



**City of Ann Arbor**  
**PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION**  
301 East Huron Street | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647  
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**APPLICATION FOR CHANGES IN OR ADDITIONS TO THE ZONING CHAPTER**

See [www.a2gov.org/planning/petitions](http://www.a2gov.org/planning/petitions) for submittal requirements.

TO: The Honorable Mayor and City Council  
City of Ann Arbor  
Ann Arbor, Michigan

We, the undersigned, respectfully petition the Honorable Council of the City of Ann Arbor to amend the Zoning Map as it relates to the property hereinafter described.

*(Give or attach legal description and include location of property)*

See attached legal description

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The petitioner(s) requesting the zoning/rezoning are:

*(List petitioners' name; address; telephone number; and interest in the land;  
i.e., owner, land contract, option to purchase, etc.)*

First Martin Corporation - Darren McKinnon

115 Depot Street, Ann Arbor, MI 48104

734-994-5050

Owner's authorized agent

Also interested in the petition are:

*(List others with legal or equitable interest)*

Mill Creek One, LLC and Mill Creek Phase II Associates - Owners

The applicant requests that the Official City Zoning Map be amended to reclassify this property from  
R3 to R4B to permit the following use(s):

multi-family residential units (stacked apartments) infill development

*(state intended use)*

Justification:

1. The extent to which the zoning/rezoning requested is necessary:  
The petitioner wishes to utilize existing open space within the Mill Creek development to construct additional residential dwelling units within an established neighborhood with existing infrastructure and utilities. The existing residential units are townhouses and the petitioner desires to provide housing diversification within the development with proposed stacked flat apartments, which are a different housing typology. The current zoning does not identify multi-family residential as a permitted use.
2. This zoning/rezoning will affect the public welfare and property right of persons located in the vicinity in the following ways:  
The proposed rezoning would change the properties from townhouse zoning to multi-family zoning, which would increase the permitted density on the site. The amount of open space on the property would be decreased from 69% to 64.5%, however, the Mary Beth Doyle park has been constructed immediately east of the site since the time of the initial construction of the neighborhood and offers significant access to open space amenities for the community residents.
3. This zoning/rezoning will be advantageous to the City of Ann Arbor in the following ways:  
The City of Ann Arbor has emphasized the need for a diversity of residential dwelling units. Rezoning the property to R4B, which identifies multi-family residential as a permitted use, will increase the housing diversity within the City and provide additional tax base. The Mill Creek development generally has lower rental fees than most housing in the City and additional units will provide additional lower cost rental units.
4. This particular location will meet the convenience and service requirements of potential users or occupants in the following ways:  
The proposed location is within an existing residential development that is currently served by municipal services and is located within close proximity to commercial and office base. The location is adjacent to Mary Beth Doyle Park and within xx miles of Ann Arbor Public Schools. The location provides relatively easy access to major vehicle thoroughfares. Additionally, there is public transportation along Stone School Road.
5. Any changed or changing conditions in any particular area, or in the municipality generally which may have bearing on the proposed zoning/rezoning are:  
The City of Ann Arbor has emphasized the need for a diversity of residential dwelling units with different rent levels. The rezoning of the site provides opportunity to propose a different housing typology with a lower rent level than the City of Ann Arbor average.
6. Other circumstances and factors which will further justify the requested zoning/rezoning are:

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Attached is a scaled map of the property proposed for zoning/rezoning, showing the boundaries of the property, the boundaries of the existing zones, the boundaries of the proposed zones, and the public and/or private easements located within or adjacent to the property petitioned for zoning/rezoning.

The undersigned states he/she is interested in the property as aforesaid and that the foregoing statements are true and correct to the best of his/her knowledge and belief.

Dated: 4.21.21

Signature: [Signature]

Darren McKinnon  
First Martin Corp.

115 Depot St. Ann Arbor, MI 48104  
(Print name and address of petitioner)

Signature: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(Print name and address of petitioner)

STATE OF MICHIGAN  
COUNTY OF WASHTENAW

On this 21<sup>st</sup> day of April, 2021, before me personally appeared the above-named petitioner(s), who being duly sworn, say that they have read the foregoing petition by them signed, and know the contents thereof, and that the same is true of their knowledge, except as to the matter therein stated to be upon their information and belief, and as to those matters they believe it to be true.

Signature: [Signature]

Dawn M. Bryant

(Print name of Notary Public)

My Commission Expires: 8/14/2026



COMMITMENT ISSUED BY LIBERTY TITLE AGENCY

FILE NUMBER: M95038, REVISIONS NO. 2

COMMITMENT EFFECTIVE DATE: NOVEMBER 22, 2010

LEGAL DESCRIPTION (PER TITLE COMMITMENT No. M95038)

PHASE 1:

Commencing at the West 1/4 corner of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence North 01 degrees 31' 30" West 473.38 feet (473.99 feet measured) along the West line of said Section 10 and the centerline of Stone School Road; thence North 86 degrees 44' East 906.59 feet for a **Place of Beginning**; thence North 1 degrees 35' 30" West 579.78 feet; thence North 59 degrees 19' 20" West 194.72 feet along the Northeasterly line of Lot 57 in Brookside Subdivision, as recorded in Liber 11 of Plats, page 25, Washtenaw County Records; thence Northeasterly along the arc of a circular curve to the left, radius 182.30 feet, subtended by a chord which bears North 30 degrees 08' East 66.00 feet along the Southeasterly line of Baylis Drive; thence South 59 degrees 25' 20" East 153.49 feet along the Southwesterly line of Lot 15 in said Brookside Subdivision; thence North 1 degrees 39' 10" West 198.04 feet along the easterly line of said Brookside Subdivision; thence North 70 degrees 17' 40" East 99.64 feet; thence along the centerline of the Pittsfield-Ann Arbor Drain South 41 degrees 00' East 323.10 feet; thence continuing along said centerline North 88 degrees 10' 36" East 142.39 feet; thence North 35 degrees 13' 30" East 250.34 feet; thence North 1 degrees 08' 30" West 669.64 feet; thence North 87 degrees 22' East 33.01 feet; thence South 1 degrees 08' 30" East 870.08 feet; thence along the centerline of the Pittsfield Arbor Drain North 48 degrees 45' East 407.49 feet; thence South 1 degrees 30' 20" East 674.49 feet; thence South 88 degrees 29' 40" West 168.64 feet; thence 219.53 feet along the arc of a circular curve to the left, radius 530.00 feet; chord South 76 degrees 37' 42" West 217.96 feet; thence South 64 degrees 45' 44" West 285.09 feet; thence 302.24 feet along the arc of a circular curve to the right, radius 788.18 feet; chord South 75 degrees 44' 52" West 300.30 feet to the Place of Beginning, being part of the Northwest 1/4 of said Section 10.

Excepting therefrom Outlot, Brookside Subdivision, being in the Northwest ¼ of Section 10, Town 3 South, Range 6 East, Pittsfield Township, Michigan, as recorded in Liber 11 of Plats, page 25 Washtenaw County Records.

Parcel II:

Easement for use of recreational facilities as disclosed by Easement Agreement dated \_\_\_\_ and recorded \_\_\_\_ in Liber \_\_\_\_ page \_\_\_\_ Washtenaw County Records.

COMMITMENT ISSUED BY LIBERTY TITLE AGENCY

FILE NUMBER: M95036, REVISIONS NO. 4

COMMITMENT EFFECTIVE DATE: NOVEMBER 22, 2010

## SCHEDULE C

### PROPERTY DESCRIPTION

Property located in the City of Ann Arbor and the Township of Pittsfield, County of Washtenaw, State of Michigan and described as follows:

#### PHASE 1:

Commencing at the West 1/4 corner of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence North 01 degrees 31' 30" West 473.38 feet (473.99 feet measured) along the centerline of Old Stone School Road and the West line of said Section 10 for a **Place of Beginning**; thence continuing along said centerline and said West line North 1 degrees 31' 30" West 113.61 feet; thence North 86 degrees 44' East 62.42 feet; thence 115.19 feet along the arc of a circular curve to the left, radius 330.00 feet, subtended by a chord which bears North 76 degrees 44' East 114.61 feet; thence North 66 degrees 44' East 133.85 feet; thence 94.25 feet along the arc of a circular curve to the right, radius 270.00 feet; subtended by a chord which bears north 76 degrees 44' East 93.77 feet; thence North 86 degrees 44' East 517.50 feet; thence 325.25 feet along the arc of a circular curve to the left, radius 848.18 feet; subtended by a chord which bears North 75 degrees 44' 52" East 323.26 feet; thence North 64 degrees 45' 44" East 285.09 feet; thence 194.68 feet along a circular curve to the right, radius 470.00 feet, subtended by a chord which bears North 76 degrees 37' 42" East 193.29 feet; thence North 88 degrees 29' 40" East 168.64 feet; thence South 1 degrees 30' 20" East 735.00 feet; thence along the North line of I-94 expressway in the following courses: 720.31 feet along the arc of a circular curve to the left, radius 3944.83 feet; subtended by a chord which bears North 87 degrees 35' West 719.30 feet, South 87 degrees 11' 10" West 217.53 feet, North 1 degrees 35' 30" West 7.50 feet, South 86 degrees 45' West 247.14 feet; thence North 1 degrees 31' 30" West 262.10 (261.71 feet measured) along a line 660.00 feet East of and Parallel to the West line of said Section 10 to an iron pipe; thence South 86 degrees 44' West 660.00 feet East; along the North line of land described in Liber 1325, page 698, Washtenaw County Records, Washtenaw County, Michigan to the Place of Beginning.

#### Also:

Commencing at the West 1/4 corner of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence North 1 degrees 31' 30" West 648.01 feet (642.62 feet measured) along the centerline of Old Stone School Road and the West line of said Section 10 for a **Place of Beginning**; thence continuing along said centerline and said West line North 1 degrees 31' 30" West 81.99 feet; thence North 86 degrees 44' East 389.09 feet; thence 115.19 feet along the arc of a circular curve to the left, radius 330.00 feet, subtended by a chord which bears South 76 degrees 44' West 114.61 feet; thence

South 66 degrees 44' West 133.85 feet; thence 94.25 feet along the arc of a circular curve to the right, radius 270.00 feet, subtended by a chord which bears South 76 degrees 44' West 93.77 feet; thence South 86 degrees 44' West 60.60 feet, to the Place of Beginning.

**EXCEPTING THEREFROM BIRCH HOLLOW DRIVE, EAST:**

Commencing at the West  $\frac{1}{4}$  corner of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence North 1 degrees 31' 30" West 587.60 feet along the centerline of Old Stone school Road and the West line of said Section 10 for a **Place of Beginning**; thence continuing along said centerline and the West line North 1 degrees 31' 30" 60.02 feet; thence North 86 degrees 44' East 60.60 feet; thence 94.25 feet along the arc of a circular curve to the left, radius 270.00 feet, subtended by a chord which bears North 76 degrees 44' East 93.77 feet; thence North 66 degrees 44' East 133.85 feet; thence 115.19 feet along the arc of a circular curve to the right, radius 330.00 feet, subtended by a chord which bears North 76 degrees 44' East 114.61 feet; thence North 86 degrees 44' East 517.50 feet; thence 302.24 feet along the arc of a circular curve to the left, radius 788.18 feet, subtended by a chord which bear North 76 degrees 37' 42" East 217.96 feet; thence North 88 degrees 29' 40" East 168.64 feet; thence South 1 degrees 30' 20" East 60.00 feet; thence South 88 degrees 29' 40" West 168.64 feet; thence 194.84 feet along the arc of a circular curve to the left, radius 470.00 feet, subtended by a chord which bears South 76 degrees 37' 42" West 193.29 feet; thence South 64 degrees 45' 44" West 285.09 feet; thence 325.25 feet along the arc of a circular curve to the right, radius 848.18 feet, subtended by a chord which bears South 75 degrees 44' 52" West 323.26 feet; thence South 86 degrees 44' West 517.50 feet; thence 94.25 feet along the arc of a circular curve to the left, radius 270.00 feet, subtended by a chord which bears South 76 degrees 44' West 93.77 feet; thence South 66 degrees 44' West 133.85 feet; thence 115.19 feet along the arc of a circular curve to the right, radius 330.00 feet; subtended by a chord which bears South 76 degrees 44' West 114.61 feet; thence South 86 degrees 44' West 62.42 feet to the Place of Beginning, being part of the Northwest  $\frac{1}{4}$  of said Section 10.