

315 WEST HURON PUD ZONING**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 5.10.2 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:

The Land is described as follows: Situated in the City of Ann Arbor, County of Washtenaw, State of Michigan

Parcel II

Beginning at the Northeast corner of Lot 1, Block 1, Assessor's Plat No. 3 in the City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 2 of Plats, Page 39, Washtenaw County Records; thence South along the West line of First Street, 54.28 feet; thence Westerly deflecting 90°15' to the right, 85.47 feet; thence Southerly deflecting 90°15' to the left, 78.49 feet; thence Westerly deflecting 90°15' to the right, 46.53 feet; thence Southerly deflecting 90°15' to the left, 132.67 feet to the North line of Washington Street; thence Westerly along said North line, deflecting 90°15' to the right, 46.0 feet; thence Northwesterly deflecting 75°19' to the right, 127.55 feet; thence Easterly deflecting 103°47' to the right, 9.0 feet; thence Northerly deflecting 87°58' to the left, 141.94 feet to the South line of Huron Street; thence along said South line, Easterly deflecting 89°07' to the right, 198.33 feet to the place of beginning, being Lot 6 and part of Lots 1 and 7, Block 1, Assessor's Plat No. 3, in the City of Ann Arbor, Washtenaw County, Michigan, excepting therefrom the following described land; Beginning at the Northeast corner of Lot 1, Block 1, Assessor's Plat No. 3 in the City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 2 of Plats, Page 39, Washtenaw County Records; thence Southerly along the West line of First Street, 54.28 feet; thence Westerly deflecting 90°15' to the right, 100.10 feet along the South line of Lot 1 of said Plat and its Westerly extension; thence Northerly deflecting 89°45' to the right, 54.28 feet along a line between two contiguous brick walls; thence Easterly deflecting 90°15' to the right, 100.10 feet along the South line of Huron Street to the Place of Beginning, being Lot 1 and part of Lot 7, Block 1, Assessor's Plat No. 3 in the City of Ann Arbor, Washtenaw County, Michigan.

Parcel III

Lot 2 and the South 2 inches of Lot 1, Block 1, Assessor's Plat No. 3 in the City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 2 of Plats, Page 39, Washtenaw County Records.

Parcel IV

Lot 8 and the West 2.8 feet of Lot 7, Block 1, Assessor's Plat No. 3 in the City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 2 of Plats, Page 39, Washtenaw County Records.

AND ALSO, Beginning at the Northeast corner of Lot 1, Block 1 Assessor's Plat #3, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 2 of Plats, Page 39, Washtenaw County Records; thence Southerly along the West line of First Street, 54.28 feet; thence Westerly deflecting $90^{\circ}15'$ to the right 100.10 feet along the South line of Lot 1 of said Plat and its Westerly extension; thence northerly deflecting $89^{\circ}45'$ to the right 54.28 feet along a line between two contiguous brick walls; thence Easterly deflecting $90^{\circ}15'$ to the right 100.10 feet along the South line of Huron Street to the Place of Beginning, being Lot 1 and part of Lot 7 of Assessor's Plat No. 3, City of Ann Arbor, Michigan.

In the City of Ann Arbor, Washtenaw County, Michigan as PUD (Planned Unit Development District) in accordance with the attached 315 W. Huron Supplemental Regulations, which are hereby adopted and incorporated in this ordinance.

Parcel ID 09-09-29-213-016: 5,422 SF, 0.12 acres (+/-)

Parcel ID 09-09-29-213-017: 31,370 SF, 0.72 acres (+/-)

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

315 WEST HURON PUD SUPPLEMENTAL REGULATIONS

City of Ann Arbor, Michigan

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 a mixed 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 to expand housing near 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 land described as follows:

The Land is described as follows: Situated in the City of Ann Arbor, County of Washtenaw, State of Michigan

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along the South line of Lot 1 of said Plat and its Westerly extension; thence Northerly deflecting $89^{\circ}45'$ to the right, 54.28 feet along a line between two contiguous brick walls; thence Easterly deflecting $90^{\circ}15'$ to the right, 100.10 feet along the South line of Huron Street to the Place of Beginning, being Lot 1 and part of Lot 7, Block 1, Assessor's Plat No. 3 in the City of Ann Arbor, Washtenaw County, Michigan.

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Parcel ID 09-09-29-213-016: 5,422 SF, 0.12 acres (+/-)

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Further, the provisions of these regulations shall be adopted and incorporated into the 315 West Huron Planned Unit Development (PUD) zoning district. These regulations are intended to supplement only those provisions in the City Code 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 Code.

Section 3: Findings

The City Council approves the proposed PUD zoning district upon review of the standards for PUD zoning district review in Section 5.29.11.F of Title V of Chapter 55 the Code of the City of Ann Arbor, based on the following findings:

1. The use(s), physical characteristics, design features, or amenities proposed shall have a beneficial effect for the City, in terms of public health, safety, welfare, aesthetics, or convenience, or any combination of those impacts, on present and potential surrounding land uses. The beneficial effects for the City that warrant this zoning are described below:
 - a. Economy and efficiency of land use, natural resources, energy, and provision of public services and utilities. This public benefit is achieved by the sustainability features described more fully in the PUD Regulations, by establishing a non-motorized path as a potential Greenway connection, and by creating a small publicly accessible park as a neighborhood amenity.
 - b. Expansion of the supply of affordable housing dwelling units. This is achieved by providing affordable housing as described more fully in the PUD Regulations.
2. This beneficial effect for the City could not be achieved under any other zoning classification and is not required to be provided under any existing standard, regulation or ordinance of any local, state or federal agency. Specifically, the affordable housing and sustainability requirements are not achieved by other zoning classifications.
3. The proposed use does not have a detrimental effect on public utilities or surrounding properties as the City has determined adequate utility capacity exists and the proposed regulations are contextually appropriate for the surrounding properties in use and scale.
4. The proposed use is consistent with the comprehensive plans and policies adopted by the City. The proposed PUD brings sustainable design, affordable housing, public open space, and contextual architecture in a walkable downtown setting. Consistent with the Hub Comprehensive Plan recommendation, the PUD regulations provide for mixed-use flexibility, and mid to high rise building typology. The non-motorized connection provides improved safety for users.
5. The residential density proposed is consistent with the comprehensive plan recommendation and the underlying zoning.
6. The Supplemental Regulations provide analysis and justification sufficient to determine what the purported benefit is, how the special benefit will be provided, and performance standards by which the benefits will be evaluated.
7. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the district are provided and, where feasible, the proposal encourages and supports the use of alternative methods of transportation. The PUD ensures bicycle and EV parking, and a non-motorized connection along the western site boundary, from Huron Street to Washington Street, in addition to providing typical public sidewalks.
8. Disturbance of existing natural features, historical features and historically Significant Architectural features of the district have been limited to the minimum necessary to allow a reasonable use of the land and the benefit to the community is substantially greater than any negative impacts. The proposed PUD achieves

this by providing for increased setbacks to preserve views of the upper stories of the adjacent Almendinger Building at 120 S. First Street.

City Council hereby incorporates the Planning Staff report by reference in these findings and has based its decision on the complete City record of review, including but not limited to, City Staff review, the Planning Commission review, public hearings and communications, and City Council's deliberation of the PUD zoning ordinance.

Section 4: PUD Regulations

The PUD shall meet the standards and regulations of the D2 Zoning District, First Street Overlay, Primary and Secondary Street Designations provided in the UDC unless specifically provided in these Supplemental Regulations.

The standards and regulations provided below shall regulate development in the 315 West Huron PUD district using the terms, definitions, interpretations, and applicability set forth in Chapter 55, Unified Development Code. All standards and regulations provided in the UDC shall also apply unless specifically provided in these Supplemental Regulations.

(A) Principal Uses. The permitted Principal and Special Exception Uses shall be those provided for in the D2 Zoning District as provided in Table 5.15-1: Primary Use Table of Section 5.15 of the Unified Development Code with the exception that Short-Term Rentals shall be limited to no more than 10% of the residential units in the building.

(B) Affordable Housing

1. A minimum of 15% of units shall be provided as affordable housing at 60% area median income (AMI) for a minimum of 25 years, or an equivalent payment in lieu provided.

(C) Sustainability Features

1. All buildings in the development are all-electric, meaning powered by electricity as the only source of energy for all on-site space conditioning (including heating and cooling), water heating, cooking appliances, and clothes drying appliances, except for backup power sources to power life safety systems in compliance with applicable building codes and other laws and the back-up power source shall not be based on a connection to natural gas.
2. Rooftop solar with a minimum of 19% of the building footprint area shall be included for each development.
3. All developments shall include a construction waste management plan with the goal of achieving a 50% waste diversion rate.

(D) Public Open Space

1. A pedestrian plaza with a minimum area of 2,750 square feet or 0.06 acres shall be provided adjacent to West Huron Street.

2. A minimum eight-foot-wide public access easement connecting West Washington Street and West Huron Street, along the western zoning district boundary, inclusive of a pedestrian plaza at West Huron Street, shall be provided.
3. The Bicentennial Monument shall be relocated to within the pedestrian plaza.
4. The pedestrian plaza and access through the block shall be constructed and maintained by the property owner.

(E) Area, Height and Placement Standards

1. **District Area.** The PUD zoning district shall be approximately 36,792 square feet OR 0.84 acres.
2. **Setbacks, Building Spacing, and Height**

All applicable area, height and placement regulations of the D2 Downtown Interface Zoning District, First Street Overlay District, Secondary Street Designation shall apply with the following exceptions:

Maximum Building Height - A maximum building height of 130 feet above average grade shall be permitted.

Streetwall Height – Streetwall height shall not exceed four stories or 52 feet, above average grade, along West Huron Street. Streetwall height along South First Street shall be consistent with D2 Downtown Interface Zoning District, First Street Overlay District, Secondary Street Designation zoning.

Maximum Floor Area Ratio (Max FAR) - A maximum of 550% FAR shall be permitted.

Additional Building Setbacks – A Minimum setback of 28 feet above the first story at 120 South First Street (Parcel ID 09-09-29-213-012) along north property line shall be required.

(F) Parking Standards

All applicable parking standards shall apply with the following exceptions:

Maximum Vehicle Parking Spaces - A maximum of 0.5 spaces per dwelling unit (0.5 space / 1 DU) shall be permitted.