

ORDINANCE NO. ORD-19-29

First Reading: August 19, 2019
Public Hearing: September 16, 2019 &
October 7, 2019

Approved: October 7, 2019
Published: October 17, 2019
Effective: October 27, 2019

THE GLEN MIXED USE PUD ZONING
(201, 213, 215, 217 GLEN AVENUE AND 1025 EAST ANN 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 the centerline of Glen Avenue and the centerline of Ann Street of Block 2 North, Range 13 East, Eastern Addition to the Village (now City) of Ann Arbor, according to the Plat thereof, recorded in Liber 'P' of Deeds, Page 4, Washtenaw County Records, thence N 89°56'09" W 33.00 feet along the center line of said Ann Street (66.00' wide); thence N 00°03'59" W 33.00 feet parallel with and 33.00 feet West of the center line of Glen Avenue (66.00' wide) to the SE corner of Lot 8 of said Plat; thence N 89°56'09" W 111.95 feet along the South line of said Lot 8;
thence N 00°03'59" W 132.00 feet parallel with the West line of Glen Avenue; thence S 89°56'09" E 45.95 feet parallel with the North line of Ann Street; thence N 00°03'59" W 133.09 feet parallel with West line of Glen Avenue; thence S 89°54'28" E 66.00 feet along the South right-of-way line of Catherine Street(66.00' wide);
thence S 00°03'59" E 265.06 feet along the West right-of-way line of said Glen Avenue to the POINT OF BEGINNING. Being a part of Lots 5, 6, 7, & 8 of Block 2 North, Range 13 East, Eastern Addition to the Village (now City) of Ann Arbor, according to the Plat thereof, as recorded in Liber 'P' of Deeds, Page 4, Washtenaw County Records, containing 0.54 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 The Glen Mixed Use Development PUD Supplemental Regulations, which are hereby adopted and incorporated into The Glen PUD zoning ordinance.

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

The Glen PUD Supplemental Regulations

Section 1: Purpose

It is the purpose of the City Council in adopting these regulations to provide for the coordinated and unified development of these five parcels in harmonious integration with the surrounding neighborhood and presenting a unified development of mixed-uses.

These regulations seek to promote development of a mix of desirable uses arranged in an innovative and efficient manner that advances the City's land use plans and policies, and revitalizes and provides service to 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"):

Commencing at the monumented intersection of the centerline of Glen Avenue and the centerline of Ann Street of Block 2 North, Range 13 East, Eastern Addition to the Village (now City) of Ann Arbor, according to the Plat thereof, recorded in Liber 'P' of Deeds, Page 4, Washtenaw County Records, thence N 89°56'09" W 33.00 feet along the center line of said Ann Street (66.00' wide); thence N 00°03'59" W 33.00 feet parallel with and 33.00 feet West of the center line of Glen Avenue (66.00' wide) to the SE corner of Lot 8 of said Plat; thence N 89°56'09" W 111.95 feet along the South line of said Lot 8; thence N 00°03'59" W 132.00 feet parallel with the West line of Glen Avenue; thence S 89°56'09" E 45.95 feet parallel with the North line of Ann Street; thence N 00°03'59" W 133.09 feet parallel with West line of Glen Avenue; thence S 89°54'28" E 66.00 feet along the South right-of-way line of Catherine Street(66.00' wide); thence S 00°03'59" E 265.06 feet along the West right-of-way line of said Glen Avenue to the POINT OF BEGINNING. Being a part of Lots 5, 6, 7, & 8 of Block 2 North, Range 13 East, Eastern Addition to the Village (now City) of Ann Arbor, according to the Plat thereof, as recorded in Liber 'P' of Deeds, Page 4, Washtenaw County Records, containing 0.54 acres of land, more or less, being subject to easements and restrictions of record, if any.

TOGETHER WITH:

A non-exclusive easement for a common driveway as evidenced by instrument recorded in Liber 1964, page 418, Washtenaw County Records.

SUBJECT TO:

Easement contained in Warranty Deed recorded October 21, 1985 in Liber 2012, Page 899.

Benchmark #1

Railroad spike in East face of utility pole at the SW corner of Glen and Ann.
Elevation = 854.59 (NAVD88)

Benchmark #2

Top of west side concrete light pole base at the SE corner of Glen and Catherine.
Elevation = 847.92 (NAVD88)

Further, the provisions of these regulations shall be adopted and incorporated into The Glen 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

During the public hearings on this Planned Unit Development Amendment, the Planning Commission and City Council determined that:

- (A) It is desirable to develop the property described above, presently a vacant brownfield site, as a nine-story mixed use building containing conference, reception, and meeting space, first floor neighborhood retail and restaurant space, community gathering areas, hotel rooms and services, apartments and underground parking.
- (B) The surrounding neighborhood contains University of Michigan facilities to the east across Glen Street and to the north across Catherine Street, and abuts historic houses and modern apartments in the Old Fourth Ward Historic District to the south and west.
- (C) It is in the best interest of the surrounding properties and the City of Ann Arbor that the developer clean up environmental contamination on the site to provide retail and restaurant space; meeting, conference and reception space; high quality hotel space; and apartments to serve City residents and the many visitors to the City of Ann Arbor and the University of Michigan

Medical Center. The project will have a beneficial effect on, and will not adversely affect, the surrounding properties or the City, in terms of public health, safety, or welfare.

- (D) The PUD zoning district provides:
- Innovative design including hotel-like amenities for apartment dwellers, space for conference, meeting or personal functions, reestablished commercial uses on the ground floor, and a design that steps down on the ends to reduce the building mass;
 - Economical land use by cleaning up existing environmental site contamination from a dry cleaner and a gas station formerly located on the site, and providing a variety of services in one location in an energy efficient building that meets LEED Silver standards;
 - Hotel, retail, and restaurant employment opportunities and shopping particularly suited to the needs of the residents of the city;
 - The reuse of an existing vacant site which contributes to the desired character and form of an established neighborhood by providing a transition from single- and multi-family residential structures in the Old Fourth Ward neighborhood to the large University of Michigan buildings across Glen Avenue and Catherine Street.
- (E) The Property described above meets the standards for approval as a Planned Unit Development, and the regulations contained herein do not constitute the granting of special privilege nor deprivation of property rights.

Section 4: PUD Regulations

- (A) Permitted Principal Uses of the development as depicted in the attached Site Plan shall be:
1. Lower Levels. Vehicular and bicycle parking.
 2. Ground Floor. Not less than 5,000 square feet of floor area will be any combination of: retail sales; restaurant or bar; and/or personal or business services. The remainder of the ground floor may include those uses or hotel. Hotel (“Hotel”) includes: guest rooms; balconies and terraces; common areas; lobbies, front desk, administrative and management support services; fitness centers; meeting, conference, reception and banquet facilities; food and beverage service, and related kitchens and support services. All other uses, including office and medical/dental, are prohibited.
 3. Second Level. Hotel; restaurant or bar.
 4. Third through Seventh Levels. Hotel.

5. Eighth and Ninth Levels. Multiple-family dwellings; Hotel. Multiple-family dwelling units that are rented at any time are subject to rental certification requirements of the City of Ann Arbor. Hotel uses may not exceed 1,000 square feet in floor area per floor.
6. Penthouse. Mechanical systems, telecommunication devices, and antenna.

(B) Permitted Accessory Uses shall be:

1. Home occupations only in multiple-family dwellings.
2. Special events requiring a temporary outdoor tent. Temporary use of tents shall not exceed a period of one week per use, and a maximum of eight occurrences per calendar year.

(C) Setbacks

North (Catherine Street): 0 feet
East (Glen Avenue): 0 feet
South (East Ann Street): 0 feet
West: 0 feet

(D) Height. Maximum of nine-stories plus a penthouse, not to exceed 109 feet, four inches.

(E) Lot Size. Minimum and maximum 23,573 square feet (0.54 acres).

(F) Floor Area Ratio. Maximum 568.0%.

(G) Parking. 195 lower level vehicle spaces, plus 46 valet (double-parked) spaces. 8 of the 195 spaces are reserved for parking controlled solely by Angelo's restaurant or its successors. 34 bicycle parking spaces: 14 Class A Spaces on Level L1, 6 Class B at the corner of Catherine and Glen, and 14 Class B spaces along East Ann.

(H) Landscaping, screening, and buffers.

1. Conflicting Land Use Buffer -- There is a 9-foot conflicting land use buffer on the north side of the proposed trash/recycle area. Four arborvitae are required in the 9-foot buffer. No buffer is required on the west side of the proposed trash/recycle area because it abuts the neighboring trash enclosure. Both enclosures will be contained by 8-foot masonry walls.
2. 10 street trees are required as shown on the site plan.

- (I) Site Access. One curb cut shall be permitted on East Ann Street.
- (J) Architectural Design.
1. Exterior Materials -- Principle building materials shall be brick, stone, cast stone, precast concrete, metal and glass. Panel brick and EIFS are not permitted.
 2. Entrances -- All ground level spaces shall include entrances adjacent to the pedestrian walkway on either Glen, East Ann or Catherine. Service related entrances are permitted on the west side of the property at the shared service drive.
 3. Massing -- The building shall include an identifiable base not more than two stories tall with a horizontal cornice element that separates the base from upper stories. The building massing shall step back on levels 8 and 9 to reduce the visual mass of the building.
 4. Street Level -- The first level shall include large glass elements facing the pedestrian sidewalk on Glen, Ann and Catherine. The building corners closest to Glen and East Ann, and to Glen and Catherine, shall be setback to include enhanced open space at each corner. Outdoor seating shall be allowed as shown on the site plan.
 5. Screening -- All mechanical units and solid waste shall be screened from view from adjacent properties.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan at its regular session of October 7, 2019.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on October 17, 2019.

Jacqueline Beaudry, Ann Arbor City Clerk