

ORDINANCE NO. ORD-12-31

First Reading: October 1, 2012
Public Hearing: November 8, 2012

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PLYMOUTH GREEN CROSSINGS REVISED PUD ZONING
(NORTHWEST CORNER, PLYMOUTH AND GREEN ROADS)

AN ORDINANCE TO AMEND THE ZONING MAP, BEING A PART OF CHAPTER 55
OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. THE ZONING MAP, which, by Section 5:4 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:

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.

in the City of Ann Arbor, Washtenaw County, Michigan as PUD (Planned Unit Development District) in accordance with the attached Plymouth Green Crossings Revised PUD Supplemental Regulations, which are hereby adopted and incorporated into the Plymouth Green Crossings Revised PUD zoning ordinance.

Section 2. This ordinance shall take effect and be in force on and after ten days from legal publication.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of November 8, 2012.

Date

Jacqueline Beaudry, City Clerk

John Hieftje, Mayor

**Plymouth/Green Crossings PUD Zoning District
Supplemental Regulations**

Section 1: Purpose

It is the purpose of the City Council in adopting these regulations to provide for the coordinated and unified re-development of this parcel of land. 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:

Building A: Ground floor: retail, general office or restaurant. Upper floors: residential with a maximum of 12 units.

Building A Alternate: Ground floor: flexible space, retail, general office or restaurant and/or interior parking. Upper floors: residential with a maximum of 12 units.

Buildings B and C: Ground floor: retail, general office or restaurant. Upper floors: residential with a maximum of 35 dwelling units.

General provisions for Buildings A, B and C:

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 and H: Garages with attic storage

(B) Permitted accessory uses of the components of the development 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:South	(Plymouth Road) – 40 feet minimum
East	(Green Road) – 240 feet minimum

Side: West 1 foot minimum

Rear: North 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

Buildings F, G & H (parking garages): 24 feet to the peak of the roof; 15 feet minimum

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 minimum.

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 façades shall 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