



Legislation Details (With Text)

File #: 12-1034 **Version:** 3 **Name:** 9/4/12 Staff Initiated Rezoning of Speedway Property
Type: Ordinance **Status:** Passed
File created: 9/4/2012 **In control:** City Council
On agenda: 10/1/2012 **Final action:** 10/1/2012
Enactment date: 9/4/2012 **Enactment #:** ORD-12-30

Title: An Ordinance to Amend Chapter 55 (Zoning), Staff-Initiated Rezoning of 0.34 Acre from PL (Public Land) to C3 (Fringe Commercial District), Speedway Property, 1300 North Maple (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-12-30)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 12-30 Briefed & Approved, 2. ORD-12-30 Briefed, 3. Speedway Zoning Ordinance.pdf, 4. 7-17-12 Planning Staff Report, 5. 7-17-12 Planning Commission Minutes

Date	Ver.	Action By	Action	Result
10/1/2012	3	City Council	Held and Closed	
10/1/2012	3	City Council	Adopted on Second Reading	Pass
9/4/2012	3	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55 (Zoning), Staff-Initiated Rezoning of 0.34 Acre from PL (Public Land) to C3 (Fringe Commercial District), Speedway Property, 1300 North Maple (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-12-30)

This ordinance will rezone a portion of this property from PL (Public Land) to C3 (Fringe Commercial District). There is an existing five-foot wide pedestrian path that runs along the eastern and northern sides of this commercial site. The path is located within a 30 foot wide dedicated public easement, which is zoned PL. The remainder of the site is zoned C3.

Since the easement area is not owned by the City, Planning staff initiated a rezoning of this easement area from PL to C3 (Fringe Commercial), which is consistent with the remainder of the site. The easement for public access will remain. The rezoning action will be considered separately from the Speedway site plan and is not required for approval of the site plan.

The easement dedication was a condition of a previous site plan proposal for a gas station on this site in 1972. That site plan was approved, the path was installed and the easement area was rezoned to PL at that time, but remained as part of the privately owned Speedway parcel. The 1972 site plan was never constructed; however the easement and zoning remain in place.

The City Planning Commission, at its meeting of July 17, 2012 found the proposed zoning to be consistent with the adjacent zoning, the surrounding land uses, and the City's Master Plan and recommended approval of the request.

Attachments: 7-17-12 Planning Staff Report and 7-17-12 Planning Commission Minutes

Prepared by: Matt Kowalski
Reviewed by: Wendy L. Rampson, Planning Manager and Sumedh Bahl, Community Services Administrator

ORDINANCE NO. ORD-12-30

First Reading: September 4, 2012 Published: October 4, 2012

Public Hearing: October 1, 2012 Effective: October 14, 2012

SPEEDWAY PUBLIC PATH EASEMENT REZONING
(1300 NORTH MAPLE ROAD)

AN ORDINANCE TO AMEND THE ZONING MAP, BEING A PART OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. THE ZONING MAP, which, by Section 5:4 of Chapter 55 of Title V of the Code of the City of Ann Arbor is made a part of said Chapter 55, shall be so amended as to designate the zoning classification of property described as follows:

The easterly 25 ft. paralleling the easterly P/L, the northerly 30 ft. paralleling the northerly P/L, and a triangular parcel having an E-W leg of 73 ft., located at the east end of this northerly easement line, and having a N-S leg of 40 ft., located at the northerly end of this easterly easement line. These three easement areas being a part of the following described parcel of land: Part of the NW 1/4, Sec. 19, T-2S, R-6-E, Ann Arbor Township, Washtenaw Co., Michigan, described as follows: Beginning at a pt. which is S01' 24'30"W, 1897.50 ft. and S87' 57' E, 13.50 ft. from the NW Cor. Sec. 19, thence S 87' 57'E. 250.50 ft.; thence S01'24'30"W, 313.05 ft., thence N59'22'20"W, 261.27 ft., along the N. line of Miller Avenue (83 ft. wide); thence N05'23'34"W, 189.65 ft. along the E. line of N. Maple Road to a pt. of beginning.

in the City of Ann Arbor, Washtenaw County, Michigan as C3 (Fringe Commercial District).

Section 2. This ordinance shall take effect and be in force on and after ten days from legal publication.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of October 1, 2012.

Date

Jacqueline Beaudry, City Clerk

John Hieftje, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on October 4, 2012.

Jacqueline Beaudry, City Clerk