



Legislation Details (With Text)

**File #:** 16-0009      **Version:** 1      **Name:** 2/16/16 - Ordinance to Amend Chapter 55 NorthSky Development Rezoning

**Type:** Ordinance      **Status:** Passed

**File created:** 2/16/2016      **In control:** City Council

**On agenda:** 3/21/2016      **Final action:** 3/21/2016

**Enactment date:** 2/16/2016      **Enactment #:** ORD-16-02

**Title:** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 31.77 Acres from R4A (Multiple-Family Dwelling District) to R1D & R1E (Single-Family Dwelling District) and R4B (Multiple Family Dwelling District), NorthSky Development Rezoning, 2701 Pontiac Trail (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-16-02)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 16-02 NorthSky CC Legal Transmittal Ordinance Briefed and Approved.pdf, 2. 16-02 NorthSky CC Legal Transmittal Ordinance Briefed.pdf, 3. 121515 Staff Report and Attachments, 4. NorthSky Zoning Map.pdf, 5. NorthSky-12-15-2015 CPC Minutes.pdf, 6. Sheet 47 Rezoning Plan NorthSky 010216, 7. 16-02 NorthSky Rezoning Approval Notice.docx

Date	Ver.	Action By	Action	Result
3/21/2016	1	City Council	Adopted on Second Reading	Pass
3/21/2016	1	City Council	Held and Closed	
2/16/2016	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 31.77 Acres from R4A (Multiple-Family Dwelling District) to R1D & R1E (Single-Family Dwelling District) and R4B (Multiple Family Dwelling District), NorthSky Development Rezoning, 2701 Pontiac Trail (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-16-02)

Approval of this resolution will rezone this 31.77 acre parcel from R4A to R1D, R1E, and R4B to allow development of 139 site condominium lots for single-family detached homes and a four-story, 56-unit building at the southeast corner of the site.

The City Planning Commission determined that the proposed rezoning is consistent with the adjacent zoning, the surrounding land uses, and the City's Master Plan and recommended approval of the request at its meeting of December 15, 2015.

On site plan Sheet 47: Rezoning Plan the zoning designation for Area D being considered for City Council is R1D Single-Family Residential. When the City Planning Commission considered the petition, Area D was proposed to be rezoned to PL Public Land. Since the City's past practice has been to zone only land in public ownership to PL, the NorthSky Area D has been changed to an R1D zoning district to match the adjacent Area A. If the site plan is approved and the property in Area D conveyed to the City, staff will initiate rezoning to PL.

**Attachments:** December 15, 2015 Planning Staff Report and December 15, 2015 Planning Commission Minutes

Prepared by: Jill Thacher, City Planner  
Reviewed by: Ben Carlisle, Interim Planning Manager  
Larry Collins, Interim Community Services Area Administrator  
ORDINANCE NO. ORD-16-02

First Reading: February 16, 2016  
Public Hearing: March 21, 2016  
Approved: March 21, 2016  
Published: March 28, 2016  
Effective: April 7, 2016

NORTHSKY DEVELOPMENT  
(2701 PONTIAC TRAIL)

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:

Area A:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 16, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE N00°24'44"E 667.61 FEET ALONG THE WEST LINE OF SAID SECTION 16; THENCE N87°57'55"E 662.17 FEET ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16 TO THE POINT OF BEGINNING; THENCE N01°52'03"W 62.53 FEET; THENCE S88°07'57"W 458.79 FEET; THENCE N72°30'14"W 84.37 FEET; THENCE N47°07'17"W 84.15 FEET; THENCE N22°29'37"W 84.64 FEET; THENCE N00°24'44"E 137.21 FEET; THENCE N18°19'48"E 91.02 FEET; THENCE N27°12'44"E 56.16 FEET; THENCE N30°17'42"E 45.00 FEET; THENCE N38°30'08"E 70.32 FEET; THENCE N55°39'28"E 71.10 FEET; THENCE N72°54'42"E 71.10 FEET; THENCE S08°27'41"E 112.00 FEET; THENCE 10.01 FEET ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 4°35'19", CHORD BEARING N83°49'58"E 10.01 FEET; THENCE N08°27'41"W 127.42 FEET; THENCE N88°07'57"E 731.54 FEET ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 (AS MONUMENTED); THENCE N58°24'26"E 105.71 FEET; THENCE N85°27'51"E 416.95 FEET; THENCE N00°00'37"E 9.40 FEET; THENCE S89°59'23"E 145.00 FEET; THENCE S00°00'37"W 150.35 FEET; THENCE S85°27'51"W 369.71 FEET; THENCE S02°02'05"E 572.23 FEET; THENCE S87°57'55"W 655.03 FEET ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16 TO THE POINT OF BEGINNING, BEING PART OF THE NORTHWEST 1/4 OF SAID SECTION 16, CONTAINING 19.40 ACRES OF LAND, MORE OR LESS, AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY;

and Area D:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 16, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE N00°24'44"E 667.61 FEET ALONG THE WEST LINE OF SAID SECTION 16 TO THE POINT OF BEGINNING; THENCE CONTINUING N00°24'44"E 587.84 FEET ALONG THE WEST LINE OF SAID SECTION 16; THENCE N25°46'45"E 89.98 FEET ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF M-14; THENCE N88°07'57"E 239.55 FEET ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 (AS MONUMENTED); THENCE S08°27'41"E 127.42 FEET; THENCE 10.01 FEET ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 4°35'19", CHORD BEARING S83°49'58"W 10.01 FEET; THENCE N08°27'41"W 112.00 FEET; THENCE S72°54'42"W 71.10 FEET; THENCE S55°39'28"W 71.10 FEET; THENCE S38°30'08"W 70.32 FEET; THENCE S30°17'42"W 45.00 FEET; THENCE S27°12'44"W 56.16 FEET; THENCE S18°19'48"W 91.02 FEET; THENCE S00°24'44"W 137.21 FEET; THENCE S22°29'37"E 84.64 FEET; THENCE S47°07'17"E 84.15 FEET; THENCE S72°30'14"E 84.37 FEET; THENCE N88°07'57"E 458.79 FEET; THENCE S01°52'03"E 62.53 FEET; THENCE S87°57'55"W 662.17 FEET ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16 TO THE POINT OF BEGINNING, BEING PART OF THE NORTHWEST 1/4 OF SAID SECTION 16, CONTAINING 2.07 ACRES OF LAND, MORE OR LESS, AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY;

in the City of Ann Arbor, Washtenaw County, Michigan as R1D (Single-Family Dwelling District), and

Area B:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 16, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE N00°24'44"E 667.61 FEET ALONG THE WEST LINE OF SAID SECTION 16; THENCE N87°57'55"E 1317.20 FEET ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16 TO THE POINT OF BEGINNING; THENCE N02°02'05"W 572.23 FEET; THENCE N85°27'51"E 369.71 FEET; THENCE N00°00'37"E 150.35 FEET; THENCE N89°59'23"W 145.00 FEET; THENCE N00°00'37"E 191.20 FEET; THENCE N85°25'43"E 373.65 FEET; THENCE S08°09'22"W 184.95 FEET; THENCE N81°50'38"W 15.00 FEET; THENCE S08°09'22"W 99.67 FEET; THENCE N89°59'23"W 47.28 FEET; THENCE S00°00'37"W 129.73 FEET; THENCE S28°28'00"W 57.32 FEET; THENCE S68°53'05"W 93.99 FEET; THENCE S02°02'05"E 123.00 FEET; THENCE S87°57'55"W 100.00 FEET; THENCE S85°44'05"W 50.04 FEET; THENCE S02°02'05"E 265.91 FEET; THENCE 51.55 FEET ALONG THE ARC OF A 70.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 42°11'39", CHORD BEARING S23°07'54"E 50.39 FEET; THENCE S02°02'05"E 27.98 FEET; THENCE S87°57'55"W 243.14 FEET ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16 TO THE POINT OF BEGINNING, BEING PART OF THE NORTHWEST 1/4 OF SAID SECTION 16, CONTAINING 6.26 ACRES OF LAND, MORE OR LESS, AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY;

in the City of Ann Arbor, Washtenaw County, Michigan as R1E (Single-Family Dwelling District), and Area C:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 16, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE N00°24'44"E 667.61 FEET ALONG THE WEST LINE OF SAID SECTION 16; THENCE N87°57'55"E 1560.34 FEET ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16 TO THE POINT OF BEGINNING; THENCE N02°02'05"W 27.98 FEET; THENCE 51.55 FEET ALONG THE ARC OF A 70.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 42°11'39", CHORD BEARING N23°07'54"W 50.39 FEET; THENCE N02°02'05"W 265.91 FEET; THENCE N85°44'05"E 50.04 FEET; THENCE N87°57'55"E 100.00 FEET; THENCE N02°02'05"W 123.00 FEET; THENCE N68°53'05"E 93.99 FEET; THENCE N28°28'00"E 57.32 FEET; THENCE N00°00'37"E 129.73 FEET; THENCE S89°59'23"E 47.28 FEET; THENCE N08°09'22"E 99.67 FEET; THENCE S81°50'38"E 15.00 FEET; THENCE N08°09'22"E 184.95 FEET ALONG THE PROPOSED 60' RIGHT-OF-WAY LINE OF PONTIAC TRAIL; THENCE N85°25'43"E 51.26 FEET; THENCE ALONG THE CENTERLINE OF PONTIAC TRAIL (PROPOSED 60' WIDE HALF-WIDTH) THE FOLLOWING TWO (2) COURSES AND DISTANCES: S08°09'22"W 296.89 FEET AND S04°47'06"W 666.18 FEET; THENCE S87°57'55"W 286.35 FEET ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16 TO THE POINT OF BEGINNING, BEING PART OF THE NORTHWEST 1/4 OF SAID SECTION 16, CONTAINING 4.03 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE EASTERLY 60 FEET THEREOF, AS OCCUPIED BY SAID PONTIAC TRAIL AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY;

in the City of Ann Arbor, Washtenaw County, Michigan as R4B (Multiple Family Dwelling 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 March 21, 2016.

Jacqueline Beaudry, City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on March 28, 2016.

Jacqueline Beaudry, City Clerk