Legislation Details (With Text)

File #:	17-1419	**Version:** 2	**Name:**	10/2/17 -- Ordinance to Rezone 1140 Broadway to C1A/R With Conditions
Type:	Ordinance		**Status:**	Passed
File created:	10/2/2017		**In control:**	City Council
On agenda:	12/4/2017		**Final action:**	12/4/2017
Enactment date:	10/2/2017		**Enactment #:**	ORD-17-17

Title: An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-17-17)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 17-17 1140 Broadway Rezoning Briefed and Approved.pdf, 2. 17-17 1140 Broadway Rezoning Briefed 11-20-17.pdf, 3. 17-17 1140 Broadway Rezoning Briefed.pdf, 4. 1140 Broadway Conditional Zoning Stmt of Conditions FINAL.pdf, 5. Conditional Zoning Statement 9-20-17.pdf, 6. July 5, 2017 Planning Staff Report, 7. August 1, 2017 Planning Staff Report, 8. Petitioner's Offer of Conditions (7-26-17), 9. 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 10. 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, 11. Objection Communication from Harpreet Singh.pdf, 12. Yuqing Zhang Objection Letter re 1140 Broadway.pdf, 13. 1140 Broadway Objection Letters.pdf, 14. Map.pdf, 15. Resinding Letters Regarding 1140 Broadway.pdf, 16. 1140 Broadway Objection Letter from Diane Wiener.pdf, 17. Objection Letter regarding 1140 Broadway from Taisir Hasan.pdf, 18. Objection Material regarding 1140 Broadway from Linda Ebbeler.pdf, 19. 1140 Broadway Rezoning Comments from Susan Friedlaender.pdf, 20. 1140 Broadway Objection letter - Hawkins.pdf, 21. B-1 Letters Rescinding Objections to 1140 Broadway.pdf, 22. 1140 Broadway Rezoning Approval Notice.pdf

Date	Ver.	Action By	Action	Result
12/4/2017	2	City Council	Held and Closed	Pass
12/4/2017	2	City Council	Adopted on Second Reading	Pass
11/20/2017	2	City Council	Held and Closed	
11/20/2017	2	City Council		
11/20/2017	2	City Council	Postponed at Second Reading	Pass
11/9/2017	2	City Council	Held and Continued	
11/9/2017	2	City Council		
11/9/2017	2	City Council	Postponed at Second Reading	Pass
10/2/2017	2	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-17-17)

Approval of this resolution will rezone this vacant 6.4-acre parcel from PUD (Broadway Village at Lower Town Planned Unit Development) to C1A/R (Campus Business Residential) With Conditions to allow the development of a mixed-use, mid-rise, compact development.

The Master Plan future land use recommendation calls for a mixed-use urban village to be developed on this site. The proposed C1A/R district is designed for high-density residential and commercial uses in close proximity to the University of Michigan campuses. It allows for sufficient floor area ratio, shallow setbacks, and compatible side and rear setbacks to achieve the recommendation for a mixed -use urban village.

The petitioner has offered to condition the requested C1A/R zoning designation with the following requirements:

> The height for any part of a building or structure on the Property shall be a maximum of eight stories and a maximum of 100 feet, which shall be further restricted to a maximum height of four stories and a maximum height of 60 feet within the area defined on Exhibit C, which is attached to the Conditional Zoning Statement of Conditions.
>
> The maximum height limitations shall include architectural features such as parapet walls, railings, skylights and similar structures, but shall exclude structures such as chimneys and ventilation assemblies, mechanical equipment and screens, elevator penthouses, solar panel installations, antennae and similar structures. Excluded structures shall not extend more than the minimum height necessary to achieve their intended purpose, and shall not extend more than 20 feet above the maximum height limit.

Accompanying the conditional rezoning petition, as a separate submittal, is a planned project site plan petition to construct three mid-rise buildings and a parking structure, having a combined total of approximately 813,000 square feet including 610 dwelling units, 573 parking spaces, and 4,500-square feet of commercial space. Planned project modifications have been requested to reduce setbacks.

The City Planning Commission determined that the proposed zoning is consistent with the adjacent zoning, the surrounding land uses, and the City's Master Plan and recommended approval of the request at its meeting of August 1, 2017.

Attachments: Draft Zoning Ordinance
Conditional Zoning Statement of Conditions (draft 9-6-17)
July 5, 2017 and August 1, 2017 Planning Staff Reports
July 5, 2017 and August 1, 2017 Planning Commission Minutes
Petitioner’s Offer of Conditions (7-26-17)

Prepared by: Alexis DiLeo, City Planner
Reviewed by: Brett Lenart Planning Manager
Derek Delacourt, Community Services Area Administrator
Approved by: Howard S. Lazarus, City Administrator

ORDINANCE NO. ORD-17-17

First Reading: October 2, 2017
Public Hearing: November 9, 2017
November 20, 2017
December 4, 2017

Approved: December 4, 2017
Published: December 11, 2017
Effective: December 21, 2017

1140 BROADWAY

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:

Beginning at the Westerly corner of Lot 78 of ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, Washtenaw County Records; thence Northeasterly along the Southerly right-of-way line of Broadway Street (variable width) in the following four (4) courses: (1) N 57°48'00" E 564.63 feet, (2) N 01°45'27" E 20.50 feet, (3) N 57°48'00" E 25.88 feet and (4) N 58°18'42" E 33.55 feet (recorded as N 58°18'00" E); thence along the centerline of Traver's Creek in the following four (4) courses: (1) S 22°41'48" E 13.78 feet (recorded a S 22°42'30" E), (2) S 52°07'48" E 51.77 feet (recorded as S 52°08'30" E, (3) S 65°43'18" E 29.31 feet (recorded as S 65°44'00" E) and (4) S 73° 04'18" E 50.81 feet (recorded as S 73°06'00" E);
thence N 37°31'42" E 25.40 feet (recorded as N 37°31'00" E);
thence S 79°25'00" E 177.53 feet along the Northeasterly line of Lot 25 of ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records;
thence S 31°16'00" W 410.58 feet along the Northwesterly line of Ross Maiden Lane Apartments;
thence S 58°44'00" E 74.99 feet;
thence S 31°16'00" W 255.50 feet along the West right-of-way line of Nielsen Court;
thence N 58°44'00" W 653.70 feet along the Northerly right-of-way line of Maiden Lane to the Point of Beginning. Being Lots 25 through 30 ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records and Lots 72 through 82, inclusive, Lots 83 through 87, inclusive and a vacated alley of ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, Washtenaw County Records.

in the City of Ann Arbor, Washtenaw County, Michigan as C1A/R (Campus Business Residential) District WITH CONDITIONS, in accordance with the attached Conditional Zoning Statement of Conditions which is hereby adopted and incorporated herein.

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

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 December 4, 2017.

(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 December 11, 2017.

Jacqueline Beaudry, Ann Arbor City Clerk