

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of August 21, 2012

**SUBJECT: Plymouth Green Crossings Amended PUD Zoning and PUD Site Plan
(Northwest corner of Plymouth and Green Roads)
File Nos. SP12-021 and Z12-007**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve Plymouth Green Crossings Amended PUD (Planned Unit Development) Zoning and Supplemental Regulations.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve Plymouth Green Crossings Amended PUD (Planned Unit Development) Site Plan, subject to removing unnecessary utility service leads within 30 days of City Council approval.

STAFF RECOMMENDATION

Staff recommends that the PUD zoning district and supplemental regulations be **approved** because the uses, physical characteristics, design features and amenities proposed provide a beneficial effect for the City and are consistent with elements of the adopted Master Plan, as discussed below.

Staff recommends that the PUD site plan be **approved** because it complies with all the applicable local, state and federal laws, ordinances, standards and regulations; would not cause a public or private nuisance; and would not have a detrimental effect on public health, safety or welfare.

LOCATION

The site is located on the northwest corner of Plymouth Road and Green Road (Miller's Creek Watershed).

DESCRIPTION OF PETITION

This site currently contains a bank, two mixed-use buildings and associated detached garages that were constructed as the first phase of a PUD approved in 2006. The petitioner proposes to amend the site plan and supplemental regulations to eliminate a proposed restaurant building from Phase 2 and expand the use options for Building A, a proposed 3-story mixed-use building on the northeast portion of the site. The PUD also proposes an increase in the maximum amount of vehicular parking allowed and a reduction in the minimum bicycle parking required. No changes are proposed to the driveway access or storm water facilities.

The petitioner proposes the following substantive modifications to the supplemental regulations:

1. Allow the ground floor of Building A to be used for vehicular parking or flexible space (enclosed space that allows special events such as weddings or similar gatherings) in addition to commercial space.
2. Allow an increase from 7,000 square feet to 14,224 square feet of commercial space that can be used for restaurant uses throughout the site.
3. Eliminate requirements for Building E (free-standing restaurant)
4. Increase the maximum number of parking spaces from 275 to 290.
5. Reduce the minimum number of bicycle storage spaces from 70 to 64.
6. Language is proposed to be added to the façade section that indicates that, “ground level facades of Building A if used as interior parking shall include architectural columns, a minimum 3-foot height masonry screen wall, and louvers or grills to screen views to parking while permitting natural ventilation”.

The petitioner held a citizen participation meeting on May 21, 2012 in Building B (space next to Olga’s restaurant). Postcards were mailed to 205 addresses. Four citizens attended, including two living at Plymouth Green Crossings and two from the nearby residential neighborhood. One participant expressed concern over noise from sheet piling (sheet piling of the retaining wall is now complete). Another indicated that although garages seem to be mostly used for storage, parking spaces are in demand, particularly around lunch time. The summary of the meeting is attached.

COMPARISON CHART

		PHASE 1 (EXISTING)	COMBINED PHASES 1 & 2	CURRENT REQUIREMENTS (PHASES 1 & 2)	PROPOSED REQUIREMENTS (PHASES 1 & 2)
Zoning		PUD (Planned Unit Development)	PUD (Planned Unit Development)	PUD (Planned Unit Development)	PUD (Planned Unit Development)
Gross Lot Area		387,684sq/ft (8.9 acres)	387,684sq/ft (8.9 acres)	387,684 sq/ft (8.9 acres) MIN	387,684 sq/ft (8.9 acres) MIN
Floor Area Ratio In % of Lot Area		25.8%	24.1%	30% MAX	30% MAX
Setbacks	Front	Plymouth: 40 ft Green: 247 ft	Plymouth: 40 ft Green: 247 ft	Plymouth: 40 ft MIN Green: 240 ft MIN	Plymouth : 40 ft MIN Green: 247 ft MIN
	Side	West: 1 ft	West: 1 ft	West: 2 ft MIN	West: 1 ft MIN
Building Height		50 ft	50 ft	50 ft MAX	50 ft MAX
Parking – Automobiles		275 spaces	290 spaces	275 spaces MAX	290 spaces MAX
Parking - Bicycles		35 spaces – Class A 10 spaces – Class B 5 spaces – Class C	35 – Class A 22 – Class B 7 – Class C	35 spaces – Class A MIN 30 spaces – Class B MIN 5 spaces – Class C MIN	35 spaces – Class A MIN 22 spaces – Class B MIN 7 spaces – Class C MIN

Highlighted items indicate proposed changes

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Private College	RE (Research District)
EAST	Commercial	C3 (Fringe Commercial District)
SOUTH	Vacant	ORL (Office, Research, Limited Industrial District)
WEST	Restaurant, Office	PUD, O (Planned Unit Development, Office)

HISTORY

The PUD site plan was approved in 2006, based on a public benefit of mixed uses, enhancing Millers Creek, additional job opportunities, and affordable housing. Construction began soon thereafter. The bank, two mixed-use buildings, parking garages, parking lots and detention facilities have been constructed. In 2009, the petitioner amended the PUD Site Plan phasing to allow construction of 26 parking spaces and 11 motorcycle spaces on the Building E (free-standing restaurant) site as a Phase 1 improvement; and the restaurant building was shifted to Phase 2. Two trees were relocated as part of that project.

A recent survey showed that the bank building was constructed 1 foot from the west property line. The approved site plan and supplemental regulations showed a 2 foot setback in this location. The petitioner is proposing amendment of the PUD supplemental regulations to address this condition.

The original PUD proposed residential uses on a site that did not allow residential uses and therefore was required to provide affordable housing or a fee in lieu of providing affordable units. The petitioner is in the process of making affordable housing contributions in lieu of providing affordable units on-site. The final contribution is due at the end of 2012.

PLANNING BACKGROUND

The site is located in the Northeast Area. The Master Plan: Land Use Element (2009) recommends a mixture of land uses for this site including research, office, retail, educational, residential and restaurant.

The proposed PUD amendments are consistent with the design guidelines of the Master Plan: Land Use Element that call for a mixture of land uses, multiple-story buildings, natural area preservation, pedestrian connections to transit, and structured or below-structure parking. The proposed amendments will not substantially alter these guidelines.

DEPARTMENT COMMENTS

Planning & Development Services – The proposed modifications may provide an incentive to build Building A which would provide 12 additional residential units. The petitioner has indicated that there is currently weak demand for retail uses in this location of the site.

Public Services (Engineering) – The petitioner must remove utility service leads to Building E (restaurant pad).

Prepared by Jeff Kahan
Reviewed by Wendy Rampson
rmg/8/15/12

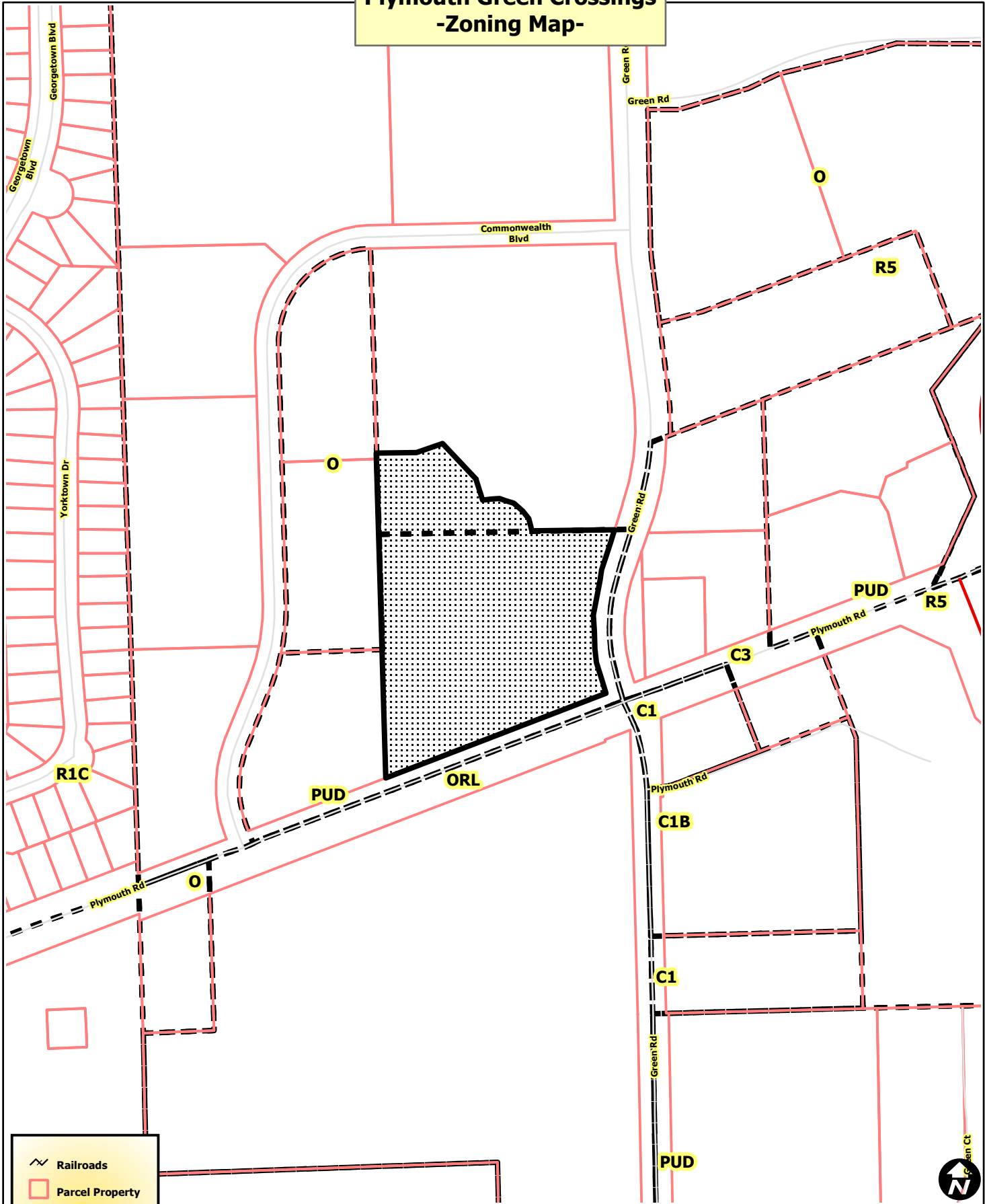
Attachments: Zoning Map
Aerial
Site Plan
Citizen Participation Report
Proposed Elevation of Building A (East)
Proposed Elevation of Building A (North)
Proposed Supplemental Regulations

c: Petitioner: Gateway Ann Arbor LLC
157 East Hoover Street
Ann Arbor, MI 48104

Petitioner's Representative: Midwestern Consulting, Inc.
3815 Plaza Drive
Ann Arbor, MI 48108

Systems Planning
File No. SP12-021 and Z12-007

Plymouth Green Crossings -Zoning Map-



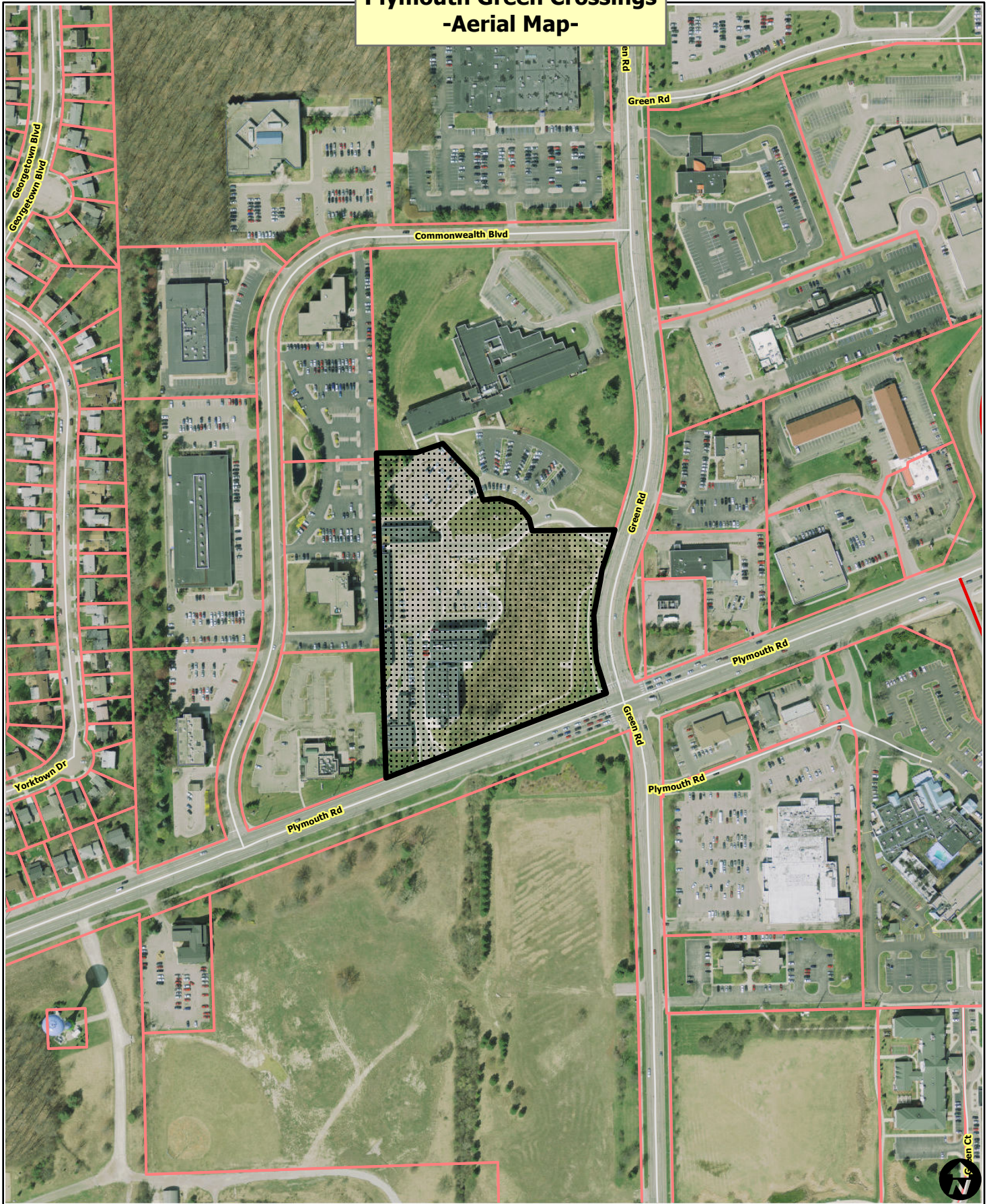
Legend



- Railroads
- Parcel Property
- Zoning**
- Township
- Zoning



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Plymouth Green Crossings -Aerial Map-

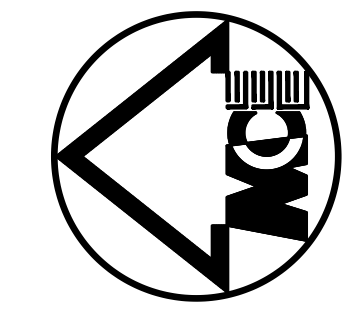


 Railroads
 Parcel Property

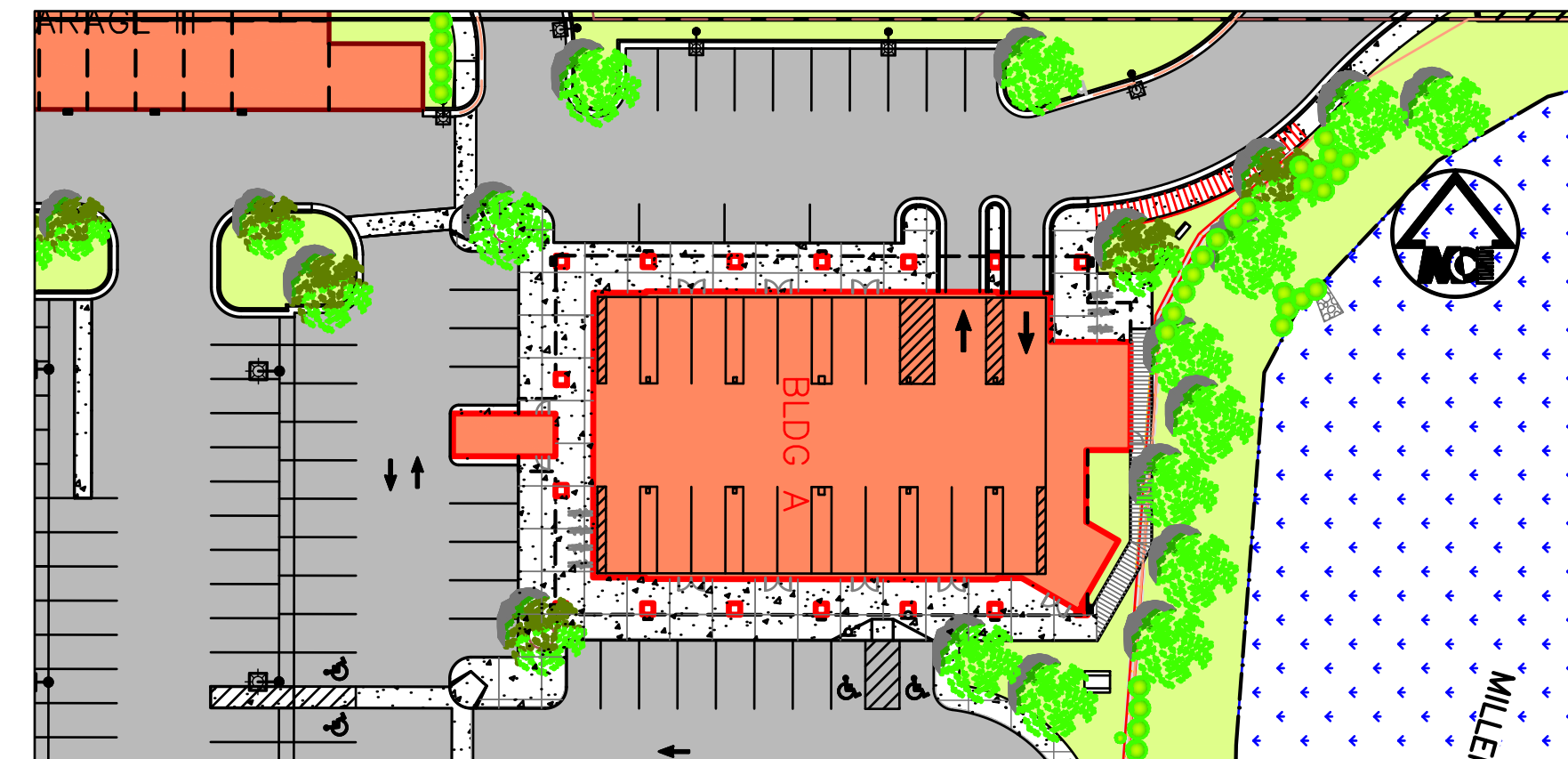


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SCALE: 1" = 40'
0 40 80 120



ALTERNATE PHASE 2 (NET PARKING ADDITION OF 15 SPACES)

LEGEND

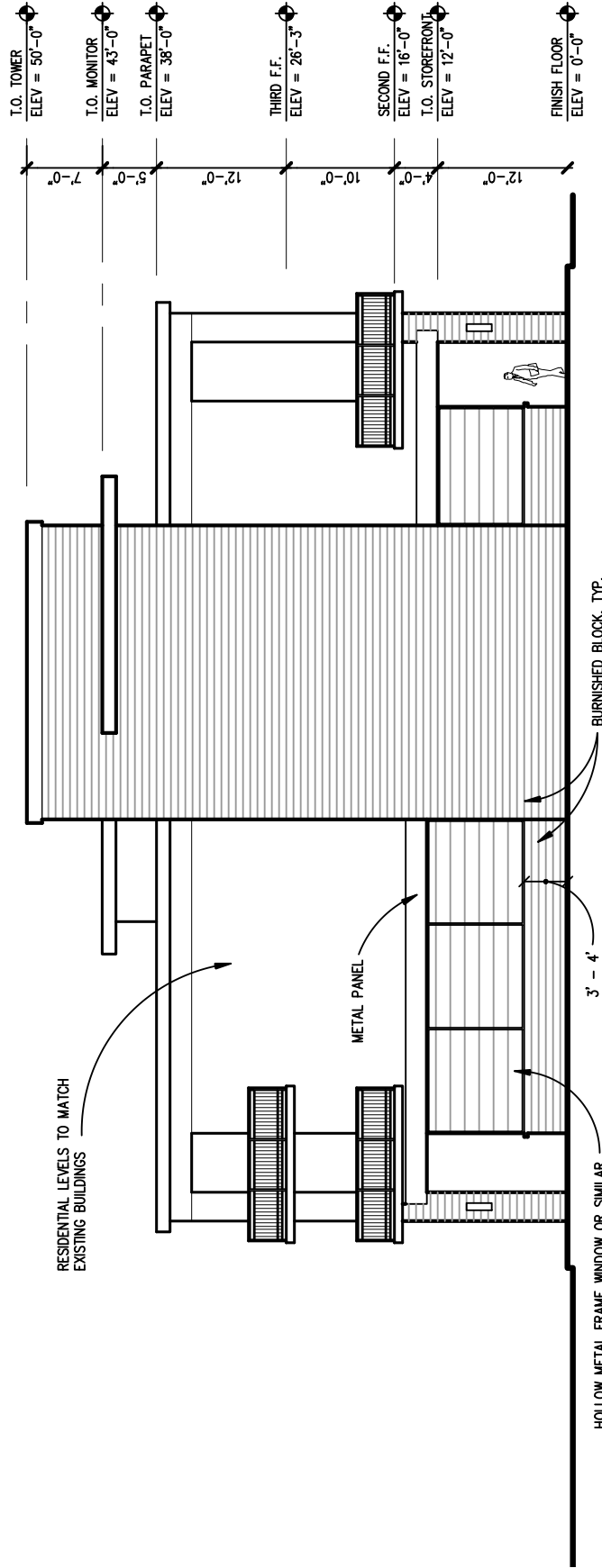
- SINGLE TREE
- ▵ SIGN
- ▬ CURB & GUTTER, SPILL IN
- ▬ BF BARRIER FREE PARKING SIGN
- ▬ NP NO PARKING SIGN
- ▬ FL/NP FIRE LANE/NO PARKING SIGN
- ▬ SC SMALL CAR PARKING
- ▬ RAMP
- ▬ TRAFFIC FLOW DIRECTION
- ⊙ EXIST. POLE MOUNTED STREET LIGHT
- ⊕ EXIST. POLE MOUNTED LIGHT - SINGLE
- ⊕⊕ EXIST. POLE MOUNTED LIGHT - DOUBLE
- ▬ EXIST. BUILDING MOUNTED LIGHT
- T TRASH AREA
- ▬ BITUMINOUS PAVEMENT
- ▬ CONCRETE PAVEMENT

Plymouth Green Crossings
Citizens Participation Report

1. Neighborhood meeting:
Postcards sent out on May 21, 2012.
205 postcards sent out.
16 postcards returned as undeliverable.
On site, in building B, just east of Olga's restaurant.
6-7 PM
2. Owner, leasing agent and site planner were present.
3. Four citizens attended, including two from the adjacent neighborhood and two of the renters living at Plymouth Green Crossings. See attached sign in sheet.
4. One email received from Wendy J. Carman (copy attached), a neighborhood resident who lives beyond the limits of those receiving postcard meeting notices. We emailed Ms. Carman a copy of the postcard.
5. One resident was concerned that the future construction of Building A would be very noisy again. She was referring to the pounding sounds that were produced when the sheet pile wall was installed along the wetland. That installation is complete and no additional sheet pile or pile driving will be required.
6. One renter verified that some of the on-site residents use their garages for parking. He does because there is a lot of turn over in the parking lot and his car has had a number of door dings. Some of the residents do park in the exterior parking spaces as well.
7. There was general agreement that the Alternate ground level parking in future Building A would be a good thing. Anecdotal evidence was given that the parking and drives sometimes fill completely and back up around lunch time in particular, with cars parked along both sides of the Green Road entry driveway.

Enc: Email from and to Wendy J. Carman
Neighborhood meeting sign in sheet
Postcard Notice

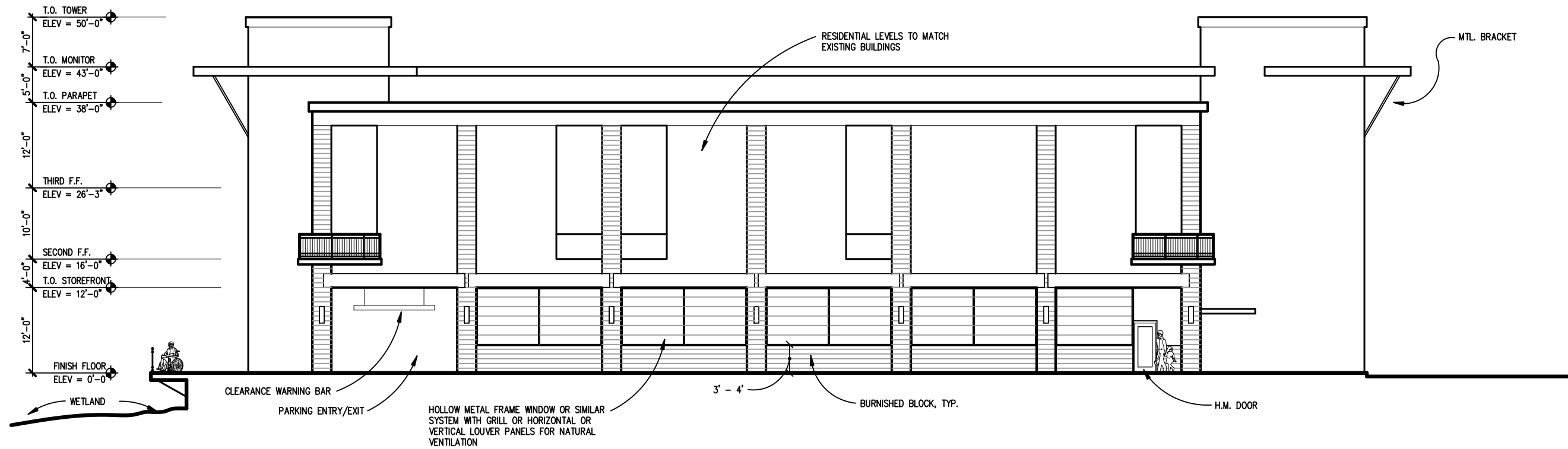
Midwestern Consulting LLC
Earl F. Ophoff, Project Manager
3815 Plaza Drive
Ann Arbor, MI 48108
(734) 995-0200



**EAST ELEVATION BUILDING A -- VIEWED FROM GREEN ROAD
WITH ALTERNATE GROUND FLOOR PARKING**

SCALE 1/16" = 1'-0"

R:\06010\ACAD\IPUD 2012\05010\DT1.dwg, NORTH (1'X17), 8/1/2012 11:35:11 AM



NORTH ELEVATION BUILDING A – VIEWED FROM AVE MARIA
SCALE 1/16" = 1'-0"

Plymouth/Green Crossings PUD Zoning District Supplemental Regulations

Section 1: Purpose

It is the purpose of the City Council in adopting these regulations provide for the coordinated and unified re-development of this parcel of land, which is currently vacant. These regulations seek to promote development of a complex of multiple-story, mixed-use buildings within a pedestrian-oriented neighborhood center, which will provide services to and be compatible with surrounding office, educational, restaurant, and retail uses.

Section 2: Applicability.

The provisions of these regulations shall apply to the property described as follows:

Plymouth Green Crossings Units 1, 2 and 3, a condominium, according to the Amended Master Deed thereof, as recorded in Liber 4657, Page 858 as amended, Washtenaw County Records, designated as Washtenaw County Condominium Subdivision Plan No. 524, together with the rights in general and common elements and limited common elements, as set forth in the Amended Master Deed and as described in Act 59 of the Public Acts of 1978, as amended.

Further, the provisions of these regulations shall be adopted and incorporated into the Plymouth/Green Crossings Planned Unit Development zoning district. These regulations, however, are intended to supplement only those provisions in the City Codes that may be modified as a part of a PUD and shall not be construed to replace or modify other provisions or regulations in the City Codes.

Section 3: Findings

During the public hearings on this Planned Unit Development, the Planning Commission and City Council determined that:

- (A) It is desirable to develop the parcel described above with a mixture of residential, retail, restaurant and bank uses.
- (B) The surrounding neighborhoods contain office, educational, restaurant and retail uses.
- (C) Millers Creek and the Huron River and their associated watersheds will be protected and enhanced by the establishment of a unified storm water management system within the development.
- (D) A compact, pedestrian-oriented development with mixed land uses and a variety of open spaces will provide the amenity of a neighborhood center and services for the nearby residents, and employees.
- (E) Additional job opportunities within the City limits will result from the development of related retail, bank and restaurant uses.

- (F) The development and availability of 15 percent of the total number of residential dwelling units for lower income households in the City of Ann Arbor, or payment of an affordable housing contribution to the City of Ann Arbor Affordable Housing Trust Fund in lieu of the development of units on-site, will expand the supply of affordable housing and will have a beneficial effect for the City of Ann Arbor.
- (G) Negative impacts of the development on the surrounding public street system and adjacent intersections will be mitigated by the Petitioner's contribution to appropriate remedial measures, which are an outcome of a comprehensive traffic study, and by the reduction in vehicle trips, which result from the close proximity of mixed land uses including housing, services, and job opportunities. Enhanced streets and sidewalks around and through the site will facilitate easy pedestrian accessibility by surrounding land users.
- (H) Pedestrian paths surrounding the wetland and the planting of native vegetation will increase pedestrian and recreational opportunities in the area.
- (I) The parcel described above meets the standards for approval as a Planned Unit Development, and the regulations contained herein constitute neither the granting of special privilege nor deprivation of property rights.

Section 4: PUD Regulations

- (A) Permitted principal uses of the components of the development (as diagrammed in Exhibit A, Conceptual Plan, attached) shall be:

BUILDINGS A, B and C	
<u>Building A</u>	Ground floor retail, general office or restaurant; upper floors 12 units of residential.
Building A Alternate	Ground floor flexible space, retail, general office or restaurant and/or interior parking; upper floors 12 units of residential.
Buildings B and C	Ground floor retail, general office or restaurant; upper Floors residential with a total of 35 dwelling units.

Residential uses shall constitute floors two and three of Buildings A through C.

General office shall be limited to one-third (or 7,112 square feet) of the total ground floor (or 21,336 square feet) of Buildings A, B and C, and may include, but is not limited to:

- Executive or administrative offices;
- Business offices of a public utility, real estate, insurance, commercial, or industrial establishment,
- Offices of legal, engineering, architectural and surveying services, accounting, auditing and bookkeeping services;
- Finance, insurance and real estate offices; travel bureaus; and banks (drive-through facilities are permitted in Building D only);
- Government offices;
- Business services such as advertising, consumer credit reporting agencies, mailing list and stenographic services, business and management consulting services;

- Offices of non-profit organizations such as professional membership organizations; labor unions; civic, social and fraternal associations; political organizations; and religious organizations.

Retail may include, but is not limited to:

- Sales of apparel and accessories, variety and general merchandise, groceries, miscellaneous retail such as drugs, alcoholic beverages, antiques, art (including artists' studios), flowers, jewelry, gifts and novelties, books, cameras, bicycles (and bicycle repair), office supplies or restaurants, excluding drive-through restaurants (sit-down restaurants shall be limited to a total of no more than 7,000 square feet);
- Retail services and personal services including, but not limited to, a management and leasing office, bank, hairdressing, dry cleaning and laundry pick up or travel agencies.
- Dry cleaning and laundry operations are prohibited.

Building D Financial institution with drive-through service

Buildings F, G & H Garages with attic storage

(B) Permitted accessory uses shall be:

Outdoor seating, merchandise display areas, vendor carts, temporary open-air markets, art displays, and performance areas provided they are located so as to maintain a six foot minimum width clear path and do not interfere with pedestrian movement on private sidewalks and comply with Chapter 47 of the City of Ann Code of Ordinances in public rights-of-way.

Temporary structures such as, but not limited to, tents, performance stages, or projection screens. Such accessory structures shall be in conformance with the regulation of and shall obtain occupancy permits from the City within public rights-of-way or as applicable.

Home occupations, subject to all the performance standards provided under the City of Ann Arbor Code of Ordinances.

Maintenance and management areas and storage and utility structures. Such areas and structures shall have a hedge, berm, wall, fence, or combination thereof, forming a continuous screen at least four feet high, from any internal or external residential environment, from pedestrian ways, and from the public rights-of-way or Millers Creek.

Parking Lots.

Parking Garages: Vehicular parking and attic storage for residential units.

No more than three (3) wireless communication antennas, if affixed to buildings and no taller than 15 feet above the roof of a building (50 feet maximum height), not to exceed a height 65 feet above the ground.

(C) Setbacks: (see Exhibit A)

Front: S (Plymouth Road) – 40 feet minimum
 E (Green Road) – 240 feet minimum

Side: W 1 foot minimum

Rear: N 139 feet minimum

Internal: In order to maintain the unified nature of the PUD zoning district, there shall be no required building separation, except as required by Fire Codes, as illustrated in the conceptual plan, (Exhibit A, attached), described in this document under Site Access, and by the maximum floor area in percentage of lot area established by these supplemental regulations.

(D) Height: Maximum heights shall be restricted, as shown below (refer to Exhibit A, attached for building location):

Building A: 50 feet and 3 stories, maximum; 45 feet and 3 stories, minimum.

Building B: 50 feet and 3 stories, maximum; 45 feet and 3 stories, minimum.

Building C: 50 feet and 3 stories, maximum; 45 feet and 3 stories, minimum.

Building D: 35 feet and 2 stories, maximum; 15 feet and 1 story, minimum.

Parking Garages: 24 feet to the peak of the roof; 15 feet minimum.
(Buildings F, G & H)

Heights shall not be applicable to roof-mounted mechanical equipment.

(E) Lot Size: The size of the PUD zoning district shall be 8.9 acres.

The PUD may be developed as condominiums, in accordance with the laws of the State of Michigan; provided, however, that the Condominium Master Deed shall address ownership and mutual obligations of maintenance and liability, including but not limited to, shared landscaping, utilities, storm water management system, and architectural review. Prior to any filing of the Condominium Master Deed, access easements shall be recorded, conveying to each owner the right of shared parking and vehicular and pedestrian access.

(F) Floor Area Ratio: Floor area in percentage of lot area for the PUD shall be determined for the entire 8.9-acre zoning district and shall not exceed 30 per cent based on gross building square footage.

(G) Parking:

Vehicular: No fewer than 275 vehicle parking spaces and no more than 290 vehicle parking spaces shall be provided on site. Surface parking spaces shall conform to City standards and shall not exceed 9 feet by 18 feet for 90 degree parking or 9 feet by 20 feet for parking parallel to a curb. No more than 35 parking spaces shall be provided in garages on site.

Bicycle: No fewer than 64 bicycle parking spaces shall be located throughout the site to provide service near building entrances and dwelling units. These spaces shall consist of 35 Class A in parking garages, 22 Class B, and 7 Class C, as defined in City Code.

(H) Screening and Buffers:

The dumpsters shall be screened as shown on the approved site plan and shall meet the materials standards in the City of Ann Arbor Code of Ordinances.

(I) Landscaping and Site Amenities

Landscape design and installation shall be coordinated through out the PUD zoning district, as referenced in Exhibit A. All paved surface materials and walls shall meet performance standards of the City of Ann Arbor Public Services Department Standard specifications. All landscaping shall meet the materials standards established in Chapter 62, Landscape and Screening of the City Code and in these supplemental regulations. All trees shall be planted at least 15-feet apart.

(J) Site Access

Vehicular:

Access shall be limited to the following (refer to Exhibit A, Conceptual Plan):

Plymouth Road – one curb cut on the south side of the property, allowing right turn ingress and right turn egress only.

Green Road – one curb cut on the west side of the property, for two-way traffic. Access will include a shared access easement with the property north of the site.

Pedestrian:

Barrier-free public access shall be provided to and within the site by sidewalks, not less than five feet in width, bordering Plymouth and Green Roads with sidewalk and plazas providing pedestrian access within the site. A sidewalk of not less than five feet in width shall also be provided east of the wetland within the site.

Barrier-free public access shall be maintained to all buildings on the site and along all sidewalks and plazas.

(K) Architectural Design:

General: Principal exterior materials of sides of all buildings shall be brick, masonry, terra cotta and pre-cast concrete with accent materials including rough face concrete block, stucco, wood, and metal panels. Roof areas visible from ground level shall be surfaced with standing seam metal or asphalt shingles (as shown on Exhibit A).

Transformers, meters, roof mounted equipment, loading, and service areas shall be screened using materials consistent with buildings' principal and accent materials. The roof surfaces of the one-story components of Building A shall include a decorative pattern of materials.

Façades: All building façadesshall be detailed to provide architectural relief, accent materials, fenestration, upper story balconies and varied rooflines (as shown on Exhibit A).

Ground level façades of each of Buildings A, B, C, D, and E, up to a minimum height of 10 feet, shall contain an average of 50 percent of clear glass per building, including entries, storefront display, or windows.

Ground level facades of Building A may be open for flexible open space use. Ground level facades for Building A if used as interior parking shall include architectural columns, a minimum 3-foot height masonry screen wall, and louvers or grills to screen views to parking while permitting natural ventilation. General office, retail or restaurant uses on the ground level of Building A, up to a minimum height of 10 feet, shall contain an average of 50 percent of glass.

Entrances: Public entrances to buildings shall be provided in no fewer locations than the following:

Building A: if the ground floor is general office, retail or restaurant use, at least two each facing west, north and south

If the ground floor is flexible space or interior parking, none required.

Building B: at least two each facing west, north and south

Building C: at least two each facing west, north and south

Building D: at least one each facing east or north

(L) Phasing

The PUD shall be constructed in two phases. Phase 1 is complete. Phase 2 includes Building A.

(M) Affordable Housing

A minimum of 15 percent of the total residential dwelling units in the PUD zoning district shall be affordable to lower income households, as defined in Chapter 55 of Ann Arbor City Code, and shall be made available for lease or sale to eligible households under such negotiated terms reasonably acceptable to the City and the petitioner, in a separately approved affordability agreement or similar document. (Reference PUD Development Agreement dated February 4, 2008, and PUD Development Agreement First Amendment dated October 29, 2010.)

Ann Arbor City Council may approve payment of an affordable housing contribution in lieu of providing the required residential dwelling units affordable to lower income households on-site. Payment shall be made for 15 percent of the total number of residential dwelling units constructed on-site to the City of Ann Arbor Affordable Housing Trust Fund, based on Chapter 55, Section 5:80, of Ann Arbor City Code and the formula approved annually by City Council.

(N) Wetland Management

The petitioner shall conduct an annual inspection of the created wetland each year for five years after constructing the created wetland and take necessary steps to ensure the long-term health and condition of the created wetland. The petitioner shall provide the

Public Services Area with copies of each annual inspection with a description of how problems were addressed.

Attachment: Exhibit A – Site Plan Drawings

Prepared by Jeffrey Kahan

DRAFT