

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of August 21, 2012

**SUBJECT: Food Gatherers Revised PUD Site Plan
(1 Carrot Way)
Project No. SP12-019**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Food Gatherers Revised PUD Site Plan.

STAFF RECOMMENDATION

Staff recommends that the site plan petition be **approved** because the contemplated development would comply with its approved PUD Supplemental Regulations and all applicable state, local and federal law, ordinances, standards and regulations; the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; the development would not cause a public or private nuisance and would not have a detrimental effect on public health, safety or welfare.

LOCATION

This site is located at the north end of the Carrot Way cul-de-sac, off Dhu Varren Road between Pontiac Trail and Birchwood Drive. It is in the northeast planning area and the Traver Creek watershed.

DESCRIPTION OF PETITION

The petitioners seek approval to construct a 12,646-square foot addition to the back of the existing 16,977-square foot Food Gatherers' facility, as well as install an additional 22 parking spaces. A separate administrative land transfer request has also been submitted to shift the shared lot line between the Food Gatherers site and the vacant land to the southeast (also owned by Food Gatherers). The shared lot line will be shifted approximately 70 feet south, transferring 0.43 acres (18,730 square feet) from the vacant lot to the Food Gatherers' site. The land transfer provides the area needed to install the proposed additional parking spaces, and the lot area necessary to maintain a conforming floor area ratio with the building addition.

The current facility contains the Food Gatherers' administrative offices, training space, dry food storage and refrigerated food storage. It presently has 28 vehicle parking spaces, 5 loading spaces (3 for small vehicles at the front of the building, 2 for larger trucks at the rear of the building), and 2 bicycle parking spaces. The administrative land transfer will increase the lot area to 2.73 acres (118,966 square feet) and decrease the adjacent vacant parcel from 3.5 acres to 3.07 acres. The proposed site plan will increase the total building area to 29,623 square feet and the total parking to 50 spaces. Food Gatherer's now also has vegetable gardens and facilities for washing produce grown on site as well as produce donated by others. The site plan petition includes improvements to and expansion of the produce washing stations.

A 15-foot wide conflicting land use buffer exists along the west side of the site. Missing trees and shrubs will be replaced and additional trees and shrubs are proposed to conform to current requirements for conflicting land use buffers.

The site is part a shared storm water management system for the Carrot Way Developments, including the Carrot Way Apartments, the Food Gatherers facility, and vacant parcel. It was designed to accommodate all contemplated development from the three sites. The Washtenaw County Water Resources Commission has jurisdiction for the Carrot Way Developments storm water management system because it is a shared facility and also connects directly to Traver Creek, a county drain. The Water Resources Commissioner's office has reviewed the proposed site plan and has confirmed the existing system is adequate for the additional warehouse space and parking expansion.

CITIZEN PARTICIPATION

The petitioner notified all property owners and persons within 500 feet of the site by mail that a site plan petition had been submitted within a week of submitting the petition to staff.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	City Park (Olsen)	PL Public Land
EAST	Railroad ROW	TWP Township
SOUTH	Multi-family residential, vacant	PUD Carrot Way Developments
WEST	Multi-family residential	PUD Carrot Way Developments

COMPARISION CHART

	EXISTING	PROPOSED	REQUIRED/ PERMITTED	
Zoning	PUD Carrot Way Dev.	PUD Carrot Way Dev.	PUD Carrot Way Dev.	
Gross Lot Area	2.3 acres	2.73 acres	2.0 acres MIN	
Floor Area	16,977 square feet	29,623 square feet	None	
Floor Area as % Lot Area Ratio	17%	24.9%	25% MAX	
Setbacks	Front	40 ft	25 ft	25 ft MIN
	Side (east)	82 ft	82 ft	20 ft MIN
	Side (west)	15 ft	15 ft	15 ft MIN
	Rear	62 ft	70 ft	20 ft MIN
Height	30 ft 1.5 in	30 ft 1.5 in	35 ft MAX	
Vehicle Parking	28 spaces	50 spaces	1 space per 600 sq ft MIN (50)	
Bicycle Parking	2 Class A	5 (3 Class A, 2 Class C)	1 space per 6000 sq ft MIN (5)	

HISTORY

The site is part of a 10-acre parcel that was annexed into the City on May 8, 2002 and zoned PUD Planned Unit Development (The Carrot Way Developments) on July 15, 2002. The Food Gatherers PUD Site Plan and Land Division was approved on October 7, 2002 to create a 2.0-acre parcel and construct the Food Gatherers facility as it currently exists.

Food Gatherers was established in 1988 as one of the first food rescue programs in the country. It was founded by Zingerman's Delicatessen and is today an independent 501(c)3 not-for-profit organization governed by a board of directors and operated by 24 staff people and more than 6,000 volunteers. They are the food rescue and food bank program serving Washtenaw County.

PLANNING BACKGROUND

The Master Plan: Land Use Element recommends limited industrial, office and residential uses for the Carrot Way Developments site. The existing and proposed uses of the site are consistent with this recommendation.

SERVICE UNIT COMMENTS

Traffic – As set forth in the PUD Supplemental Regulations, the maximum permitted average number of peak hour vehicle trips district-wide is 100. The proposed building addition and parking lot expansion will not significantly change the number of total peak hour vehicle trips district-wide and will continue to conform to the PUD Supplemental Regulations.

Planning – The proposed addition and parking lot expansion conforms to all development standards set forth in the PUD Supplemental Regulations.

Prepared by Alexis DiLeo
Reviewed by Jeff Kahan
6/16/10; Revised 8/22/12

Attachments: Carrot Way PUD Supplemental Regulations
Parcel and Zoning Map
Aerial Photo
Site Plan
Elevations

c: Petitioner: Food Gatherers
One Carrot Way
Ann Arbor, Michigan 48105
Attn: John Reed, Director of Operations

Petitioner's Agents: Professional Engineering Architects, Inc.
2430 Rochester Court, Suite 100
Troy, Michigan 48083
Attn: Jonathan Curry, P.E.

Systems Planning
Project No. SP12-019

R-427-10-02

**RESOLUTION TO APPROVE
CARROT WAY DEVELOPMENTS (FOOD GATHERERS) PUD SITE PLAN
AND DEVELOPMENT AGREEMENT**

Whereas, Food Gatherers has requested PUD site plan approval in order to construct a 16,656-square foot warehouse with 28 parking spaces at 1731 Dhu Varren Road;

Whereas, The Ann Arbor City Planning Commission, on September 19, 2002, recommended approval of the site plan;

Whereas, The contemplated development will comply with all applicable state, local and federal law, ordinances, standards and regulations;

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in Chapter 57; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated September 13, 2002; and

RESOLVED, That City Council approve the Carrot Way Developments (Food Gatherers) PUD Site Plan upon the conditions that (1) the Development Agreement is signed by all necessary parties and (2) all terms of the Development Agreement are satisfied.

**APPROVED
BY ANN ARBOR CITY COUNCIL**

October 7, 2002

October 7, 2002

**CITY CLERK
ANN ARBOR, MI**

Prepared 9/30/02

Ordinance No. 24-02

First Reading: June 17, 2002
Public Hearing: July 15, 2002

Approved: July 15, 2002
Published: July 21, 2002
Effective: July 31, 2002

PROPOSED CARROT WAY DEVELOPMENTS PUD ZONING ORDINANCE

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:

A part of that property known as the South ½ of the South ½ of the Southeast ¼ of said Section, described as follows: Commencing at the south ¼ corner of Section 9, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan; thence along the centerline of Dhu Varren Road, North 85 degrees 47 minutes 30 seconds East, 1026.70 feet for a PLACE OF BEGINNING; thence continuing along said centerline 937.90 feet; thence along the West line of Ann Arbor Railroad right-of-way, North 43 degrees 01 minutes 00 seconds West 859 feet; thence South 86 degrees 00 minutes 00 seconds West, 400.1 feet; thence South 04 degrees 15 minutes 00 seconds East 670.8 feet to the PLACE OF BEGINNING,

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

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

June 17, 2002

PUD #71

*Carrot Way Developments
PUD Zoning District*

Approved by City Council: 7/15/02

File No. 9094A12.03

B-1

The Carrot Way Developments PUD Supplemental Regulations

Section 1: Purpose

It is the purpose of the City Council in adopting these regulations to provide for the orderly development of multiple-family residential, light industrial and office uses on this site to provide eligible citizens of the City of Ann Arbor and surrounding communities the benefits from such development.

These regulations seek to promote development that provides a mix of desirable and beneficial uses arranged in a compatible manner that is sensitive to the surrounding established uses and is conveniently located to serve existing and future residents of the district, its surrounding area and the community at large.

Section 2: Applicability

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

Land in the Township of Ann Arbor, Washtenaw County, Michigan, as described as follows:

A part of that property known as the South $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section, described as follows: Commencing at the south $\frac{1}{4}$ corner of Section 9, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan; thence along the centerline of Dhu Varren Road, North 85 degrees 47 minutes 30 seconds East, 1026.70 feet for a PLACE OF BEGINNING; thence continuing along said centerline 937.90 feet; thence along the West line of Ann Arbor Railroad right-of-way, North 43 degrees 01 minutes 00 seconds West 859 feet; thence South 86 degrees 00 minutes 00 seconds West, 400.1 feet; thence South 04 degrees 15 minutes 00 seconds East 670.8 feet to the PLACE OF BEGINNING.

Further, the provisions of these regulations shall be adopted and incorporated into The Carrot Way Developments Planned Unit Development (PUD) District. These regulations, however, are intended to supplement only those provisions in the City Code that may be modified as part of a PUD and shall not be construed to replace or modify other provisions or regulations in the City Code.

Section 3: Findings

During the public hearings on the PUD, the Planning Commission and City Council determined that:

- (A) It is desirable to develop the property described above as a mixed use development which includes multiple-family residential, light industrial and office uses. The mixed development will enable the existing use for collection and redistribution of food to expand and enhance services, or enable a similar use to be created; will enable the development of affordable dwelling units; and will offer services and employment opportunities to the PUD district or nearby residents.
- (B) The surrounding area contains a variety of existing and proposed land uses, such as large lot single-family detached residential neighborhoods; medium density attached multiple-family residential neighborhoods; high density multiple-family residential neighborhoods, including designated affordable housing units; and individual large lot single-family residential parcels; and is

served by a comprehensive infrastructure network, including City parks, public utilities (water, sanitary sewer, storm sewer), public sidewalks and future public bus transportation service.

- (C) It is in the best interest of the surrounding properties and the City of Ann Arbor that the special attention to development impacts on Traver Creek, as described in the performance standards will have a beneficial effect on, and will not adversely affect, the surrounding properties or the City in terms of public health, safety or welfare.
- (D) The PUD will permit a mix of uses on the site that are not permitted within a single zoning district, and includes performance standards which assure the separate uses will function compatibly. The limitations placed on the land uses permitted in each component will ensure a compatible mix of uses on the site, arranged with appropriate buffers from streets and utilities, and provide access for residents to the adjacent recreation areas.
- (E) The variety of uses and residential densities are consistent with the draft 2002 Northeast Area Plan recommendations. The current Northeast Area Plan, adopted in 1989, does not specifically address this 10-acre site but does offer a recommendation for the adjacent 55-acre parcel, formerly owned by the Washtenaw County Road Commission and now owned by the City of Ann Arbor as the Northeast Area Park, for single-family attached or detached residential use at a density range of four-to-eight dwelling units per acre. Conditions in the immediate vicinity of the PUD district, as well as in the entire Northeast Area, have changed so that the Northeast Area Plan recommendation is no longer appropriate. Several significant residential developments, including detached single-family and attached multiple-family units, have been constructed in the area, which have caused improvements – public utilities, sidewalks, bicycle facilities, recreation parks and mass transit – to be installed, developed and provided. This, in turn, enables remaining vacant or underdeveloped sites in the area to accommodate increased densities to both benefit from and to continue the operation of the existing improvements. For these reasons, the draft 2002 Northeast Area Plan recommendation differs from the Northeast Area Plan, and it is therefore appropriate to deviate from the adopted plan.
- (F) The parcel described above meets the standards for approval as a Planned Unit Development and the regulations contained herein do not constitute the granting of special privilege or deprivation of property rights.

Section 4: PUD Regulations

(A) PUD District Components:

The PUD shall contain three components as described below and generally diagrammed in Exhibit A:

1. Multiple-family Residential Component: An area of approximately 3 acres located on the western third of the site.
2. Light Industrial Component: An area of approximately 3 acres located in the northeast corner of the site.
3. Office Component: An area of approximately 3 acres located in the southeast corner of the site.

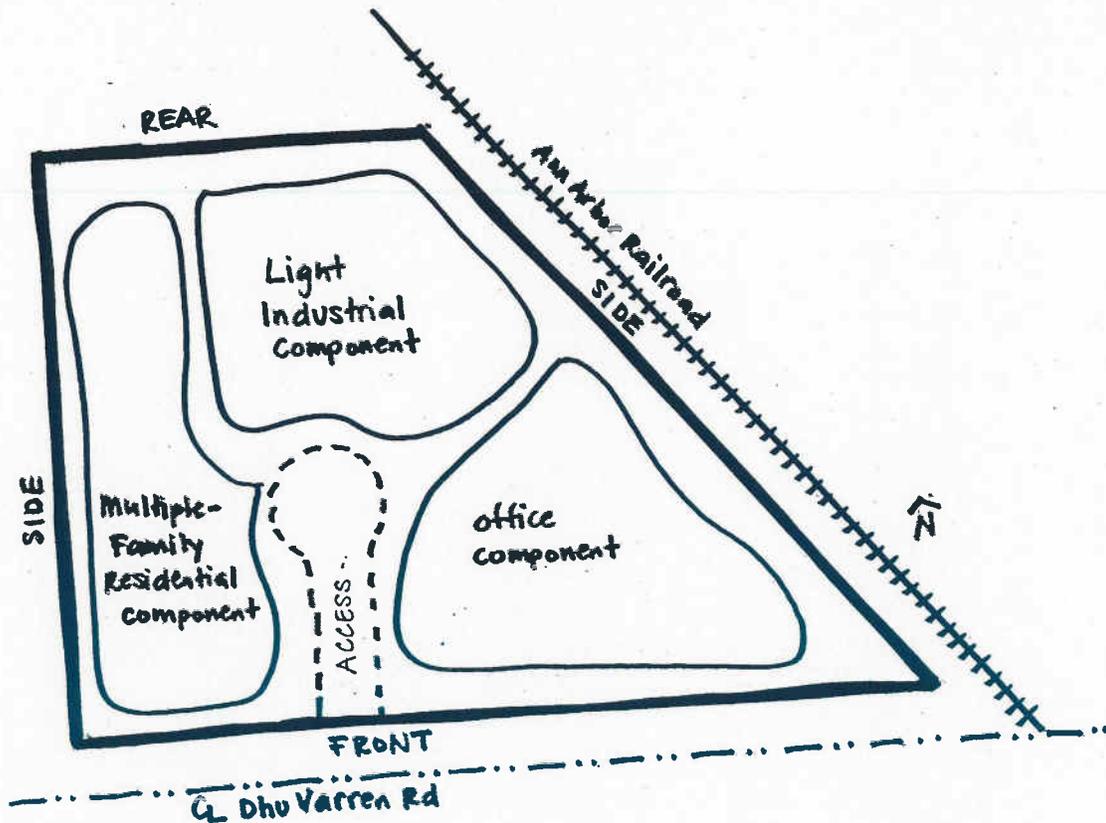


Exhibit A: General diagram of PUD district, including component and setback locations.

(B) Permitted principal uses shall be:

1. Multiple-family Residential Component – Attached multiple-family dwelling units, sold or leased at rates affordable to households with incomes at or below 80% of the local area median income as defined by the U.S. Department of Housing and Urban Development including adjustments for household size. Affordable means that monthly housing costs (including rents or mortgage payments, basic utilities, taxes and fees) are not more than 30% of monthly income for a household at 80% of area median income. The household sizes used to determine the affordable rate of a given unit shall be reasonably related to the size of the unit (i.e. 1 bedroom – 2 persons, 2 bedrooms – 3 persons, 3 bedrooms – 5 persons). This definition of affordable rates is consistent with that found in Chapter 55 of the Ann Arbor City Code at the time these PUD Supplemental Regulations are adopted, and shall prevail over amendments to the Ann Arbor City Code adopted after these PUD Supplemental Regulations are adopted.

2. Light Industrial Component – Non-residential uses, or residential uses, are permitted in the Light Industrial component. Either non-residential uses or residential uses are permitted, but not both simultaneously.

Non-residential Uses:

- a) Manufacturing, processing, assembling, general and refrigerated storage and distribution of food and food related products (excluding slaughterhouses).
- b) Trade or industrial school, such as a culinary school.
- c) Research, development, technical training and related activities associated with the food, food related, or school activities.

Residential Uses:

- d) Multiple-family residential dwellings, attached or detached, provided that at least 20 percent of the units are sold or leased at rates affordable as described in Section 4 (B)(1) of these supplemental regulations, and subject to the following:
 - i) Setback along the Ann Arbor Railroad is minimum of 85 feet.
 - ii) A safety barrier (i.e. fence or wall) to prevent pedestrian crossing of the railroad is provided along the entire side abutting the railroad.
 - iii) Area, height, placement, density and parking requirements and accessory uses are those of the Multiple-family Residential component.

3. Office Component -

- a) General or medical offices
- b) Child or adult care centers
- c) Churches
- d) Community centers

(C) Permitted accessory uses shall be:

1. Multiple-family Residential Component -

- a) Ancillary uses of not more than 4,000 square feet in total uses combined, including but not limited to sales or leasing office, supportive office, community center or club house, maintenance storage, centralized tenant storage and centralized laundry facilities.
- b) Family or group day care homes, if licensed by the State of Michigan.
- c) Home occupations, subject to all the performance standards provided under the City of Ann Arbor Code of Ordinances.
- d) Freestanding carports.
- e) Attached garages.
- f) Freestanding storage building(s) of not more than 240 square feet combined, provided they are located behind the front setback and screened as a dumpster enclosure per City of Ann Arbor Code of Ordinances.

2. Light Industrial Component -

Non-residential uses:

- a) Office and administrative uses in support of the principal use, not to exceed 20 percent of the gross floor area of the principal building.
- b) Indoor sales or display area, not to exceed 5 percent of the gross floor area of the principal building.
- c) Temporary outdoor sales or display area, not to exceed 2,000 square feet.
- d) Community gardens.
- e) A restaurant in concurrence with a culinary school up to a maximum of 80 seats, located within the building and functioning as a part of the school.

Residential uses:

As described in Section 4 (C) (3).

3. Office Component --

- a) Community gardens.
- b) Incidental sales and services intended for the convenience of occupants of the district, including restaurants and personal service shops, subject to:
 - i) The total floor area dedicated to such uses shall not occupy more than 5 percent of the total floor area of any principal building.
 - ii) All such services shall be situated to conveniently serve the employees or residents of the district.

(D) Performance Standards:

- 1. The average peak hour vehicle trips district-wide shall be a maximum of 100 per AM or PM peak. A traffic impact study shall be required for any proposed development which requires a site plan for City Council approval or change of use within the PUD district unless determined by the Planning Director to be unnecessary. Proposed developments which would result in district-wide average peak hour vehicle trips exceeding 100 per AM or PM peak shall be prohibited.
- 2. Light industrial principal uses shall be provided in a single building.
- 3. Light industrial uses shall have performance characteristics (emitting a minimum of noise, vibration, smoke, dust, toxic or offensive odors or gases, glare, or radiation, etc.) as described in the City of Ann Arbor Code of Ordinances for industrial districts.
- 4. Special efforts to limit the impact of development on Traver Creek by incorporating the following "best management practices" into any proposal:
 - a) Minimize impervious surfaces by efficient parking and drive design, shared parking, parking deferral and use of multiple-story building design wherever possible;
 - b) Provide detention facilities which meet or exceed the Washtenaw County Drain Commissioner's Rules;
 - c) Incorporate techniques from the Michigan Department of Environmental Quality's "Best Management Practices Guidebook,";
 - d) Avoid placing detention facilities in the Traver Creek floodplain;
 - e) Use only low- or no-phosphorous fertilizers.

(E) Area, Height, and Placement Regulations:

- 1. District Area – 8.5 acres (370,260 square feet) shall be the minimum gross lot area of the PUD district, excluding public rights-of-way. The PUD district may be divided into no more than three separate lots, provided that easements shall be recorded providing for, but not limited to, shared access, shared parking, utilities, integrated maintenance, landscaping, and storm water management.
- 2. Lot size - The minimum lot size of the multiple-family residential component shall be 2.5 acres (108,900 square feet). The minimum lot size of the light industrial component shall be 2.0 acres (87,120 square feet). There shall be no minimum lot size of the office component, however, the maximum lot size of the office component shall be 4 acres (174,240 square feet).

3. Vehicular Access - Access to the district shall be limited to one point on Dhu Varren Road for the entire district. This access point may be an individual or private drive to serve the district, or may be a public right-of-way to serve separate lots or components of the district.
4. Pedestrian Access – Access to the district shall be provided with paved facilities along Dhu Varren Road and along both sides of any private or public streets to serve the interior of the district. Individual components shall be connected to these access facilities by paved facilities. Public access to the Northeast Area Park shall be allowed from the public right-of-way, either Dhu Varren Road or a future public right-of-way serving the interior of the district, or both.
5. Height – The maximum height of any structure in the PUD district shall be 35 feet.
6. Setbacks – Front, side, and rear setbacks shall be applied for the PUD district as illustrated in Exhibit A. The front setback shall be measured from the outermost roadway easement. Side and rear setbacks shall be measured from the property line.
 - a. Front: 40 feet shall be the minimum required setback dimension.
 - b. Side: 20 feet shall be the minimum required setback dimension.
 - c. Rear: 20 feet shall be the minimum required setback dimension.

A minimum side setback of 15 feet shall be applied to abutting lines of lots created within the district, unless the lot line abuts a public right-of-way, in which case the minimum front setback dimension shall be a minimum of 25 feet.

7. Building Separation – 30 feet shall be the minimum distance between any residential and non-residential structure.
8. Maximum Usable Floor Area in Percentage of Lot Area for Non-Residential Structures – 25 percent.
9. Minimum Usable Open Space in Percentage of Lot Area – 55 percent for any component with residential use.
10. Minimum Lot Area Per Dwelling Unit – 3,000 square feet.

(F) Off-Street Parking:

1. Vehicular Parking -
 - a) Multiple-Family Residential Use – A minimum of 1 space per dwelling unit, and a maximum of 2 spaces per dwelling unit, shall be provided.
 - b) Light Industrial Use – A maximum of 1 space per 600 square feet of usable floor area shall be provided.
 - c) Office Use – A maximum of 1 space per 250 square feet of usable floor area shall be provided.
2. Bicycle Parking - The minimum number and class of bicycle spaces as described in the Ann Arbor Code of Ordinances for the appropriate corresponding use shall be required.

(G) Landscaping, Screening and Buffers:

Chapter 62 Landscaping and Screening requirements shall apply with no modification beyond that which is normally permitted. In addition, the following landscape, screening and buffers shall apply:

1. A PUD district buffer shall be required along Dhu Varren Road, as generally diagrammed in Exhibit B.
 - a. The PUD district buffer shall have the same requirements as a right-of-way screening buffer per Chapter 62 Section 5:602 (1).
 - b. The PUD district buffer shall extend along the southern boundary of the district from the western-most edge of the district to approximately 300 feet west of the eastern-most edge of the district, with allowances for breaks in the continuous screen for access between the district and any public rights-of-way.
2. A conflicting land use buffer, per Chapter 62 Section 5:603, shall be required on the western edge of the Industrial Component for non-residential uses in the Industrial Component as generally diagrammed in Exhibit B. The buffer shall extend along the length of any principal building and vehicular use area.
3. Trees and shrubs shall be native to Michigan.

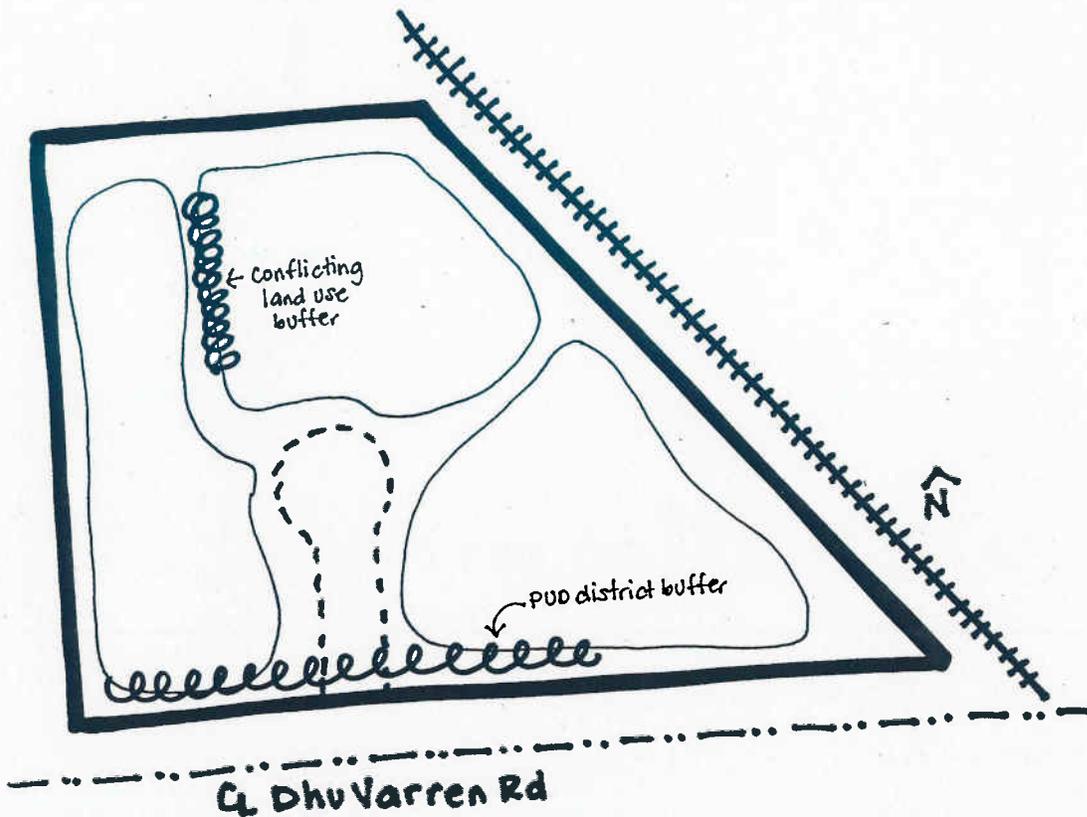
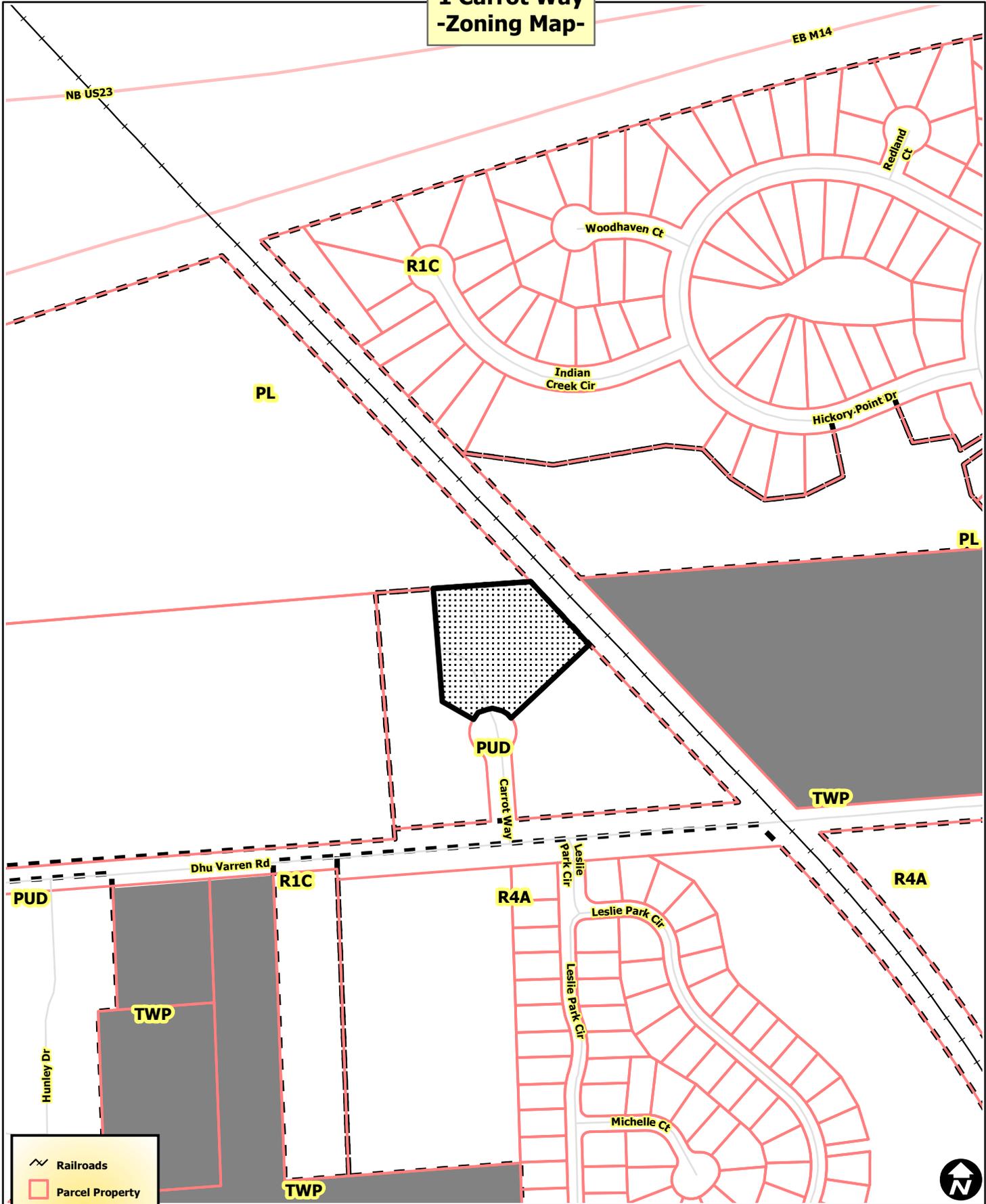


Exhibit B: General diagram of required PUD district buffer.

Prepared by Alexis Marcarello

1 Carrot Way -Zoning Map-



Legend

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



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1 Carrot Way -Zoning Map-



 Railroads
 Parcel Property



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