Legislation Details (With Text)

File #:	16-0297	**Version:**	1	**Name:**	03/21/16 - Bais Jewish Resource Center PUD Zoning and Supplemental Regulations
Type:	Ordinance			**Status:**	Passed
File created:	3/21/2016			**In control:**	City Council
On agenda:	4/18/2016			**Final action:**	4/18/2016
Enactment date:	3/21/2016			**Enactment #:**	ORD-16-04

Title: An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.3 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Bais Jewish Resource Center PUD Zoning and Supplemental Regulations, 1335 Hill Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-16-04)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 16-04 Bais Jewish Research Center Rezoning Ordinance Briefed and approved.pdf, 2. 16-04 Bais Jewish Research Center Rezoning Ordinance Briefed.pdf, 3. Bais JRC Legal Transmittal Ordinance.pdf, 4. Bais JRC Staff Report with Attachments 2-17-2016, 5. 2-17-2016 CPC Minutes with Live Links2, 6. Communication from John Markiewicz

Date	Ver.	Action By	Action	Result
4/18/2016	1	City Council	Held and Closed	
4/18/2016	1	City Council	Adopted on Second Reading	Pass
3/21/2016	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.3 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Bais Jewish Resource Center PUD Zoning and Supplemental Regulations, 1335 Hill Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-16-04)
Approval of this ordinance will zone this property PUD (Planned Unit Development) to allow a religious education center, three dwelling units, and three guest rooms. Approval of this ordinance will also create supplemental regulations for the new PUD.

Petition Summary:

The petitioner proposes a religious education center, three dwelling units, and three guest rooms. Two of the dwelling units are rentals for periods of not less than six months, and the third is a private apartment for use by a rabbi and family. These uses are listed in the draft supplemental regulations.
The site has an existing PUD in place. The new PUD would change the existing zoning by allowing an additional dwelling unit and three guest rooms, and increasing the maximum occupancy of the religious education center on the main floor of the building from 31 to 94 users.

The City Planning Commission, at its meeting of February 17, 2016, recommended approval of this request.

Attachments: Bais JRC Legal Transmittal
2/17/16 Planning Staff Report
2/17/16 Planning Commission Minutes
Prepared By: Jill Thacher, City Planner
Reviewed By: Ben Carlisle, Interim Planning Manager
Larry Collins, Interim Community Services Area Administrator

ORDINANCE NO. ORD-16-04

First Reading: March 21, 2016
Public Hearing: April 18, 2016
Approved: April 18, 2016
Published: April 25, 2016
Effective: May 5, 2016

BAIS JEWISH RESOURCE CENTER PUD ZONING
(1335 HILL 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:

> Lot 6 and part of Lot 5, Block 6, R.S. Smith's 2nd Addition, as recorded in Liber 48, Pages 40 and 41 of Plats, Washtenaw County Records, more particularly described as follows: Beginning at the southeast corner of Lot 6, Block 6, R.S. Smith's 2nd Addition to the City of Ann Arbor as recorded in Liber 48 of Plats, pages 40 and 41, Washtenaw County Records, Washtenaw County, Michigan, thence 90°00'00"W 78.00 feet along the north line of Hill Street; thence N 02° 26' 40" E 128.07 feet; thence N 12° 17' 21" E 33.64 feet; thence N 02° 26' 40" E 13.00 feet; thence S 88° 09' 00" E 71.00 feet along the north line of Lots 5 and 6 of said addition; thence S 02° 03' 00" W 171.63 feet along the east line of Lot 6 of said addition to the Point of Beginning, being Lot 6 and part of Lot 5 of said addition.

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

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

C E R T I F I C A T I O N

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of April 18, 2016.

Jacqueline Beaudry, City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on April 25, 2016.

Jacqueline Beaudry, City Clerk

Bais Jewish Resource Center PUD Supplemental Regulations

Section 1: Purpose

It is the purpose of the City Council in adopting these regulations to provide for a reasonable utilization of an existing historic structure and harmonious integration of residential and nonresidential uses. These regulations seek to promote development that minimizes negative impacts on the surrounding neighborhoods, streets, and parking.

Section 2: Applicability.

The provisions of these regulations shall apply to the property described as follows:

> Lot 6 and part of Lot 5, Block 6, R.S. Smith's 2nd Addition, as recorded in Liber 48, Pages 40 and 41 of Plats, Washtenaw County Records, more particularly described as follows: Beginning at the southeast corner of Lot 6, Block 6, R.S. Smith's 2nd Addition to the City of Ann Arbor as recorded in Liber 48 of Plats, pages 40 and 41, Washtenaw County Records, Washtenaw County, Michigan, thence 90°00'00"W 78.00 feet along the north line of Hill Street; thence N 02° 26' 40" E 128.07 feet; thence N 12° 17' 21" E 33.64 feet; thence N 02° 26' 40" E 13.00 feet; thence S 88° 09' 00" E 71.00 feet along the north line of Lots 5 and 6 of said addition; thence S 02° 03' 00" W 171.63 feet along

the east line of Lot 6 of said addition to the Point of Beginning, being Lot 6 and part of Lot 5 of said addition.

Further, the provisions of these regulations shall be adopted and incorporated into the Planned Unit Development (PUD) zoning. These regulations, however, are intended to supplement only those provisions in the City Codes which may be modified as part of a PUD, such as landscaping and parking, and shall not be construed to replace or modify other provisions or regulations in the City Codes which must be followed.

Section 3: Findings

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

A. The residential neighborhood surrounding the property described above contains a mixture of one- and two-family dwellings, fraternities, sororities, student cooperatives, multiple dwelling units, religious institutions, and learning facilities, many of which have historic character.

B. It is in the best interest of the residents of the area and the City of Ann Arbor that the unique character and quality of the longstanding residential fabric of this existing neighborhood should be preserved, protected, and maintained by restricting land use and development on the parcel described above to that which will have a beneficial effect on and will not adversely affect the surrounding neighborhoods, in terms of public health, safety, and welfare.

C. It is desirable to develop the property described above as a religious learning and worship center and three dwelling units because the dual uses will provide a religious support amenity for students, faculty, and City residents, as well as provide housing and maintain the existing residential nature of the structure.

D. The limited seating capacity of the religious center, the restrictions on the number of residents of the housing units, and the provided parking spaces present additional safeguards against negative impacts on neighboring single-family residential housing and demand for on-street parking.

E. The religious denomination whose practices include prohibiting the use of vehicles on certain days will mitigate a portion of the need for onsite parking and the impact on the neighborhoods and surrounding street system.

F. The PUD will facilitate the continued restoration and maintenance of the interior and exterior of an historic structure by allowing the mixed use and providing a source of income for the owner.

G. The parcel described above meets the standards for approval as a Planned Unit Development, and the regulations contained herein do not constitute the granting of special privileges nor deprivation of property rights.

Section 4: PUD Regulations

A. Permitted principal uses
   1. A religious educational center containing a place of worship and study, with a maximum

permitted seating capacity of 96 persons on the first floor and 34 persons in the lower level and a demonstrated need for no more than eight on-site, off-street vehicle parking spaces.
2. A dwelling unit located on the second floor accommodating no more than three residents, to be leased for periods of not less than six months.
3. A private dwelling on the second floor to accommodate the Rabbi and family.
4. A dwelling located on the third floor accommodating no more than four residents, to be leased for periods of not less than six months.
5. A maximum of three guest rooms, located in the basement, for guests that stay for observance of the Sabbath and Jewish holidays.

B. Permitted accessory uses
1. A lending library, for use only in conjunction with activities of the religious education center.
2. A kitchen located on the first floor, for use only in conjunction with activities of the religious educational center. The preparation of meals for purchase by the general public is prohibited.
3. An office or offices for the religious educational center staff may be located within one or two rooms in the basement.
4. Other uses reasonably related to and incidental to the principal use, such as lectures, ritual meals, weddings, funerals, or memorial services.

C. Setbacks
1. Front - 54 feet
2. Side - One side, 8 feet; both sides 19.5 feet
3. Rear - 30 feet

D. Height
Maximum height shall be restricted to 37 feet, the height of the existing structure.

E. Lot Size
Minimum lot size shall be 12,784 square feet (0.29 acres).

F. Parking
Required on-site parking shall be five vehicle spaces for the religious educational center, three vehicle spaces for the residential units, and a minimum of 10 Class B and 8 Class C bicycle spaces.

G. Landscape and Buffers
1. North - 6-foot high opaque fence at the property boundary, and a three-foot wide planted area.
2. East - 4-foot high chain-link fence at the property boundary or a 6-foot high opaque fence at the property boundary, as permitted by Chapter 104 (Fences) for residential districts, *and* a 3-foot wide planted area.
3. South - landscaping and screening as required by Chapter 67 (Landscape and Screening) for vehicular areas.
4. West - none.

H. Eruv
A string may be located approximately 10’-0” high around the perimeter of the property as part of religious observances.

Prepared by Jill Thacher