 sq ft MIN
Floor Area in % of Lot Area	11% (1,050 sf)	11% (1,050 sf)	75% (7,089 sf) MAX
Parking - Automobiles	7 spaces	7 total spaces: <ul style="list-style-type: none"> <li>• 6 regular</li> <li>• 1 barrier-free</li> </ul>	5 spaces MIN
Parking – Bicycles	None	2 spaces – Class C	1 spaces – Class C MIN

**HISTORY**

The existing office building was built in 1957 and has been used as a medical office since that time. It does not have a site plan on file. In January 2015, the petitioner applied for a re-occupation permit to occupy the building as a yoga studio. At that time it was noted that a Special Exception was required, and the petitioner was directed go through the process.

**PLANNING BACKGROUND**

The 2009 City Master Plan: Land Use Element identifies this site as adjacent to the Pauline/Stadium Neighborhood District, and the future Land Use Map recommends single-family residential use. The Land Use Element also encourages mixed uses adjacent to neighborhoods when the uses are compatible with residential.

## STAFF COMMENTS

Planning – The O district is intended primarily for office buildings and to serve as a transitional use buffer between residential uses and uses which would be incompatible in direct contact with residential districts. Principal uses permitted in the O district include business, executive, professional, administrative, medical, dental and health practitioner offices, beauty salons, artists' studios, funeral homes, private colleges and institutions of higher education, and hotels. Uses permitted with special exception use approval include veterinary hospitals and kennels, and indoor court game facilities.

The proposed yoga studio is not a medical or health practitioner's office, but is essentially an indoor recreation use. Section 5:10.12(2)(d) permitted principal uses, allows for "(l)ndoor court game facilities, including but not limited to, handball, racquetball, paddleball, squash, ping-pong and similar uses, when located in an enclosed building shall be permitted as a special exception use pursuant to section 5:104." Staff has interpreted this section to include recreational uses such as a yoga studio where relatively few persons come at any one time to use shared equipment and space for recreation and generally improving their health. The petitioner's yoga studio meets the broad interpretation of the intent of the indoor recreation special exception use.

As mentioned in the Master Plan, the City should encourage the preservation of mixed uses that are compatible to adjacent residential neighborhoods. .Allowing this low intensity recreational use to locate adjacent to neighborhoods increases the opportunity for nearby residents to walk or bike to the use. In addition, this site is well-served by transit, with AAATA bus stops approximately 2 blocks to the east and 1 block to the west along Pauline. The AATA also provides service along West Stadium Boulevard which is 2 blocks to the west.

Staff has recommended the installation of bicycle parking to encourage the use of non-motorized transportation. The petitioner has agreed to install a bike rack in the spring. If the project is approved, staff recommends approval conditioned upon installation of a bicycle parking.

Prepared by Matt Kowalski  
Reviewed by Wendy Rampson  
2/27/15

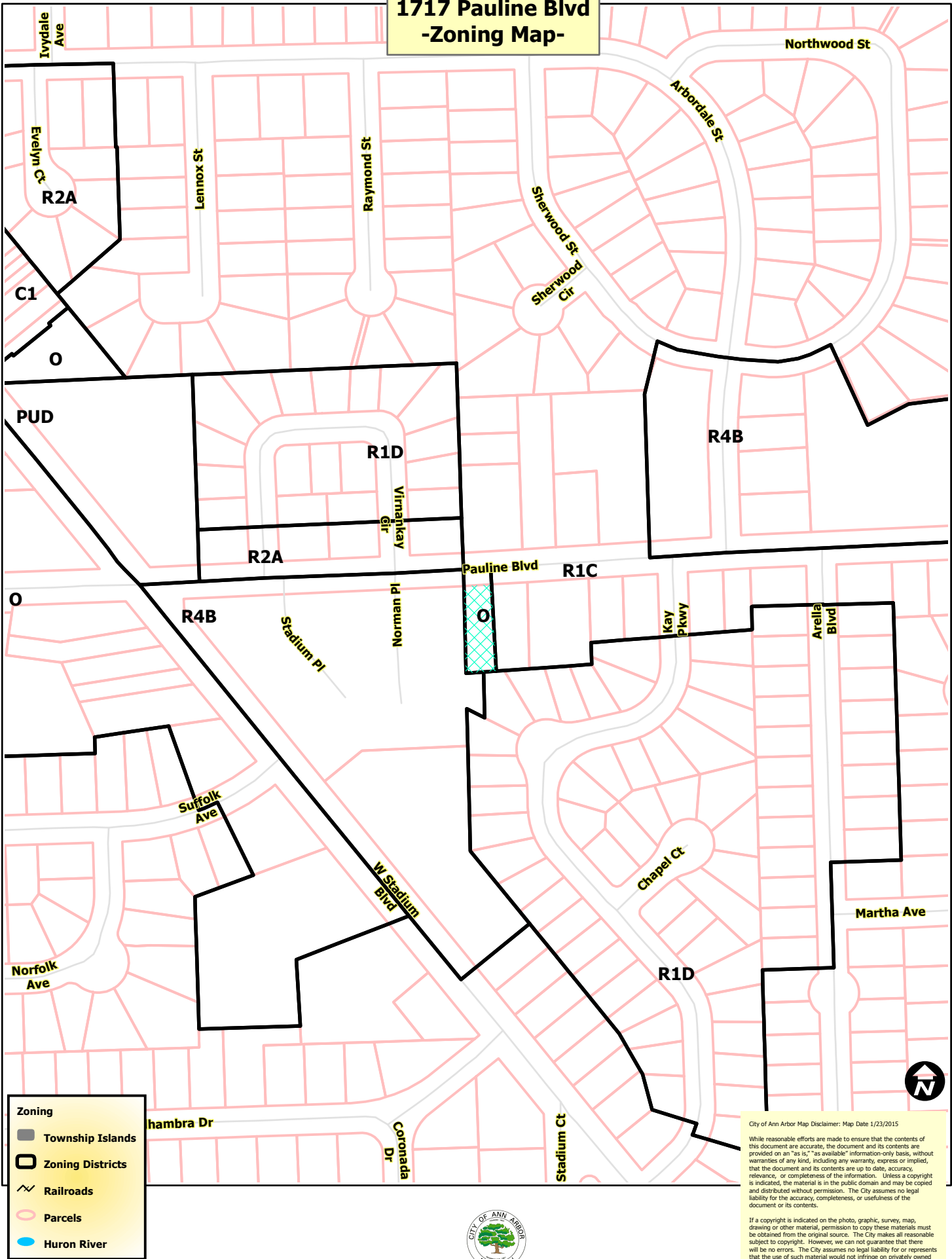
Attachments: Zoning and Parcel Map  
Aerial Photo  
Plot Plan

c: Petitioner: Risa Gotlib  
542 North Main Street  
Ann Arbor, MI 48107

Owner: Ken Magee  
PO Box 8170  
Ann Arbor, MI 48107

Systems Planning  
File Nos. SEU15-002

# 1717 Pauline Blvd -Zoning Map-



**Zoning**

- Township Islands
- Zoning Districts
- Railroads
- Parcels
- Huron River



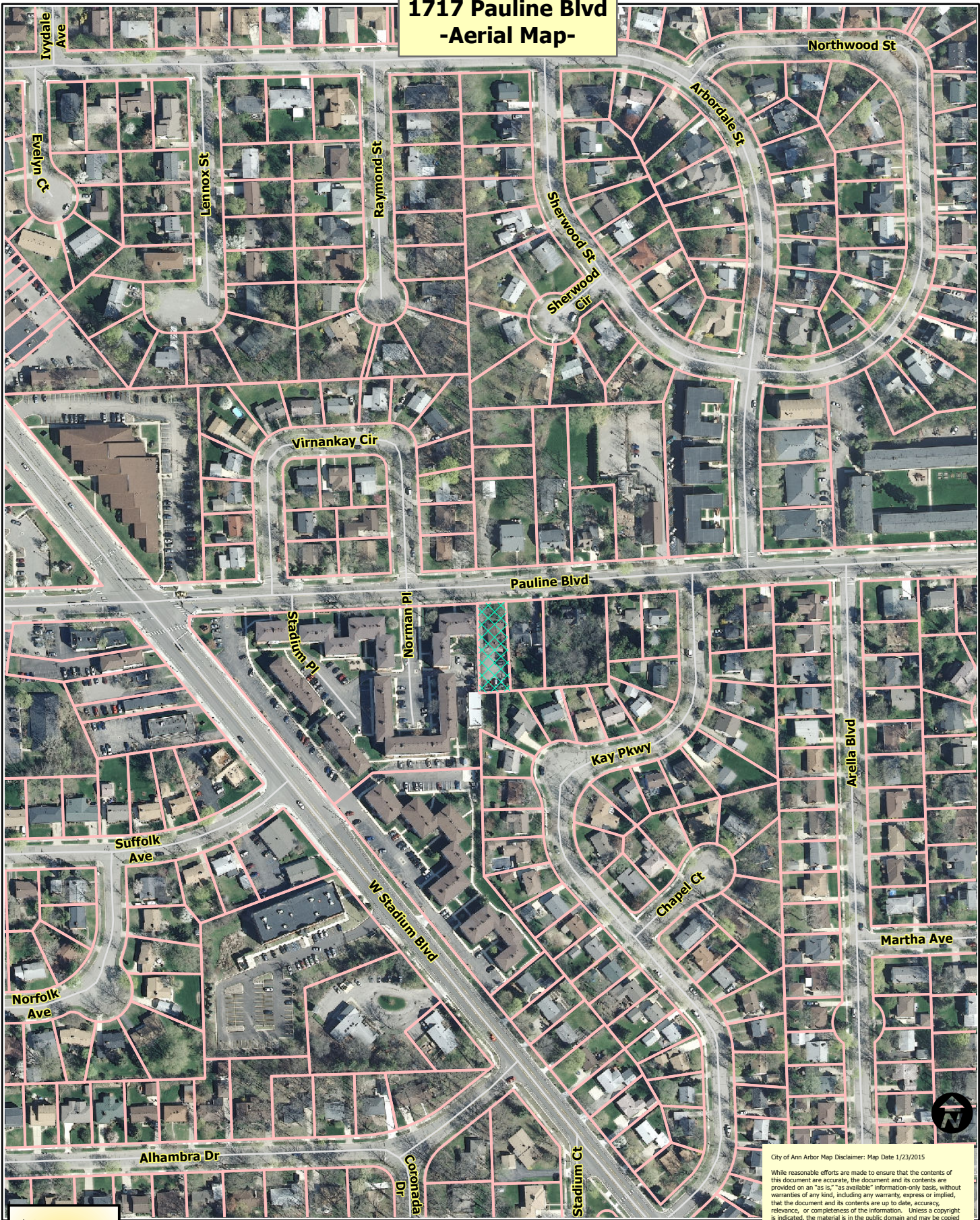
City of Ann Arbor Map Disclaimer: Map Date 1/23/2015

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# 1717 Pauline Blvd -Aerial Map-



-  Railroads
-  Parcels
-  Huron River

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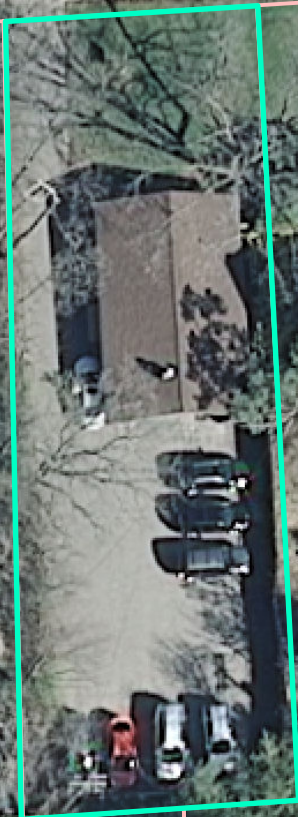
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Pauline Blvd



-  Railroads
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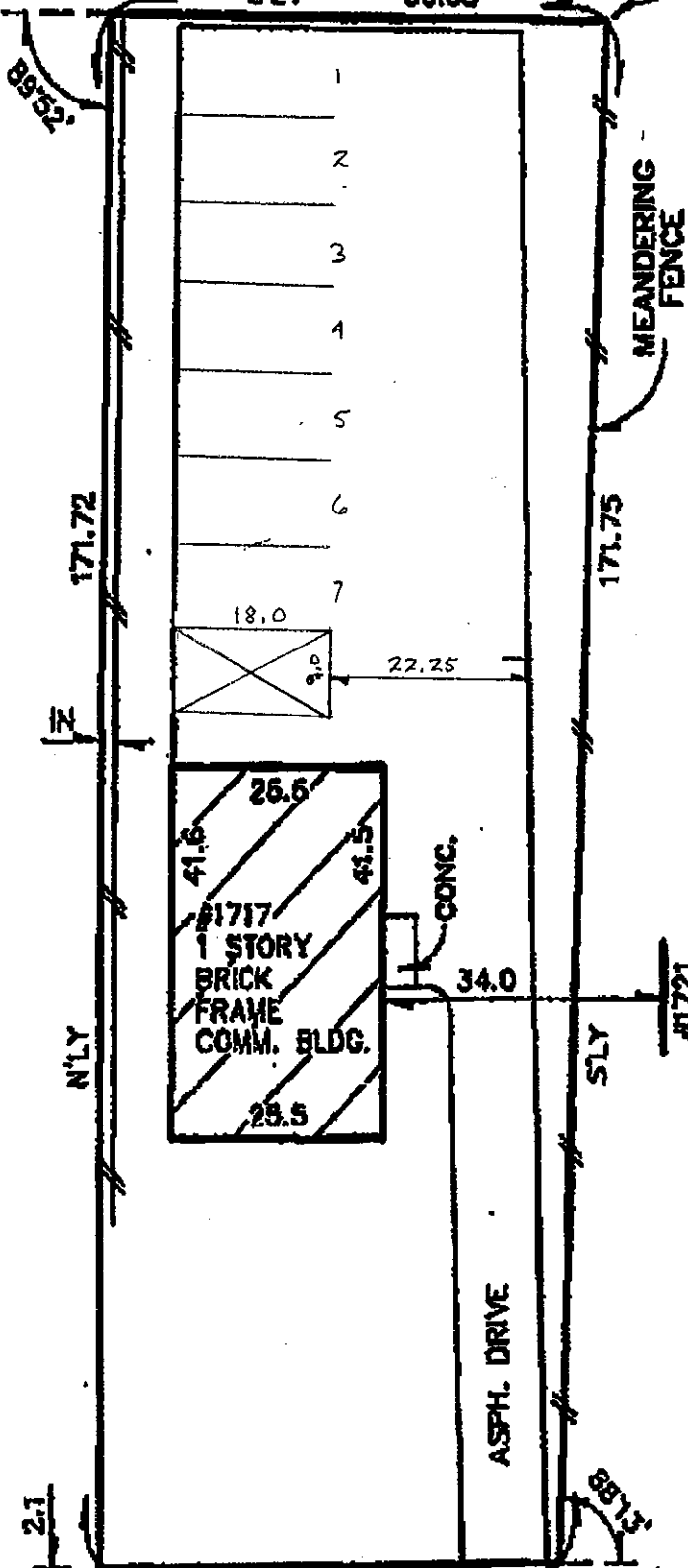
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LOT 24

P.O.B.  
NW CORNER  
OF LOT 24  
BARNARD  
HEIGHTS NO. 2

E'LY 60.03



NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND EASEMENT LOCATIONS.

COMPLETE CURRENT SURVEY HAS NOT BEEN MADE THEREFORE EASEMENTS AND ENCUMBRANCES MAY EXIST AT THIS TIME.

ASPH. PAV'T  
PAULINE BLVD. 66' WD.

S'LY LINE OF PAULINE BLVD.



I hereby certify that we have surveyed the above-mentioned property in accordance with the description furnished for a mortgage loan to be made by the forementioned