

ANN ARBOR CITY APPROVAL NOTICE

ORDINANCE NO. ORD-24-11

732 PACKARD PUD ZONING DISTRICT AND SUPPLEMENTAL REGULATIONS

An Ordinance to Amend the Zoning Map, Being a Part of Section 5.10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor (732 Packard PUD Zoning District and Supplemental Regulations)

The City of Ann Arbor ordains:

Section 1. THE ZONING MAP, which, by Section 5.10.2 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 Southeasterly Corner of Lot 4, Block 4 of "MAP OF HILLS ADDITION TO THE CITY OF ANN ARBOR", as recorded in Liber 60 of Deeds, Pages 134 and 135, Washtenaw County Records; thence S51°18'08"W 198.00 feet along the Southeasterly line of said Lot 4; thence N39°03'51"W 36.80 feet along the Southwesterly line of said Lot 4, thence N12°15'03"W 56.33 feet; thence S88°43'13"W 70.89 feet; thence N01°23'37"W 269.88 feet along the West line of said "MAP OF HILLS ADDITION TO THE CITY OF ANN ARBOR" and its' extension thereof, also being the East line of South State Street (66 feet wide); thence S89°13'35"E 36.07 feet; thence N50°56'09"E 35.98 feet; thence S39°03'51"E 322.28 feet along the Northeasterly line of said "MAP OF HILLS ADDITION TO THE CITY OF ANN ARBOR", also being the Southwesterly line of Packard Street (66 feet wide) to the POINT OF BEGINNING.

Being part of Lots 1, 3, & 4 and all of Lot 2, Block 4 of "MAP OF HILLS ADDITION TO THE CITY OF ANN ARBOR", as recorded in Liber 60 of Deeds, Pages 134 and 135, Washtenaw County Records.

Being part of the NW 1/4 of Section 33, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 1.27 acres of land, more or less.

in the City of Ann Arbor, Washtenaw County, Michigan as PUD (Planned Unit Development District) in accordance with the attached 732 Packard PUD Supplemental Regulations, which are hereby adopted and incorporated herein.

Section 2. Findings

The basis for City Council's approval of this ordinance is as follows:

The PUD satisfies the standards for PUD zoning district review in Section 5.29.11.F of Chapter 55 of Title V of the Code of the City of Ann Arbor given the following:

1. The use, physical characteristics, design features, or amenities proposed have beneficial effects for the City, in terms of public health, safety, welfare, aesthetics, or convenience. In this case, the beneficial effects that warrant this rezoning to PUD include reduced carbon emissions, reduced urban sprawl and vehicular traffic, increased housing density, greater housing affordability, and neighborhood park improvements, which are described more fully in the Supplemental Regulations.
2. The beneficial effects cannot be achieved under any other zoning classification because other zoning classifications do not require the beneficial effects that are provided by the PUD zoning district (such as the requirement of a LEED Silver building and integrated solar power to help reduce carbon emissions) either at all or to the degree required in the PUD district.
3. The use proposed does not have a detrimental effect on public utilities or surrounding properties for the following reasons:
 - a. City Council agrees with the conclusion of the City's engineers' analysis of the PUD use for impacts to public water and sanitary sewer systems, which determined that these public utilities have adequate capacity to serve the district with no detrimental effect on surrounding properties.
 - b. The PUD district is required to comply with all City stormwater ordinances, which ensures that stormwater from the project meets all existing City requirements. As a majority of properties in the district do not currently have stormwater control measures, the installation of a system consistent with current regulations will result in a net improvement of water run-off in the area.
 - c. The proposed development in the PUD zoning district, being subject to the applicable standards of the Unified Development Code, does not introduce any effects related to stormwater management, drainage, soil erosion, sedimentation control, outdoor lighting, or other applicable development standards that are not already possible given uses in the current underlying zoning.
 - d. City Council agrees with the conclusion of the City's traffic engineers' analysis that the multimodal transportation study provided by the developer for potential impacts of development in the proposed PUD zoning district found no unmitigated detrimental effects on surrounding property, with some improvements leading to additional safety and

efficiencies in the public streets when compared with the existing zoning designation and uses.

- e. The permitted uses for the proposed PUD zoning district are identical as the uses allowed in the underlying as well as surrounding C1A/R zoning designation (with the minor exception of Temporary Outdoor Activities in the PUD district). As such, the rezoning to PUD continues to be consistent with surrounding uses and does not have a detrimental effect on surrounding properties.
4. The use or uses proposed are consistent with the City's Comprehensive Plan and policies adopted in that they follow the overarching goals of the City's Comprehensive Plan and City policies, which encourages more dense development with a particular emphasis on more housing overall and a wider range of housing types, encouraging more sustainable developments, living arrangements with less or no reliance on personal vehicles, and reduced vehicle miles travelled. Also, given the underlying C1 A/R zoning designation of the site and surrounding area, the required standards regarding design and massing of the PUD zoning are consistent with the goals and strategies of the Land Use Element of the Comprehensive Plan that emphasize the orderly transitions between higher densities or commercial (and mixed) uses and residential neighborhoods. The City has determined that any departure from the Comprehensive Plan is justified by the beneficial effects provided by the PUD zoning district as listed in the Supplemental Regulations.
5. The PUD zoning district exceeds the residential density of the underlying zoning district by more than 25%, and is subject to the standard that at least 15% of the total dwelling units are required to be Affordable Housing Dwelling Units or a payment in lieu shall be provided. Here the PUD requires that 16% of the residential floor area will be dedicated to affordable housing dwelling units or a payment in-lieu contribution of \$6,620,604 will be made to the City's Affordable Housing Fund.
6. The Supplemental Regulations include findings regarding the benefits of the PUD, as well as specific enforceable requirements and standards which satisfy the requirement for analysis and justification sufficient to determine what the purported benefit is, how the special benefit will be provided, and performance standards by which the special benefit will be evaluated.
7. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the district is provided. Front setbacks measured from back of curb as well as from the lot line ensure sufficient amenity and walking zones, electric vehicle charging stations are included at a higher rate than normally required, and alternative methods of transportation are encouraged

with bicycle parking requirements that are beyond that required by the underlying zoning designation, including the inclusion of specific requirements for both cargo bicycles and e-bikes.

8. Disturbance of natural features, historical features, and historically significant architectural features are limited to the minimum necessary to allow a reasonable use of the land. There are minimal natural features on site, including two landmark trees, and the zoning ordinance requires mitigation of those trees. There are no historical or historically significant features. The benefits, listed above, by the zoning district to the community are substantially greater the impact to the very minimal natural features on the site.

City Council hereby incorporates the Planning Staff report by reference in these findings, and has based its decision on the complete City record of review, including but not limited to, City Staff review, the Planning Commission review, public hearings and communications, and City Council's deliberation of the PUD zoning ordinance.

Section 3. This ordinance shall take effect and be in force on and after ten days from legal publication.

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of June 3, 2024.

Jacqueline Beaudry, Ann Arbor City Clerk
Christopher Taylor, Mayor of the City of Ann Arbor

Published: 6/13/2024 in the Washtenaw Legal News.