Legislation Details (With Text)

File #:	21-0634	**Version:** 1	**Name:**	4/19/21 Valhalla Conditional R4E Rezoning	
Type:	Ordinance		**Status:**	Passed	
File created:	4/19/2021		**In control:**	City Council	
On agenda:	6/7/2021		**Final action:**	6/7/2021	
Enactment date:	4/19/2021		**Enactment #:**	ORD-21-15	

Title: An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 9.8 Acres from TWP (Township), R1C (Single-Family) and R1A (Single-Family) to R4E With Conditions (Multiple-Family Dwelling District with Conditions), Valhalla Ann Arbor Conditional Rezoning, 31, 50, 57, 77, 97, 98, 107, 145, 147, 151, 155, 159, 163 Valhalla Drive and 2065, 2099 South Main Street (CPC Recommendation: Approval - 8 Yeas and 1 Nay) (ORD-21-15)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD-21-15 Briefed and Approved.pdf, 2. ORD-21-15 Briefed.pdf, 3. Valhalla Staff Report 6-2-2020 w Attachments.pdf, 4. Valhalla Staff Report 7-21 UPDATE memo.pdf, 5. 7-21-2020 CPC Approved Minutes w Links.pdf, 6. Valhalla Conditional Zoning Ordinance.pdf, 7. Valhalla Zoning Statment of Conditions.pdf, 8. MKSK Ann Arbor Vallhalla City Council .pdf, 9. UM Letter Valhalla.pdf, 10. UMICH update 2021.01.04.pdf, 11. 201118 AAValhalla_GC CorridorLimits.pdf, 12. Valhalla Project Letter.pdf, 13. Valhalla Zoning Conditions 2021.03.17_Executed (003).pdf, 14. UM Response Letter to Council.pdf, 15. UM Response Exhibits.pdf, 16. ORD-21-15 Approval Notice.pdf, 17. WLN clipping Valhalla Conditional Zoning - Public Hearing Notice.pdf, 18. WLN clipping ORD-21-15 Valhalla Conditional Zoning - Approval Notice.pdf

Date	Ver.	Action By	Action	Result
6/7/2021	1	City Council	Held and Closed	
6/7/2021	1	City Council	Adopted on Second Reading	Pass
4/19/2021	1	City Council		
4/19/2021	1	City Council	Postponed at First Reading	Fail
4/19/2021	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 9.8 Acres from TWP (Township), R1C (Single-Family) and R1A (Single-Family) to R4E With Conditions (Multiple-Family Dwelling District with Conditions), Valhalla Ann Arbor Conditional Rezoning, 31, 50, 57, 77, 97, 98, 107, 145, 147, 151, 155, 159, 163 Valhalla Drive and 2065, 2099 South Main Street (CPC Recommendation: Approval - 8 Yeas and 1 Nay) (ORD-21-15)
Approval of this resolution will rezone parcels totaling 9.8 acres from TWP(Township), R1C (Single-Family) and R1A (Single-Family) to R4E With Conditions (Multiple-Family Dwelling District with Conditions) to allow the site to be redeveloped for residential use.

Chapter Five (Land Use) of the Master Plan: Land Use Element designates the future land use for this site as single-family residential. The R4E Multiple-Family Dwelling District is intended to permit high- density, Multiple-Family development along signature transit corridors, as identified in the City's Master Plan, with nearby access to public land, schools, shops, and Personal Services outside the DDA boundary. The elements of land use planning and Site design should ensure that the impact of

such intensity of land use on adjacent property and on the community as a whole is minimized.

The petitioner has offered to condition the requested R4E zoning designation with the following restrictions:

1. Notwithstanding the R4E zoning which may permit up to 75 dwelling units per acre, the Property shall be developed with a maximum density not to exceed 50 dwelling units per acre.

2. Building Height limits shall not exceed 74 feet from the grade adjacent to the building up to the main roof surface (not to include elevator over-rides, solar collectors, mechanical equipment, etc.) with average building heights to adhere to charts on the site plan submission.

3. The Project shall include fifteen (15) affordable dwelling units to be made available to those individuals or families earning up to sixty (60%) percent of the area median income (AMI). The rents to be charged for the affordable dwelling units shall be based on Washtenaw County's MSHDA (Michigan State Housing Development Authority) published rent limits by dwelling unit size or dwelling unit bedroom count.

4. The entire Project shall be all electric and not serviced or connected to natural gas services. This condition shall not prohibit the use of back-up generators powered by natural gas or other fuel for emergency use in the event of power outages. The Project shall install, connect, and operate a solar energy system rated at a minimum of 500,000 kilowatt hours per year on the Property.

5. The median opening of South Main Street will be closed to all movements except the northbound left in conjunction with the Project. Modification to the median opening and centerline hardening for the approach to the Scio Church Road intersection is required for opening of the proposed development.
    a. The design process for this project will require engagement with the public regarding the design elements and materials for described modifications to the median opening.
    b. Preliminary design of this modification shall be included on any approved site plans.
    c. The process for public engagement shall follow the City's Public Engagement Toolkit and be designed to an International Association for Public Participation level of "Consult".
    d. The CITY has the right, in its sole discretion, to choose which traffic mitigation measures it will implement. DEVELOPER will be solely financially responsible for the traffic mitigation measures the CITY finds necessary to address the impact of the DEVELOPER'S development.

Accompanying the conditional rezoning petition, as a separate submittal, is a site plan petition to demolish all existing structures and construct a total of 454 dwelling units in several stacked flat apartment buildings and five townhouse buildings. The units provided will be a mix of studio, one and two bedrooms. The townhouse buildings will contain a total of 19 units, the remaining apartment units will be constructed in one large building oriented around a center courtyard and three smaller buildings along the east side of the parcel. The eastern buildings will appear separate above ground but will be connected through the underbuilding parking garages. The larger building will also have understructure parking for a majority of the parking spaces provided. The townhouse units will each have private two-car garages.

The City Planning Commission was in agreement that rezoning the site for a higher density residential use was desirable. They determined that the specific proposed rezoning to R4E With Conditions is consistent with the surrounding land uses, and the City's Master Plan elements and recommended approval of the request at its meeting of July 21, 2020. While the Plan was recommended for approval, the petitioner did modify the conditions offered to help address some concerns mentioned by Planning Commission and staff regarding the provision of solar and the electrification requirement offered. The revised conditions are noted above and consistent with the approval by the Planning Commission.

Attachments: Conditional Zoning Statement of Conditions
July 21, 2020 Planning Staff Report
June 2, 2020, July 7, 2020 and July 21, 2020 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)