



Legislation Text

File #: 23-0277, **Version:** 1

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.5 Acres from PL (Public Land) to PUD (Planned Unit Development District), 415 West Washington PUD Zoning and Supplemental Regulations, 415 West Washington (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-23-10)

Approval of this ordinance will zone this property PUD (Planned Unit Development) to require a minimum of 15 designated affordable housing units or 15% of the total units be dedicated as affordable or a contribution in lieu of units, whichever number is greater. The PUD regulations allow residential and mixed uses as permitted in the D2 zoning district including residential, commercial and office uses. The ordinance also requires public open space with amenities such as extension of the Treeline Trail and associated features such as benches and ambient lighting. 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.

Petition Summary:

- A concept plan, or site plan is required when an amendment to the City Zoning Map is proposed [Unified Development Code - Chapter 55 - 5.29.7]. In this case, the petitioner has proposed amending the City Zoning Map from PL (Public Land) to PUD, Planned Unit Development District with the proposed concept plan. The purpose of a concept plan is to demonstrate that the property could be developed consistent with the requested zoning classification.
- Concept plans are required to provide a brief description of the development program, a community analysis, a site analysis, general information, and a schematic design for the entire development site. Concept plans are not required to include the number and type of dwelling units proposed; placement of proposed structures; front, side and rear open space and setback lines; number and dimensions of parking spaces; landscaping; soil erosion and sedimentation control plans; storm water management plans; utilities; the accurate location and description of all natural features; the location and extent of natural features open space; or a natural features protection plan, mitigation plan and alternative analyses. These are, however, requirements of site plans.
- Approval of a site plan is required for any construction on the site, if the PUD zoning and concept plan are approved, a petitioner would need to submit a site plan for approval to construct the plan. It should be noted this concept plan may not resemble the future site plan submission as review of the plans will be in much greater detail, with the benefit of additional information. An alternatives analysis showing different layouts of the site showing impacts on natural features will be required at this submission. At the site plan stage, alterations to the site design could result in a different density on the site, but not to exceed that written into the supplemental regulations.

- The supplemental regulations created for the site require the development of a project containing a minimum of 15 designated affordable housing units or 15% of the total residential units be dedicated as affordable or a contribution in lieu of units, whichever number is greater. In addition, the regulations permit market-rate residential and all mixed uses and Special Exception Uses (subject to SEU standards) as permitted in the D2 (Downtown Interface) Zoning District with the exclusion of Fueling Stations, Vehicle repair and Vehicles washes. The regulations require a minimum of 60% open space on the site with construction of a 15-foot-wide extension of the Treeline trail. Residential units will have a maximum of three bedrooms and two bathrooms per unit.
- The concept plan illustrates a 134,180 square foot five-story building containing 157 residential units equaling 123% Floor Area Ratio (FAR) for the site with understructure parking and 69% open space. There is a maximum of 200% Floor Area Ratio (FAR) which is equal to the D2 Zoning standards. The existing chimney on site was noted as a historical feature of the site as well as providing habitat for Chimney Swifts. The PUD Regulations state that all efforts shall be made to preserve the existing chimney on site for value as chimney swift habitat.
- The 2009 Downtown Plan designates this site as an Interface zone between Downtown and the residential neighborhood to the west. The final design of any buildings on the site should follow the Development Character guidelines noted the Downtown Plan.
- The site is in the Old West Side Historic District. Any new site plan will need to be approved by the Historic District Commission prior to any recommendation by Planning Commission and final action by City Council. In July 2021, the project background, site details and project goals were presented to the HDC in order to gain feedback on design considerations for the Concept plan. In September 2021, the petitioner presented a concept plan to the Commission based on the input from the previous HDC meeting. Based on the plans presented, the HDC did support the project moving forward acknowledging that final design will need to be approved by the HDC at site plan stage.
- The impact of this proposal on the floodplain is reviewed by the Michigan Department of Environmental Quality (MDEQ) during the permitting process. The feasibility of this proposed major development in the floodplain is heavily dependent on the ability of obtaining a floodplain permit from the MDEQ.
- The rezoning of this parcel from PL to PUD zoning accomplishes many goals identified in the City's Master Plan and supporting documents:
 - Potential for mixed uses on one site
 - Increased pedestrian connectivity via the Treeline connection
 - Promotes a mixed-income development with a diversity of housing types
 - Transitions from the urban downtown to the adjacent single family residential neighborhood.
 - A reduction of impervious surface on the site

- Public Benefits provided by the project include:
 - Remediation of an environmentally contaminated site in accordance with an MDEQ approved response activity plan and in full accordance with an Approved Brownfield Plan.
 - Construction of a 15 foot wide non-motorized path as an extension of the Treeline Trail
 - Required affordable housing on site or via a contribution
 - Increased pedestrian convenience and publicly accessible recreation by constructing a riverfront trail connected to B2B trail and Treeline trail.
 - Economical land use by reducing the need for unnecessary impervious parking surfaces, providing a maximum for parking necessitating understructure parking for the majority of site parking and increasing the usable open space on the site.
 - A reduction of impervious surfaces, minimum of 60% of the site must remain open space.

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

- Clarification that a minimum setback is required from Liberty and not a maximum setback.

The City Planning Commission, at its meeting of February 7, 2023, recommended approval of this request.

Attachments: 021523 Supplemental Regulations
020723 Planning Staff Report
020723 Planning Commission Minutes

Prepared By: Matt Kowalski, City Planner

Reviewed By: Brett Lenart, Planning Manager
Derek Delacourt, Community Services Area Administrator

Approved By: Milton Dohoney Jr., City Administrator

(See Attached Ordinance and Supplemental Regulations as Amended and Approved by Ann Arbor City Council on April 17, 2023)