



## Legislation Text

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**File #:** 12-0910, **Version:** 1

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An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.37 Acre from M1 (Light Industrial District and R2A (Two-Family Dwelling District) to C1 (Local Commercial District), Knight's Market and Spring Street Properties, 418 Miller Avenue, 306-308 and 310 Spring Street (CPC Recommendation: Approval - 7 Yeas and 1 Nay) (Ordinance No. ORD-12-24)

This ordinance will zone three contiguous parcels that are under the same ownership to C1 (Local Commercial District). Currently, the parcel at 418 Miller Avenue, which currently contains Knight's Market, is partially zoned C1 and partially zoned M1 (Limited Industrial). Two parcels, at 306-308 and 310 Spring Street, are partially zoned R2A (Two-family Dwelling) and M1. All three parcels are entirely within the 100-year floodplain of Allen Creek.

The proposed rezoning is associated with a site plan proposal. The proposal includes:

- Construction of a 1,200 sq ft addition to the existing grocery store
- Conversion of 306-308 Spring Street into a bakery
- Expansion and reconfiguration of the existing parking lot, including installation of required landscaping
- Installation of a rain garden for storm water management of the bankfull storm volume
- Removal of a temporary storage trailer next to the market

The City Planning Commission, at its meeting of June 19, 2012 recommended approval of the rezoning request. The Commission commented that because of the changed and changing conditions in the area and City in general, the request is reasonably necessary, and further, that it is consistent with land use plans and policies of the City.

As fully described in the June 19, 2012 Planning Staff Report and noted by the City Planning Commission, many diverse and sometimes conflicting goals had to be considered for the proposed rezoning. The master plan's land use recommendations did not take into account floodplain management goals and the newly modernized floodplain maps clearly illustrate these properties are entirely within the 100-year floodplain of Allen Creek, a changed condition. The three-parcel site has also been operating as a mixed-use site containing both residential and local commercial uses for over thirty years. The Commission found that the proposed rezoning, in conjunction with a related site plan to be considered separately, will improve the site conditions of an existing situation, support the continued success of an established neighborhood, and strike a balance between varied land use goals.

Attachments: June 19, 2012 Planning Staff Report  
June 19, 2012 Planning Commission Minutes

Prepared by: Alexis DiLeo, City Planner

Reviewed by: Wendy L. Rampson, Planning Manager  
Sumedh Bahl, Community Services Administrator

ORDINANCE NO. ORD-12-24

First Reading: August 9, 2012 Published: September 10, 2012

Public Hearing: September 4, 2012 Effective: September 20, 2012

KNIGHT'S MARKET AND SPRING STREET PROPERTIES  
(418 MILLER AVENUE, 306-308 AND 310 SPRING STREET, THE NORTHEAST CORNER OF  
MILLER AVENUE AND SPRING STREET)

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:

PART OF "FELCH'S ADDITION TO ANN ARBOR"AS RECORDED IN LIBER 45 OF DEEDS, PAGE 140, WASHTENAW COUNTY RECORDS, AND PART OF "JAMES B. GOTT'S ADDITION TO THE CITY OF ANN ARBOR"AS RECORDED IN LIBER 50 OF DEEDS, PAGE 64, WASHTENAW COUNTY RECORDS, BEING PART OF THE NORTHWEST 1/4 OF SECTION 29 TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR , WASHTENAW COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF MILLER AVENUE, 66 FEET WIDE, WITH THE EAST LINE OF SPRING STREET, 66 FEET WIDE; THENCE ALONG THE EAST LINE OF SPRING STREET, DUE NORTH 200.60 FEET TO THE NORTHWEST CORNER OF THE PARCEL BEING DESCRIBED AS "FELCH'S ADDITION TO ANN ARBOR". THENCE ALONG THE NORTH LINE NORTH 89 -57'-20"EAST 98.35 FEET;THENCE ALONG LINES, AS DEFINED IN WASHTENAW CIRCUIT COURT OPINION AND ORDER NO. 92-7609 NZ, DATED MAY 16, 1994, AND AMENDED JULY 6, 1994, THE FOLLOWING SIX (6) COURSES: ONE (1) SOUTH 26-02'-57" WEST 15.66 FEET, TWO (2) SOUTH 05-41'-15" WEST 37.43 FEET, THREE (3) ALONG A CURVE TO THE RIGHT, RADIUS 5.00 FEET, CENTRAL ANGLE 238-32'-44", CHORD BEARS SOUTH 11-08'-10" WEST 8.72 FEET, AN ARC DISTANCE OF 20.82 FEET, FOUR (4) SOUTH 11-47'-36" WEST 31.24 FEET, FIVE (5) SOUTH 08-37'-28" WEST 28.79 FEET, SIX (6) ALONG THE WESTERLY LINE OF THE RAILROAD EASEMENT 50 FEET WIDE, SOUTH 14-39'-00" WEST 115.88 FEET, THENCE ALONG THE NORTHLINE OF MILLER AVE, NORTH 60-58'-25" WEST 62.56 FEET TO THE POINT OF BEGINNING. CONTAINS 17,812 SF OR 0.370 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

in the City of Ann Arbor, Washtenaw County, Michigan as C1 (Local Commercial District).

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