

**711 Church Planned Unit Development
SUPPLEMENTAL REGULATIONS**

SECTION 1: PURPOSE

It is the purpose of the City Council in adopting these regulations to provide for the development of the Property (defined below) with high-density, multiple-family residential use in an efficient and sustainable manner to further the overarching goals of the City to encourage more dense development with a particular emphasis on more housing overall and a wider range of housing types, and more sustainable developments, living arrangements that enable less or no reliance on personal vehicles, and reduced vehicle miles traveled.

These regulations seek to promote development of underutilized parcels with housing, including affordable and workforce housing, in close proximity to centers of employment, education, and recreation. Furthermore, these regulations provide for the Property to be used in a manner that is compatible with the surrounding uses and properties, and will arrange the Property in an innovative and efficient manner that advances the City's land use plans and policies, and which revitalizes the neighborhood and the City as a whole.

SECTION 2: APPLICABILITY

The provisions of these regulations shall apply to the property described as follows ("Property"):

BEGINNING at the NW Corner of Lot 5, Block III of "R.S. Smith's Second Addition to the City of Ann Arbor", as recorded in Liber 48 of Deeds, Pages 40, Washtenaw County Records;
thence N88°49'47"E 132.61 feet along the North line of Lot 4 and Lot 5, Block III of said "R.S. Smith's Second Addition" and the South line Willard Street (49.5 feet wide);
thence S01°04'57"E 216.00 feet along the East line of Lot 4, Block III of said "R.S. Smith's Second Addition";
thence N88°49'47"E 33.00 feet along the North line of the East 33.00 feet of the South 48.00 feet of Lot 4, Block IV of said "R.S. Smith's Second Addition";
thence S01°04'57"E 108.00 feet along the East line of the East 33.00 feet of Lots 4 and 5, Block IV of said "R.S. Smith's Second Addition";
thence S88°49'47"W 164.21 feet along the South line of the North 54.00 feet of Lot 5, Block IV and the South line of the North 54.00 feet of Lot 2 and Lot 3, Block III, "R.S. Smith's Second Addition";
thence N01°19'51"W 324.00 feet along the West line of Lot 2 and Lot 5, Block III, of said "R.S. Smith's Second Addition" and the East line of Church Street (66 feet wide) to the POINT OF BEGINNING. Being a part of the SW 1/4 of Section 28, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 1.06 acres of land, more or less. Being subject to easements and restrictions of record, if any.

Further, the provisions of these regulations shall be adopted and incorporated into the 711 Church Street Planned Unit Development zoning district. These regulations, however, are intended to supplement only those provisions in the City Codes that may be modified as a part of a PUD and shall not be construed to replace or modify other provisions or regulations in the City Codes.

SECTION 3: FINDINGS

Following public hearings, the City Planning Commission and City Council find the following beneficial effects in terms of public health, safety, welfare, aesthetics, or convenience, regulated in these Supplemental Regulations, warrant the zoning; could not be achieved under any other zoning classification and are not otherwise required; do not have detrimental effects; provide adequate justification for departures from approved plans and policies; provide affordable housing with the increase in density from the underlying zoning and comprehensive plan recommendation; provide safe transportation circulation and encourage and support the use of alternative modes of transportation; and limit disturbance of existing natural, historical, and architecturally significant features to the minimum necessary to allow a reasonable use of the land:

- A. Innovation in land use and variety in design, layout and type of Structures that furthers the stated design goals and physical character of adopted plans and policies.
- B. Economy and efficiency of land use, natural resources, energy and provision of public services and utilities.
 - a. LEED Standards. Development of the Project will contribute to the City's goal of achieving carbon neutrality (A2Zero). The structure to be located on the Property will be constructed and developed in accordance with LEED Gold standards. Additionally, electric vehicle charging stations and solar panels will increase environmental sustainability on site and for the City as a whole
 - b. Passive House Technologies. The Project will utilize both renewable sourced energy and heat recovery ventilation systems, and integrate "thermally broken exterior" technology.
 - c. Integrated Solar Power. The Project plans to integrate solar panels into the building at the roof level, further reducing the Project's carbon footprint and energy use from off-site sources, reducing the environmental and economic harms associated with fossil fuel energy within the community, and supporting A2Zero.
 - d. Electric Vehicle Charging Infrastructure. The Project plans include that twenty percent (20%) of parking stalls shall be EV-i (installed) charging stalls, which is double the requirement under Ann Arbor City Code. This effort reduces community-based pollution by promoting alternatives to conventionally fueled automobiles and supports the adoption of electric vehicles and A2Zero.
 - e. Electric Building. Directly supporting A2Zero to promote home and business electrification, the Project is planning to be "primarily-electric". As regional power grids are converted to carbon neutral sources, the building will automatically become more sustainable. There will be an exception for the back-up generator, to provide redundancy and resilience.

C. Expansion of the supply of Affordable Housing Dwelling Units

- a. Affordable Housing Support. To address the City's desire to increase affordable housing options available within the City, the Developer will make a monetary contribution to the City's affordable housing fund in support of homeless support services and affordable housing initiatives. The Developer will make this contribution prior to issuance of the first certificate of occupancy for the Project, at the contribution rate or amount established by resolution of the City Council at the time of approval of the Project, as required by the Unified Development Code based upon the floor area ratio of the Project and any other applicable factors.
- b. Maintenance of Workforce Housing Units. In addition to the contribution to the City's affordable housing fund, the Project will be subject to an affordable housing agreement entered into between the Developer and the City to provide six (6) workforce housing units leased to qualified tenants, whose annual household income, as certified by the City, is equal to eighty percent (80%) of the Area Medium Income reported annually for single persons and households of various sizes by the United States Department of Housing and Urban Development for the metropolitan statistical area that includes the City of Ann Arbor.

Other Benefits:

- A. Donation towards Construction of Public Restrooms in Urban Core. Developer will contribute Two Hundred Fifty Thousand Dollars (\$250,000.00) to the construction of public restrooms in the urban core.
- B. Donation to City Park Fund. To maintain the goal for neighborhood park acreage at current ratios, the Project will contribute a contribution in lieu of parkland dedication using the formula established in the 2023 Parks, Recreation and Open Space Plan for at least 273 dwelling units or the number of dwelling units on the approved site plan, whichever is higher.

Section 4: PUD Regulations

The standards and regulations provided below shall regulate development in the 711 Church PUD district using the terms, definitions, interpretations and applicability set forth in Chapter 55, Unified Development Code. All of the standards and regulations provided in the UDC shall also apply unless specifically provided in these Supplemental Regulations.

A. Permitted Uses

- 1) The permitted uses shall be:
 - i. Multiple-family dwellings.
 - ii. Retail sales – general merchandise.
 - iii. Restaurant, bar, food service.
 - iv. Personal services.
 - v. Offices – general, financial, medical/dental, veterinary.
 - vi. Off-street parking, limited to below grade, at grade, and the second story only.

B. Area, Height and Placement Standards

- 1) FAR: The maximum permitted FAR shall be 1000%.

- 2) Height: The minimum building height shall be 12 stories. The maximum permitted building height shall be 17 stories and 230 feet.
- 3) Setback and Placement: The minimum required setback shall be 0 feet from any lot line provided that the building is at least 16 feet from the back of curb along Willard Street and Church Street.

C. Parking

- 1) Vehicle. The maximum number of vehicle parking spaces shall be 52.
- 2) Bicycle. The minimum number of bicycle parking spaces shall be one Class A space for each dwelling unit and a total of 10 Class C spaces for nonresidents.
- 3) Electric Vehicle Charging. A minimum of 20% of all provided vehicle parking spaces shall be EV-I (electric vehicle [charging station] installed).

D. Landscaping, Buffers, and Screening

- 1) Vegetated Wall. A green vegetated screening wall shall be provided on the first and second stories of the east façade.
- 2) Mechanical Equipment. All ground-mounted mechanical equipment shall be screened with a 6-foot, opaque, solid fence or wall.

E. Sustainability Requirements

- 1) LEED Gold. The building shall achieve the Gold level of the U.S. Green Building Council Leadership in Energy and Environmental Development (LEED) Certification for new construction. The most recent version in effect at the time of site plan approval shall be applied. Proof of registration is required at the time of building permit issuance and documentation of certification shall be provided prior to receiving any certificate of occupancy.
- 2) Electrification. The project will have no natural gas connection, except for emergency back-up power.
- 3) Renewable Energy. The project will install solar panels on the roof achieving a minimum of __kwh of capacity.
- 4) Passive House Technologies. The project will install heat recovery ventilation systems.

F. Affordable Housing Requirements

- 1) Affordable Housing Dwelling Units. A minimum of 15% of the floor area shall be dedicated to affordable housing dwelling units. A payment of an affordable housing contribution in lieu of units may be made at the sole discretion of the City Council in the amount established by Council resolution at the time of site plan approval prior to issuance of any certificate of occupancy.
- 2) Workforce Housing Dwelling Units. A minimum of six dwelling units shall be leased to households earning 80% of area median income among the issuance of the first certificate of occupancy.

G. Architectural, Design, and Material Requirements

- 1) Architecture. The mass and shape of the building shall be consistent with the architectural renderings submitted as part of the site plan, generally described as: A variable height, high-rise building with a three-story base, and distinct

vertical articulation with significant recesses, stepped down in height and stories at its southern end.

- 2) Design and Materials. The building design shall meet the materials and design requirements for buildings on primary and secondary streets provided in Section 5.17.C of the Unified Development Code. These include permitted and prohibited materials, minimum height for the street-level story of 15 feet, minimum 60% of the street-level façade shall be transparent windows or glazing, and the bottom of all windows on the street-level story no more than 2.5 feet above the sidewalk level.

H. Additional Requirements

- 1) Parkland Contribution. A parkland contribution shall be made for each dwelling unit using the formula provided in the Parks, Recreation and Open Space Plan at the time of site plan approval prior to issuance of the any certificates of occupancy.
- 2) Urban Amenities Contribution. A contribution of at least \$250,000 to support urban amenities such as the construction and maintenance of public restrooms shall be made prior to the issuance of any certificates of occupancy.