Legislation Details (With Text)

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Type:	Ordinance		**Status:**	Passed	
File created:	12/21/2020		**In control:**	City Council	
On agenda:	2/1/2021		**Final action:**	2/1/2021	
Enactment date:	12/21/2020		**Enactment #:**	ORD-20-36	

Title: An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 7.23 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 2195 East Ellsworth (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (8 Votes Required) (ORD-20-36)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD-20-36 Briefed and Approved.pdf, 2. ORD-20-36 Briefed.pdf, 3. Lockwood Staff Report w Attach 9-15-20 mtg.pdf, 4. Lockwood Ellsworth PUD Ordinance.pdf, 5. 9-1-2020 CPC Approved Minutes w Links.pdf, 6. 9-15-2020 CPC Approved Minutes w Links.pdf, 7. Landscape and color plan.pdf, 8. Lockwood protest petitions.pdf, 9. Forest Hills Cooperative Protest Letter, 10. ORD-20-36 Approval notice.pdf, 11. WLN clipping ORD-20-36 - Approval Notice.pdf, 12. WLN clipping Lockwood Rezoning - Public Hearing Notice.pdf, 13. WLN clipping ORD-20-36 - Public Hearing Notice.pdf

Date	Ver.	Action By	Action	Result
2/1/2021	1	City Council	Held and Closed	
2/1/2021	1	City Council	Adopted on Second Reading	Pass
1/19/2021	1	City Council	Held and Continued	
1/19/2021	1	City Council		
1/19/2021	1	City Council	Postponed at Second Reading	Pass
12/21/2020	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 7.23 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 2195 East Ellsworth (CPC Recommendation: Approval - 7 Yeas and 0 Nays) **(8 Votes Required)** (ORD-20-36)
Approval of this ordinance will zone this property PUD (Planned Unit Development) to allow 154 independent senior residential units and amenities with a 154 space surface parking lot. Approval of this ordinance will also create supplemental regulations for the new PUD district. Supplemental regulations create the standards and requirements, as well as regulating the uses, for the corresponding PUD District.

A proposal to rezone a 7.92-acre vacant site from R1C (Single-Family Residential District) to PUD (Planned Unit Development), and to construct a three-story, 168,130 square foot residential building with a 154-space surface parking lot.

Petition Summary:

- An area plan, or site plan is required when an amendment to the City Zoning Map is proposed [Chapter 55 5.29.7]. In this case, the petitioner has proposed amending the City Zoning Map from R1C to PUD, Planned Unit Development District with a site plan. The site plan will be presented for approval with the second reading of the zoning.

- The site plan proposes 154 independent senior apartments, 89 one-bedroom units and 65 two -bedroom units in a single building. The building will also contain a commercial kitchen and dining area, small barber shop, activity room, movie room, fitness room and small clinic. These uses are listed in the draft supplemental regulations. All facilities are for use only by the Lockwood residents and their guests. Parking is provided in a 154-space parking lot.

- The rezoning of this parcel from R1C to PUD zoning accomplishes many goals identified in the City's Master Plan and supporting documents. The existing land use recommendation designates the site for single or two family residential use. While this proposed use does not meet this single-family land use designation, the proposed petition does accomplish several Goals, Objectives, and Action Statements City's Master Plan:

    - A reduction of impervious surface
    - Diverse housing type
    - Affordable housing
    - Increased pedestrian connectivity
    - Residential uses adjacent to public transit
    - Significant excess natural area open space adjacent to the school facilities and playgrounds.

- The project location is part of a site-specific recommendation in the South Area Plan. The Site recommendation also includes the adjacent land currently owned by the AAPS. *Site 9: This 20 acres is located on the east of Stone School Road, north of Ellsworth Road. Approximately eight acres adjacent to Bryant School is recommended for neighborhood parkland, playground addition to Bryant School, and a possible expansion to the Bryant Community Center. The remainder of the area is recommended for single-family attached and detached use. Due to proximity to the approach to Ann Arbor Airport, noise buffering should be considered in new residential construction. The Ellsworth and Stone School intersection could develop as a gateway intersection with careful attention to the northeast corner.*
    - In response to the site-specific recommendation for the site that includes community center expansion and school open space uses, conditions have changed significantly in the adjacent area since the original recommendation. Bryant community center has completed an expansion into an adjacent property and the Ann Arbor Public School System has acquired the remainder of the land within the Site 9 recommendation area.

- Chapter Five (Land Use) of the Master Plan: Land Use Element identifies key issues the City wishes to address with new development. Affordable housing is a prominent goal of the City identified in different studies and plans. Lockwood will dedicate a minimum of 65 units (42%,15% is required) of units affordable for senior citizens. Diversity of housing types, mixed uses and land use balance are additional goals that are achieved by the housing type proposed. The site is also located on a transit route with new sidewalk link to be installed leading to the bus stop east on Ellsworth.

- Chapter Five (Land Use) also describes Land Use Goals, Objectives and Action Statements the Lockwood of Ann Arbor petition addresses several of the objectives/goals identified:

    - To ensure that development projects are designed and constructed in a way that preserves or enhances the integrity of natural systems.
    - Preservation of natural features, 21 of 31 landmark trees will be saved.
    - Establish strong open space linkages with adjacent development
    - Locate higher residential densities near mass transit routes.
    - Improve the safety, accessibility and desirability of walking, biking or using mass transit.
    - Encourage affordable housing units to be constructed as part of new development projects.

Public Benefits provided by the project include:

- New affordable and market-rate housing for the City, which addresses numerous housing goals of the Master plan including: A diverse housing type(s), housing for independent seniors, a minimum of 65 units or 42% (15% Required) of total units designated for affordable housing for 99 years.
- Economical land use by reducing parking areas based on parking counts of similar facilities and demonstrated need of residents. This results in significantly less impervious surface, increased stormwater infiltration, and increased open space for residents and neighbors. Impervious fixed, no additional structures or paved expansions without additional site plan approvals.
    - Minimum of 61% open space on the site.
- Natural Features Management Plan for the northern open space that includes active removal and control of invasive species and planting of native species that encourage a healthy natural area.
- Installation of 4 Electric-Vehicle charging stations and installation of conduit to support and additional six charging stations.
- Improvements to pedestrian safety by installing sidewalk link to the east.
- Dark Sky lighting required for exterior lighting fixtures.

The Planning Commission raised the following issues, which were addressed by the petitioner and staff as described:

- Treatment of natural open space, removal of invasive, support of landmark trees. Petitioner has submitted a natural features management plan which has been reviewed and approved by Staff.
- Clarification of electric vehicle parking, petitioner has added 4 EV charging stations to the plan, in addition conduit will be installed in order to prep for the installation of an additional six spaces when needed.
- Exploration of additional sustainability features. The petitioner responded by making all stoves electric in all resident units. In addition, while MSHDA guidelines prefer gas heating for the units, Lockwood Companies is investigating possible electric heat alternatives for this project that will not adversely affect the affordability for its residents. Lockwood is taking required steps with MSHDA to have this incorporated as part of the development if at all possible. The main floor commercial kitchen and some common area components will need to be exempted from the all-electric request.

- Added restrictions regarding site lighting, requiring all exterior fixtures to be Dark Sky compliant and additional limitations on exterior lighting, including prohibiting light trespass within the project areas.
- Trail/open space linkages to the north and adjacent school property. Lockwood is committed to working with the AAPS and providing a path/trail connection in this area. Exact locations will be determined, AAPS has not determined a plan for the adjacent area at this time.

The City Planning Commission, at its meeting of September 15, 2020, recommended approval of this request.

Attachments: 11-25-20 Supplemental Regulations
9-15-20 Planning Staff Report
9-15-20 Planning Commission Minutes
Prepared By: Matt Kowalski, City Planner
Reviewed By: Brett Lenart, Planning Manager
Derek Delacourt, Community Services Area Administrator
Approved By: Tom Crawford, City Administrator
(See attached ordinance)