



Legislation Details (With Text)

File #: 10-0106 **Version:** 2 **Name:** 03/01/10 Retail Plaza Ordinance
Type: Ordinance **Status:** Passed
File created: 3/1/2010 **In control:** City Council
On agenda: 4/5/2010 **Final action:** 4/5/2010
Enactment date: 3/1/2010 **Enactment #:** ORD-10-10

Title: An Ordinance to Amend Chapter 55, Rezoning of 1.1 Acres from TWP (Township District) to C1 (Local Business District) WITH CONDITIONS, Retail Plaza Property, Northwest corner of Platt and Ellsworth Roads, (CPC Recommendation to C1: Approval - 8 Ayes and 0 Nays) (Ordinance No. ORD-10-10)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD-10-10 Briefed & Approved, 2. RetailPlazaOrdinanceREV (ORD-10-10 Briefed), 3. RetailPlazaOrdinanceREV.doc, 4. RetailPlazaOrdinance.doc, 5. Conditional Rezoning Statement of Conditions.DOC, 6. Retail Plaza Staff Rep - 6-2-09 PACKET.pdf, 7. Retail Plaza Minutes 6-2-09.pdf, 8. Communication from Meredith Witte regarding Retail Plaza Rezoning

Date	Ver.	Action By	Action	Result
4/5/2010	2	City Council	Held and Closed	
4/5/2010	2	City Council	Adopted on Second Reading	Pass
3/1/2010	2	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55, Rezoning of 1.1 Acres from TWP (Township District) to C1 (Local Business District) WITH CONDITIONS, Retail Plaza Property, Northwest corner of Platt and Ellsworth Roads, (CPC Recommendation to C1: Approval - 8 Ayes and 0 Nays) (Ordinance No. ORD-10-10)

Approval of this ordinance will zone 1.1 acres at the northwest corner of Platt and Ellsworth Roads to C1 (Local Business District), now that this property has been annexed into the City. This zoning district permits residential, office, and up to 8,000 square feet per use of retail use. A planned project site plan petition, separate from this zoning ordinance, has been proposed for construction of a small retail development on the site.

The City Planning Commission unanimously recommended approval of this request [to C1] at its meeting of June 2, 2009. Council approved annexation of this site from Pittsfield Township on July 6, 2009. The State of Michigan certified the annexation on November 20, 2009.

REVISED: In response to concerns expressed at the CPC’s June 2, 2009 meeting about appropriate land uses in close proximity to residential neighborhoods, the petitioner has offered conditions on the zoning of this property that will prohibit the sale of alcohol and firearms for the planned retail development for a period of ten years.

Conditional zoning is authorized by state law, allowing developers to voluntarily offer certain conditions to a rezoning or zoning map amendment to which a city may approve along with the zoning.

The conditions offered by the petitioner address the CPC and neighborhood concerns and would be an appropriate use of conditional zoning. The City Attorney's Office has prepared the attached Statement of Conditions, and the developer has agreed to its provisions.

Staff now recommends that the conditions be approved and that the proposed zoning designation for the subject site be amended to C1 With Conditions as set forth in the Statement of Conditions.

Attachments: Proposed Ordinance, 6/2/09 Planning Commission Minutes, Planning Staff Report

Prepared by: Alexis DiLeo, City Planner

Reviewed by: Wendy L. Rampson, Interim Planning & Development Services Manager, Sumedh Bahl, Interim Community Services Area Administrator

ORDINANCE NO. ORD-10-10

First Reading : March 1, 2010

Approved: April 5, 2010

Public Hearing : April 5, 2010

Published: April 22, 2010

Effective: May 2, 2010

RETAIL PLAZA REZONING
(Northwest corner of Platt and Ellsworth Roads)

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:

PI 10-41A-1B (-007) BEG SE COR OF SEC, TH N 89-18 W 217.84 FT ALG S LINE OF SEC,
TH N 1-46-45 E 224.15 FT, TH S 88-13-30 E 217.78 FT, TH S 1-46-30 W 220.07 FT TO POB
PART SE ¼ SEC 10 T3S R6E 1.11 AC, COUNTY OF WASHTENAW, STATE OF MICHIGAN.

in the City of Ann Arbor, Washtenaw County, Michigan as C1 (Local Business District) WITH CONDITIONS, in accordance with the attached Conditional Zoning Statement of Conditions which are hereby adopted and incorporated herein.

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