



Legislation Details (With Text)

File #: 09-0722 **Version:** 3 **Name:** 8/6/09 Amendment to Chapter 55, Rezoning of 1.19 Acres from O (Office District) to PUD (Planned Unit Development), Near North Proposal, 626-724 North Main Street (CPC Recommendation: Motion to Approve Failed - 5 Yeas and 2 Nays)

Type: Ordinance **Status:** Passed

File created: 8/6/2009 **In control:** City Council

On agenda: 9/21/2009 **Final action:** 9/21/2009

Enactment date: 9/21/2009 **Enactment #:** ORD-09-27

Title: Amendment to Chapter 55, Rezoning of 1.19 Acres from O (Office District) to PUD (Planned Unit Development), Near North Proposal, 626-724 North Main Street (CPC Recommendation: Motion to Approve Failed - 5 Yeas and 2 Nays) (Ordinance No. ORD-09-27)

Sponsors:

Indexes:

Code sections:

Attachments: 1. B-1 Briefed and approved (ORD-09-27), 2. Near North PUD Supp Regs UPDATED, 3. Near North Site Plan & Elevations UPDATED, 4. Near North Zoning Public Hearing Speakers, 5. Near North-Revised Site Plan.pdf, 6. ORD-09-27 Briefed, 7. Near North PUD Ord.doc, 8. Near North Supplemental Regulations Revised 7/30/09, 9. Near North Supp Regs.doc, 10. Near North Minutes 4-21-09.pdf, 11. Near North Minutes 5-5-09.pdf, 12. Near North PUD Ord- 6-16-09 Minutes Revised.pdf, 13. Near North Minutes 6-16-09.pdf, 14. Near North Staff Report.pdf, 15. near north petition.PDF, 16. near north notices to owner and residents, 17. Near North Zoning Opposition letter from Frank and Diane E.Solecki, 18. Near North Zoning Opposition Letter from Michael and Lois F. Brinkman, 19. Near North Opposition Letter from Kevin & Regina Dailey, 20. B-1 (Near North) Approval Notice

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---------------------------|--------|
| 9/21/2009 | 2 | City Council | Held and Closed | |
| 9/21/2009 | 3 | City Council | Adopted on Second Reading | Pass |
| 9/8/2009 | 2 | City Council | Postponed | Pass |
| 9/8/2009 | 2 | City Council | Held and Continued | |
| 9/8/2009 | 2 | City Council | | |
| 8/6/2009 | 1 | City Council | Approved on First Reading | Pass |

Amendment to Chapter 55, Rezoning of 1.19 Acres from O (Office District) to PUD (Planned Unit Development), Near North Proposal, 626-724 North Main Street (CPC Recommendation: Motion to Approve Failed - 5 Yeas and 2 Nays) (Ordinance No. ORD-09-27)

Approval of the Near North PUD Zoning District and Supplemental Regulations will rezone the eight properties along North Main Street (626-724 North Main Street) from O (Office District) to PUD (Planned Unit Development) to allow development of a four-story, 39-unit mixed use apartment building. The eight existing parcels will be combined into a single parcel under the proposed zoning. Below is information regarding the proposed development:

Site

- Size: 1.19 acres

- Existing zoning: Office
- Eight existing houses on eight parcels. All will be demolished and parcels combined
- Site contains floodway and floodplain

Proposed Building

- 65,144-square foot, mixed use building containing:
 - 39 residential units (39 one-bedroom units)
 - 17,387 square feet of underground parking (41 spaces)
 - 2,714 square feet of retail use
 - 1,553 square feet of office use
 - 92% floor area to lot area ratio (FAR)
 - Maximum height of 50 feet
- 53 parking spaces, including 12 surface spaces and 41 below the building
- All residential units will be designated as affordable housing for 30-50% Area Median Income (AMI) with up to 14 supportive housing units as defined by the Michigan State Housing Development Authority (MSHDA)
- LEED certification is proposed

The City Planning Commission motion to recommend approval of this request failed at its meeting of June 16, 2009. As contained in the attached minutes, concerns expressed include impact on the scale of the neighborhood, compliance with master plan recommendations, demolition of the existing houses on Main Street, and appropriate PUD benefits.

On September 8, 2009 City Council postponed the Second Reading of the PUD zoning district and supplemental regulations and PUD site plan public hearing in order to allow the petitioner time to work with City staff and submit revised plans that reflect changes based on several meetings with the adjacent neighborhood association, North Central Property Owners Association (NCPOA). As a result of the changes, the NCPOA now supports the proposed Near North project. Revised plans also address some of the concerns of City staff and Planning Commission regarding the scale and massing of the proposed building.

The proposed changes to the plan are:

- The dwelling unit count has decreased by one unit, from 40 to 39.
- The retail component will be a second phase of construction.
- The building has been reduced from four and five stories to three and four stories and the maximum height of the building is reduced from 55 feet to 50 feet (top of mechanical equipment and light well for stairs). The maximum height of the remainder of the building including all living space is 43 feet.
- Total parking has increased by three spaces from 50 to 53, surface parking spaces were increased by two spaces from 10 to 12 and underground spaces were increased by one from 40 to 41.
- Setbacks:
 - Front (west) increased from 10.25 to 15 feet
 - Rear (east) increased from 15.33 to 24.9
 - Side (north) increased from 99 to 115 feet
 - Side (south) decreased from 20.77 to 13.5 feet

- The total size of the building has been reduced from 67,719 square feet to 65,144 square feet.
- The entrance to the parking garage has been moved 21.5 feet further from the rear property line; this reduces impact to the neighborhood to the east.

As a result of the PUD site plan changes the supplemental regulations have been revised accordingly.

Attachments: Proposed Resolution, Revised Supplemental Regulations (September 15, 2009), June 16, 2009 Planning Commission Minutes, Planning Staff Report

Prepared by: Matt Kowalski, City Planner

Reviewed by: Wendy L. Rampson, Interim Planning & Development Services Manager, and Jayne Miller, Community Services Administrator

ORDINANCE NO. ORD-09-27

First Reading : August 6, 2009

Approved: September 21, 2009

Public Hearing : September 8, 2009

Published: September 24, 2009

Effective: October 3, 2009

NEAR NORTH REZONING
(626-724 NORTH MAIN 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:

Commencing at the monumented intersection of Main Street and Summit Street; thence S 62°00'42" E 37.46 feet to a point along the centerline of Summit Street, said point being N 62°00'42" W 366.67 feet from the monumented intersection of Summit Street and N. Forth Street; thence S 19°00'00" W 114.21 feet parallel to the monumented centerline of Main Street and along the westerly line of Lot 1 of Block 1, Ormsby and Page Addition, as Recorded in Liber M of Deeds, pages 191 & 192, Washtenaw County Records, Michigan for a POINT OF BEGINNING; thence S 71°02'44" E 80.66; thence S 18°20'18" W 29.33 feet; thence S 70°52'52" E 10.05 feet; thence S 28°13'07" W 1.73 feet; thence S 71°07'58" E 67.47 feet along the North line of Lot 5 of said Addition; thence S 22°03'45" W 208.08 feet along the East line of Lots 5,7,9 and 11 of said Addition to a found Iron pipe; thence S 22°36'53" W 123.99 feet along the East line of Lots 11 & 13 of said Addition; thence N 70°53'11" W 139.30 feet along the South line of Lot 13 of said Addition to a point which lies N 19°00'00" E 215.31 feet parallel to the monumented centerline of Main Street, along the Easterly right-of-way line of Block 1 of said Addition from the Southwesterly corner of Lot 19 of said Addition; thence N 19°00'00" E 362.08 feet parallel to the monumented centerline of Main Street, along the Easterly right-of-way line of Block 1 of said Addition to the Point of Beginning. Being a part of Lots 1,2 & 14 and all of Lots 5,7,9,11 & 13 of Block #1, Ormsby and Page's Addition, in the SE ¼ of Section 20, T2S, R6E, in the City of Ann Arbor, Washtenaw County, Michigan. Containing 1.19 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 Near North PUD Supplemental Regulations, which are hereby adopted and incorporated into the Near North PUD zoning ordinance.

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