

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of August 19, 2014

**SUBJECT: Farah Building Health Spa Special Exception Use
(3100 West Liberty Street)
File No. SEU14-011**

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 Farah Building Health Spa Special Exception Use for a indoor fitness center use.

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 north side of West Liberty Street between Burr Oak Drive and Lakeview Avenue (West Area). It is in the Honey Creek creekshed.

DESCRIPTION OF PETITION

The petitioner seeks special exception use approval for an indoor recreation use, specifically a fitness center, in the southernmost of two existing office buildings on a 5.37-acre site zoned O (Office District). The proposed use will function similar to a physical therapy/rehabilitation facility. This use is interpreted to be an indoor recreation use, which is allowed with special exception use approval by Section 5:10.12(2)(d) of the Zoning Ordinance.

The proposed fitness center is a facility available to customers by appointment only, offering less than a dozen pieces of equipment such as treadmills, elliptical, bikes and nautilus machines. Yoga, spinning, massage therapy and acupuncture also will be offered. Hours of operation will be consistent with normal office/health practitioner business hours.

The O district is intended primarily for office buildings and to serve as a transitional use between residential uses and uses which would be incompatible in direct contact with residential districts (such as manufacturing uses). Principal uses permitted in the O district include business, professional, 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 (i.e., indoor recreation).

Concurrent with this request, the petitioner has submitted an administrative amendment to the approved site plan for changes to the office center's parking lot. The petitioner proposes to increase the number of spaces from 89 to 104 within the limits of the current vehicular use area. The additional spaces are required to support the proposed indoor recreation use. The modified parking lot configuration will have 70 full-sized spaces, 29 compact-sized spaces (none are currently provided), and 5 barrier-free spaces. Twelve of the full-sized spaces are proposed to be deferred.

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 transition zone between residential uses and more intense land uses. The requested special exception use will continue to serve as a transition between the more intense uses on the south side of Liberty and the residential neighborhoods to the north.

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, less intense than permitted uses within the ordinance. There are other fitness facilities within the area such as Liberty Athletic Club. The proposed use is less intense than the Liberty Athletic Club and has limited exercise equipment (less than eight machines) and will be available by appointment only. Hours of operation will be consistent with normal office/health practitioner business hours.

Staff: The proposed use will be located in an existing office development, and the small size of its operation will be similar with the existing office tenants of that development.

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 build out. There will be no additional population

density component as it is not residential. The activity will be similar to that of health practitioner's office.

Staff: 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 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 peace 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 only.

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 principal 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. In fact there is a reduction in impervious surface.

(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:

1. 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.

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

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

3. Vehicular turning movements in relationship to traffic flow routes;

There are no proposed changes currently however vehicular turning movements will be slightly modified when the deferred parking is added. In the deferred situation a drive aisle will be removed and a hammerhead will be replaced at the end of the aisle to allow vehicles to back out and drive down the aisle.

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

Fifteen parking spaces will be added – 3 via re-stripping with the current proposal and 12 in the deferred condition. There are 89 existing parking spaces and 104 proposed. There will be no new impervious added; during the deferred condition impervious will be removed and replaced with an overall net reduction.

Staff: 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.

5. 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	Sister Lakes Drain	TWP Township
EAST	Sister Lakes Drain	TWP Township
SOUTH	Commercial and Industrial	TWP Township
WEST	Office	O Office

HISTORY

The Farah Professional Center was first developed in 1995 and expanded in 2005. It currently contains a 13,000-square foot, two-story building and a 10,000-square foot, one story building with an 89-space parking lot.

PLANNING BACKGROUND

The 2009 City Master Plan: Land Use Element identifies this site as West Area Site #10 and provides a site specific recommendation for office uses for the entire north side of Liberty Road between Wagner Road and the Liberty Glen subdivision. It also recommends that natural features, such as steep slopes and woodlands, be preserved to create a pleasing, natural setting for offices.

STAFF COMMENTS

Planning – Staff has interpreted Section 5:10.12(2)(d), “Indoor 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” to include indoor recreation uses such as a fitness center, 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 fitness center meets the broad interpretation of the intent of the indoor recreation special exception use.

With the increasing emphasis and popularity of preventative and wellness, the distinction between traditional medical offices and other health-related services are blurring. Staff routinely receives inquiries about rehabilitation clinics, yoga studios, and therapeutic or sports massage business seeking to locate in available office spaces throughout the city. There appears to be a shift in what most people think of as acceptable medical uses. The general consensus seems to now include rehabilitation, preventative, wellness and fitness services along with traditional medical offices.

Prepared by Alexis DiLeo
Reviewed by Wendy Rampson
8/15/14

Attachments: Zoning and Parcel Map
Aerial Photo
Proposed Parking Lot Layout

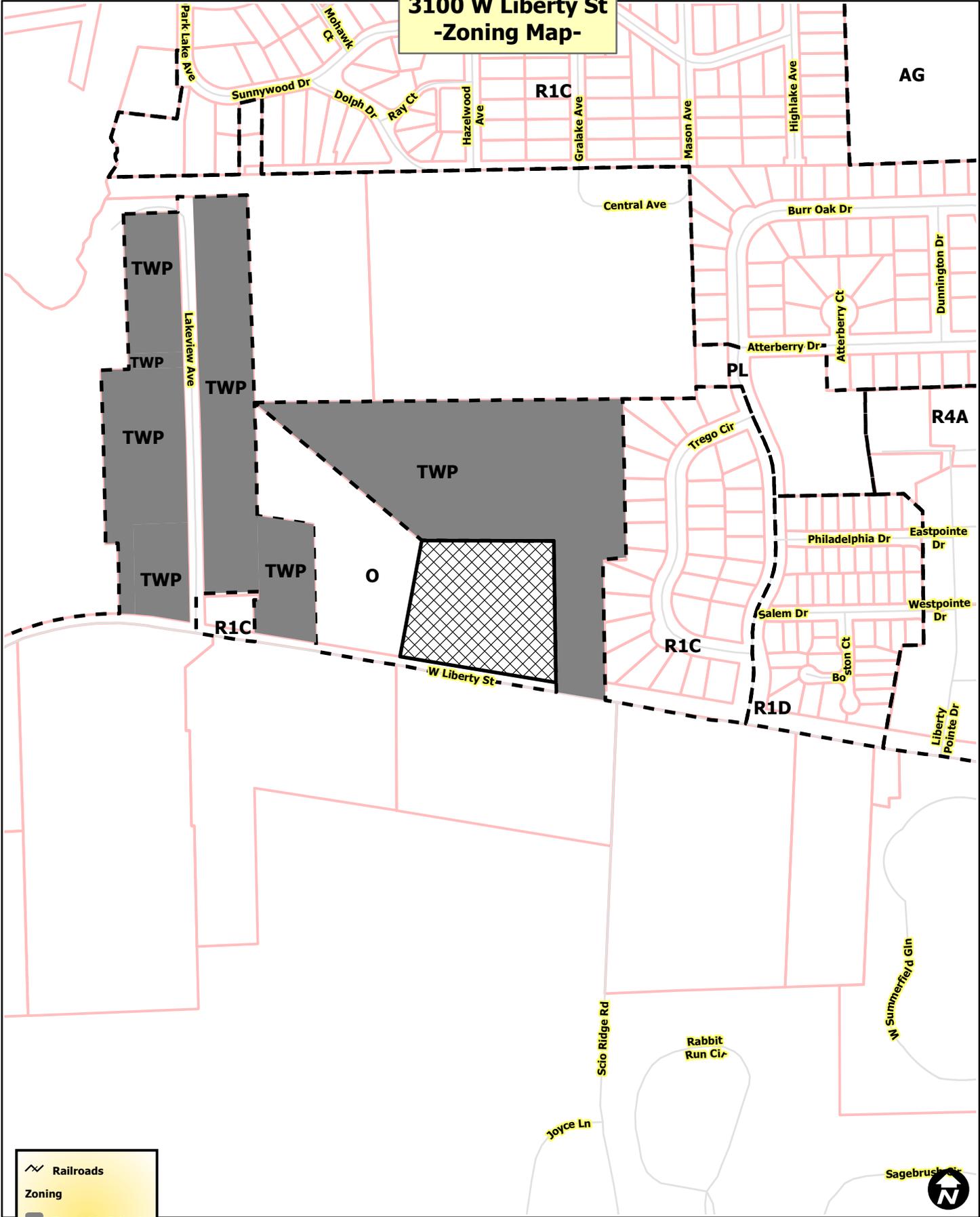
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Petitioner’s Agent: John Powers
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Ann Arbor, MI 48103

A3C – Collaborative Architecture
210 E. Huron Street
Ann Arbor, MI 48104

Systems Planning
File Nos. SEU14-011

3100 W Liberty St -Zoning Map-



-  Railroads
- Zoning**
-  Township Islands
-  Zoning Districts
-  Parcels



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3100 W Liberty St -Aerial Map-



-  Railroads
-  Parcels



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