



Legislation Details (With Text)

File #: 08-0867 **Version:** 1 **Name:** 12-1-08 City Place PUD Ordinance
Type: Ordinance **Status:** Second Reading
File created: 12/1/2008 **In control:** City Council
On agenda: 1/5/2009 **Final action:** 1/5/2009
Enactment date: 12/1/2008 **Enactment #:** ORD-08-39

Title: An Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), City Place, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Approve Failed - 2 Yeas and 6 Nays) (Ordinance No. ORD-08-39) (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Protest Memo (City Place), 2. Ordinance Defeated, 3. City Place Ordinance Briefed, 4. City Place PUD Ordinance.doc, 5. City Place Supplemental Regulations.doc, 6. City Place Minutes.doc, 7. City Place Staff Report.pdf, 8. City Place Communications, 9. City Place zoning protest letters.pdf, 10. City Place zoning protest letters-update1.pdf, 11. city place communication from Scot Munzel

Date	Ver.	Action By	Action	Result
1/5/2009	1	City Council	Held and Closed	
1/5/2009	1	City Council		
1/5/2009	1	City Council	Adopted on Second Reading	Fail
1/5/2009	1	City Council	Postponed	Fail
12/1/2008	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), City Place, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Approve Failed - 2 Yeas and 6 Nays) (Ordinance No. ORD-08-39) (**8 Votes Required**)

Approval of this ordinance will rezone the properties at 407-437 South Fifth Avenue to PUD to allow construction of a five-level, 90-unit apartment building consisting of 164 bedrooms and underground parking for 97 vehicles. The PUD Supplemental Regulations, which have been reviewed and found acceptable by the Attorney's Office, propose a 208 percent maximum floor area ratio; smaller front, side and rear setbacks than are permitted in the R4C zoning district; and increased building height.

The City Planning Commission recommended denial of this request at its meeting of September 4, 2008. As contained in the attached minutes, concerns expressed in support of the denial recommendation involve the loss of the existing historic structures, PUD standards not being adequately met, inadequate public benefit, compliance with master plan recommendations and underlying zoning requirements, proposed density and height, and the potential for setting a precedence for redeveloping entire blocks.

The PUD site plan for this proposal will be submitted for Council consideration at the same meeting as the public hearing and second reading for the PUD rezoning.

Prepared By: Laurie Foondle, Management Assistant
Reviewed By: Mark Lloyd, Planning and Development Services Manager
Jayne Miller, Community Services Administrator
Approved By: Roger W. Fraser, City Administrator
ORDINANCE NO. ORD-08-39 DEFEATED

First Reading : December 1, 2008 Approved: **Defeated on January 5, 2009**
Public Hearing : January 5, 2009 Published:
Effective:

**CITY PLACE REZONING
(407-437 S. FIFTH AVENUE)**

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:

Commencing at the intersection of the centerline of south Fifth Avenue (66 feet wide) and the centerline of East Jefferson Street (66 feet wide); thence S 88°04'04" E 33.00 feet along the centerline of said East Jefferson Street; thence N 01°48'22" E 123.45 feet along the East line of said South Fifth Avenue, and its extension thereof, to the POINT OF BEGINNING, thence continuing N 01°48'22" E 373.60 feet along the East line of said South Fifth Avenue; thence S 88°05'54" E 148.50 feet; thence S 01°48'22" W 132.30 feet; thence N 88°05'39" W 16.50 feet; thence S 01°48'22" W 66.61 feet; thence S 88°05'07" E 16.50 feet along the North line of Lot 3, Block 4 South, Range 6 East, of said "Original Plat of the City of Ann Arbor;" thence S 01°48'22" W 132.61 feet; thence N 88°04'35" W 16.50 feet along the south line of said Lot 3; thence S 01°48'22" W 42.14 feet; thence N 88°04'35" W 132.00 feet to the POINT OF BEGINNING. Being a part of Lots 1, 2 3 and 4, Block 4 South, Range 6 East, of said "Original Plat of the City of Ann Arbor," and containing 1.23 acres of land, more or less. Being subject to easements and restrictions of record, if any,

in the City of Ann Arbor, Washtenaw County, Michigan as PUD (Planned Unit Development District), in accordance with the attached City Place PUD Zoning District Supplemental Regulations, which are hereby adopted and incorporated into the City Place PUD zoning ordinance.

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