

## **PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of June 3, 2014**

**SUBJECT: Research Park Lots 26-31 Rezoning and Area Plan for City Council Approval  
(3886, 3900, 3928, 3944, 3950 and 3958 Research Park Drive)  
File Nos. AP14-001 and Z14-004**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Research Park Lots 26-31 Rezoning from RE (Research) to ORL (Office/Research/Limited Industrial) and Area Plan.

### **STAFF RECOMMENDATION**

Staff recommends that the rezoning request be **approved**, because the ORL zoning district will allow uses that are consistent with the approved South State Street Corridor Plan recommendations and would be compatible with the surrounding Research zoning district.

Staff recommends that the area plan be **approved**, because it complies with applicable local, state and federal laws, ordinances, standards and regulations; limits the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and does not cause a public or private nuisance and does not have a detrimental effect on the public health, safety or welfare, and the permitted uses under the proposed ORL zoning are compatible with the city's adopted plans and policies.

One of the petitioners is also requesting a text amendment to Chapter 55 (Zoning) that would allow outdoor recreation as a special exception use in the ORL district. A staff report for the requested ORL Text Amendment is provided separately.

### **LOCATION**

The six platted lots are contiguous and located on the inner portion of Research Park Drive, north of Ellsworth Road (South Area). This site is located in the Mallets Creek watershed.

### **DESCRIPTION OF PETITION**

The petitioners seek to rezone this group of six undeveloped lots totaling 16.6 acres from RE (Research) to ORL (Office/Research/ Limited Industrial) and obtain area plan approval, consistent with the requirements of Chapter 57 (Land Use and Subdivision Control). Two owners are involved with this petition: Qubit Corporation, LLC owns Lots 26, 29, 30, and 31 at the southern end of the site, and BMS Holdings, LLC owns Lots 27 and 28 at the northern end of the site.

Research Park Lots 26-31 Rezoning and Area Plan  
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The property is mainly flat and consists primarily of mowed fields. Mallets Creek runs east-west through the site, dividing Lots 26 and 29 on the south from lots 27 and 28 on the north side. Portions of the site near the creek are in the floodplain and contain hedgerows of trees and other vegetation. A detailed natural features analysis will be included with any subsequent site plan proposal.

The proposed area plan includes an indoor-outdoor tennis facility, which would be located primarily on Lot 31, and five two-story buildings that could accommodate office, research, and limited industrial uses on the remaining lots, each with their own parking lot and access point to Research Park Drive. The petitioners are required to obtain site plan approval prior to any construction, at which time a traffic impact study may be required.

Qubit Group LLC, as the owner of Lot 31, has submitted a separate request for a text amendment to Chapter 55 (Zoning) that would allow outdoor recreation as a special exception use in the ORL zoning district. The text amendment is summarized in a separate staff report. If the rezoning and text amendments are approved, Qubit Group LLC intends to submit a special exception use request and site plan petition for the construction of the tennis facility. The proposed 28,634 square foot tennis facility would include 4 indoor and 4 outdoor courts, parking and a detention pond on Lot 31. An administrative land transfer may be proposed during the site plan stage to allow for all of the outdoor tennis courts to be located on the same lot.

No new construction is contemplated for the remaining sites in the immediate future.

A citizen participation meeting was held on March 11, 2014 and 8 individuals attended.

#### **SURROUNDING LAND USES AND ZONING**

	LAND USE	ZONING
NORTH	Research/Office Uses	RE (Research)
EAST	Research/Office Uses	RE
SOUTH	Research/Office Uses and Charter School	RE
WEST	Residential/Office Uses	RE

### COMPARISON CHART

	EXISTING	PROPOSED	PERMITTED/ REQUIRED (EXISTING ZONING)	PERMITTED/ REQUIRED (PROPOSED ZONING)
Zoning	RE (Research)	ORL (Office/Research/Limited Industrial)	RE	ORL
Gross Lot Area (in square feet)	Lot 26 –102,496 sf Lot 27 –113,690 sf Lot 28 –120,661 sf Lot 29 –136,517 sf Lot 30 –132,073 sf Lot 31 –120,095 sf	Lot 26 –102,496 sf Lot 27 –113,690 sf Lot 28 –120,661 sf Lot 29 –136,517 sf Lot 30 –132,073 sf Lot 31 –120,095 sf	60,000 sq ft MIN	40,000 sq ft MIN
Floor Area in % of Lot Area	Vacant	25.04% (total for 6 lots)	75% MAX	75% MAX
Setback – Front	Vacant	25 ft (typical)	25 ft MIN 50 ft MAX	25 ft MIN 50 ft MAX
Setback – Sides	Vacant	20 ft (typical)	None	None
Setback – Rear	Vacant	125 ft (typical)	None	None
Building Height	Vacant	40 ft (typical)	55 ft MAX	55 ft MAX
Parking – Automobile	Vacant	425 spaces (total for 6 lots)	404 spaces	404 MIN (based on Office/Research and Recreational Uses)
Parking – Bicycle	Vacant site	73 spaces (total for 6 lots)	69 spaces	69 spaces MIN

### HISTORY

The Research Park Drive area was platted and zoned in the late 1950's.

### PLANNING BACKGROUND

The South State Street Corridor Plan recommends, "uses consistent with the Office/Research/Limited Industrial (ORL) zoning district" indicating that the Research zoning, "limits uses to research and prototype manufacturing". The Non-motorized Plan recommends bicycle lanes and sidewalks in the South State Street and Ellsworth Road right-of-ways. Public sidewalks will be required along each parcel's frontage as they develop.

## STAFF COMMENTS

### Planning:

Zoning Request – The recently approved South State Street Corridor Plan recommended uses that are consistent with the ORL zoning district in the Research Park Drive area. The area, height, and placement standards are virtually identical for both the Research and ORL zoning districts. The ORL district, however, allows for greater flexibility in permitted uses than does the RE district. For instance, the RE district would not allow a place of recreation such as the proposed tennis facility, but the ORL district would allow an indoor tennis facility with special exception use approval. As noted above, one of the petitioners is additionally seeking to amend the ORL district to allow outdoor places of recreation as a special exception use.

Staff supports the requested rezoning. The proposed rezoning from RE to ORL will allow a more diverse number of uses for the area, including offices, limited manufacturing, places of assembly and recreation, and incidental sales and services. Staff is aware of the demand for new research space in Ann Arbor, particularly since the University of Michigan acquired the Pfizer site. The University has transferred research uses to the North Campus Research Center which has freed up supply of Research space in the Ann Arbor region. The Research zoning district was established in 1958 to provide opportunities for spinoff businesses from the University of Michigan. However, demand for Research uses was never as high as the supply of land for Research uses. Over the past few years, a number of business opportunities have chosen sites in the township because Research zoning limited the number of uses in the Research Park area. The rezoning will allow a greater diversity of business opportunities in the Research Park area.

Area Plan - An area plan is required for a rezoning request when not accompanied by a site plan. The petitioners decided to pursue the rezoning first, since this is a discretionary decision on the part of City Council. Qubit Group LLC anticipates submitting a site plan if the zoning, area plan, and text amendment are approved by City Council.

Washtenaw County Water Resources Commissioner – The Washtenaw County Water Resources Commissioner's staff has initiated discussions with the petitioners to see if the owners would consider a regional stormwater facility on their properties adjoining Malletts Creek. The owners are considering the issue. Discussions are on-going, and this issue will be addressed prior to site plan submittal.

Prepared by Jeff Kahan  
Reviewed by Wendy Rampson  
5/29/14

Attachments: Citizen Participation Meeting Report  
Zoning/Parcel Maps  
Aerial Photo  
Area Plan

c: Petitioner's Agents: Desine Inc.  
2183 Pless Drive  
Brighton, MI 48114

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Owners: Qubit Group, LLC  
325 Windycrest Drive  
Ann Arbor, MI 48105

BMS Holdings, LLC  
3915 Research Park Drive  
Suite A10  
Ann Arbor, MI 48108

City Assessor  
Systems Planning  
File No. Z14-04 and AP14-001

## CITIZENS PARTICIPATION MEETING

Meeting: Tuesday, March 11, 2014 6 P.M.

Location: Ground Floor Atrium  
Burlington Office Bldg 2  
315 East Eisenhower  
Ann Arbor, MI 48108

### Citizen Participation:

As a resident/owner within 1000 feet of the proposed petition site, you are being informed of this rezoning/text amendment and project. We are notifying citizens, so that they are provided an opportunity to discuss the application with the petitioner and express concerns, issues or problems with this project. The information gathered will be documented and provided in a report to the Planning Commission as well as all meeting attendees.

The rezoning and text amendment will permit the petitioner to proceed with the proposed development of an indoor tennis/recreation facility and outdoor tennis courts.

### Rezoning and Text Amendment :

Rezone the following property from RE (Research District) to ORL (Office/Research/Limited Industrial District) :

Lot 26,29,30 and part of 31 of RESEARCH PARK SUBDIVISION, according to the plat thereof recorded in Liber 15 of Plats, Page 56 of Washtenaw County Records.

Tax Item No's:      09-12-09-303-003, as to Lot 26  
                        09-12-09-303-011, as to Lot 29  
                        09-12-09-303-010, as to Lot 30  
                        09-12-09-303-015, as to Lot 31

Text Amendment to allow outdoor tennis courts as a Special Exception Use.

### Schedule for Rezoning/Text Amendment:

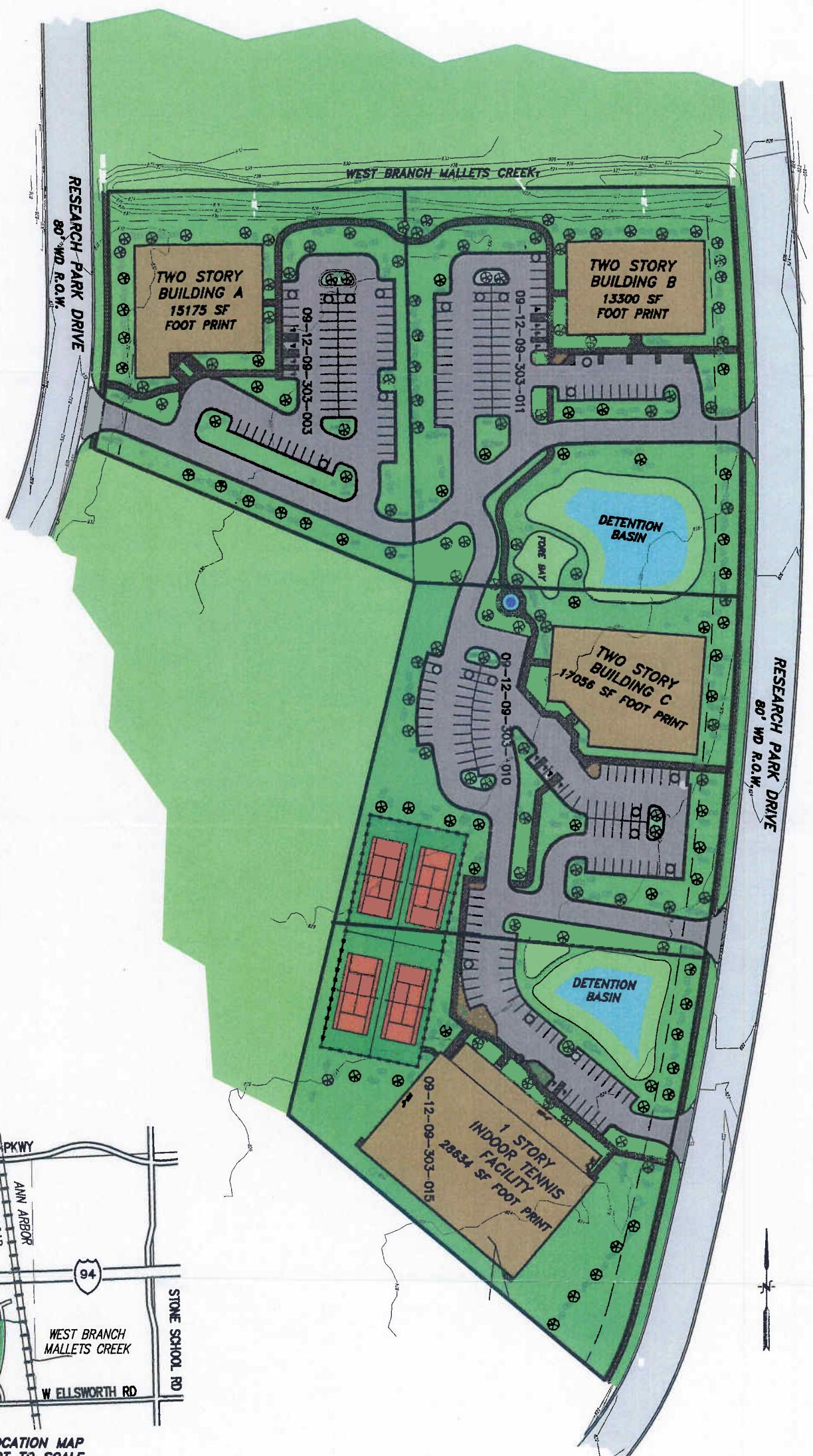
Citizens Participation Meeting: March 11, 2014

Submit to City of Ann Arbor: March 31, 2014

Tentative Planning Commission Public Hearing: May 20, 2014

If approval of the Rezoning/Text Amendment is secured the applicant will be submitting for Site Plan approval.

Persons with disabilities are encouraged to participate in public meetings. Accommodations, including a sign language interpreters, may be arranged by contacting Andrew Klein, Rand Construction (810 227-7701) Requests need to be received at least 24 hours in advance of the meeting.



Lot 26,29,30 and part of 31 of  
RESEARCH PARK SUBDIVISION

PROJECT:  
RESEARCH PARK

CLIENT:  
RAND CONSTRUCTION  
1270 RICKETT ROAD  
BRIGHTON, MICHIGAN 48816

SCALE:  
PROJECT No.: 132316  
DWG NAME: 2316-MAIL

Tuesday, March 11, 2014, start time 6:06 p.m. until 6:34 p.m.

Lot 26, 29, 30 and part of 31 Research Park Subdivision

Rezoning and Text Amendment

Citizens Participation Meeting Report

#### NOTICES

Language and drawings (8 1/2 x 14) notices were mailed to 76 addresses within 1000 feet of the site of the proposed location for rezoning and text amendment. We received 12 back as undeliverable.

See attached copy.

#### MEETING REPORT

The meeting was held at Ground Floor Atrium Burlington Office Bldg 2, 315 East Eisenhower Ann Arbor, MI 48108 at 6:00 p.m.

Three representatives from Desine Engineering were present, along with the developer and a potential tenant. There were also 6 other attendees representing neighbors.

#### PRESENTATION

A presentation was given by:

James M. Barnwell, P.E., & Wayne M. Perry, P.E. of Desine Engineering  
Laith Farjo (owner, developer)  
Predraq Rakic (Ann Arbor Tennis Academy)

A 24" X 36" Conceptual Plan for the development was on display. This plan was incorporated in the notices.

The rezoning and text amendment will permit the petitioner to proceed with the proposed development of an indoor tennis/recreation facility and outdoor tennis courts on a portion of the property. The remaining will be developed consistent with the ORL District.

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Text Amendment to allow outdoor tennis courts as a Special Exception Use.

#### EXHIBITS

Board 1: Overall drawing showing four parcels in question, showing possible proposed buildings and layout.

We received no questions or comments by email, mail or phone calls.

#### Comments:

Would like to have the parcel developed into a Urban Garden.

Preserve the green space

Current water tables and problems with drainage. Adjoining schools basement floods when pumps quit.

Current road conditions and impact of increased traffic issues.

Lack of lighting, street lights out or never put in, City is not maintaining.

Bus route can only go South to North due to traffic issues on State Street. Would like to see bus route going both directions on State, Ellsworth and through research park.

Liked the fact that the tennis courts were close to the school.

Liked the fact that walking paths would be installed.

The road is a 1 mile loop and is used by the area businesses for walking.

Regarding road condition, since Costco and Roundabout was installed people use road as a cut through to Ellsworth.

#### Questions:

Would like to clarify what the text amendment would allow?

Currently zoned research office, this current district does not allow tennis facility, another district that is very similar and with a special exception would allow the indoor facility.

The text amendment would allow the outdoor courts to be built as a special exception.

Office Research Limited Industrial does allow some manufacturing within a building.

Question as to why a tennis facility?

The proposed tenant has out grown his current location and is looking to expand.

What would the other buildings be used for, even though they are a concept plan?

For research, a possible Bio-Med company.

What was the time line of the project in relation to the buildings?

The Tennis facility would be the first as it has a potential occupant.

The other buildings anticipated in 5 years dependent upon demand.

Would tennis courts and facilities be ADA friendly?

The outside courts would have enough room around the outside to accommodate access.

The inside would have an upper level for viewing and wheel chair accessible at floor level.

Would there be cafeteria or food sales?

No, vending machines would be provided for snacks and sport drinks.

What would be the height of the tennis building?

35' at the peak.

What would be the times and who would be using the Tennis Building?

A majority of the people utilizing is currently an age group of 3 to 17 years of age, used primarily evenings and weekends. Would like to add a workout area in building.

Would like to offer adult classes in the future.

Would there be basements in the buildings?

Not at this time.

What size would the tennis building be?

The Tennis court would house 4 inside with the possibility of 5 in the future.

A Desine representative took notes. We will take into account comments and suggestions as we continue to develop the proposed plans.

Attachments:

2 sheets showing text amendment and plan that was sent to the 76 entities.

Sign in Sheet

## CITIZENS PARTICIPATION MEETING ATTENDANCE FORM

PROJECT: RESEARCH PARK

PROJECT # 132316

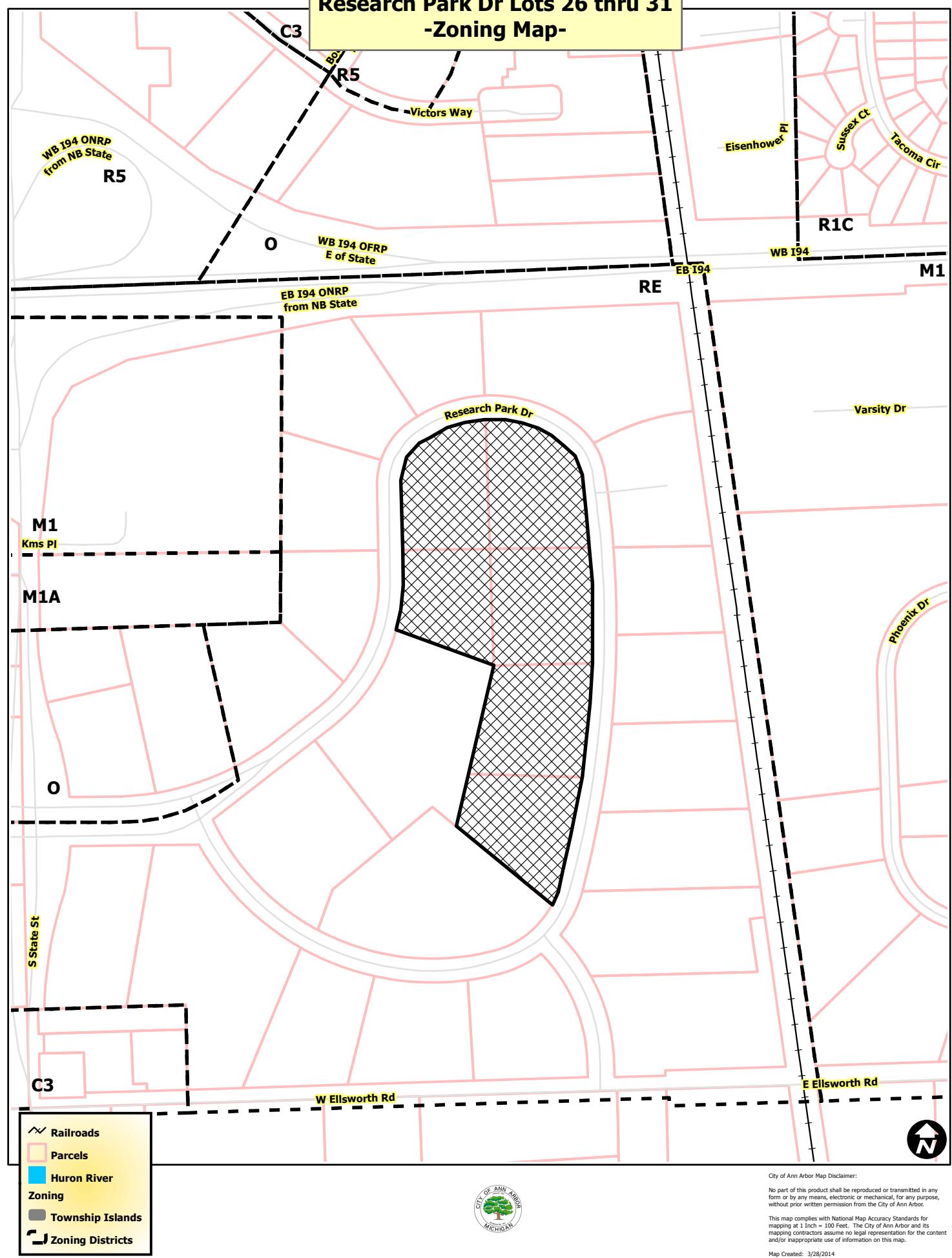
LOCATION: Lot 26, 29, 30 and part of 31 RESEARCH PARK SUBDIVISION

DATE: MARCH 11, 2014

JOB: REZONING AND TEXT AMENDMENT

NAME (PRINT)	COMPANY	ADDRESS	PHONE/EMAIL
Carolyn Grawi	Ann Arbor CIL	3941 Research Park Dr A2, MI 48108	734-971-0277 cgrawie@acil.org
Jim Magyar	Ann Arbor CIL	3941 Research Park Drive A2, MI 48108	734-971-0277 jim@acil.org
BRIAN FITZGERALD	MERCEDES R&D	3953 RESEARCH PARK DR	734-997-2002 brian.fitzgerald@mercedes-benz.com
LANT FARJO	Qubit Group LLC	325 Windycrest Dr A2 MI 48105	
Pierre St. Amour	Beyster Hand Co	3909 Research St.	(734) 642-9733
JAN HANER	MERONIA	3953 RESEARCH PK DR	
PREDRAG RAKIC	ANN ARBOR TEAMS ACADEMY	300 Jackson Plaza Mi A2	773.203.8039
BRIAN HERRON	BMS Holdings	Lot 2728 Research Park Drive	734-780-6100

**Research Park Dr Lots 26 thru 31  
-Zoning Map-**



## Research Park Dr Lots 26 thru 31 -Aerial Map-



- Railroads
- Parcels
- Huron River



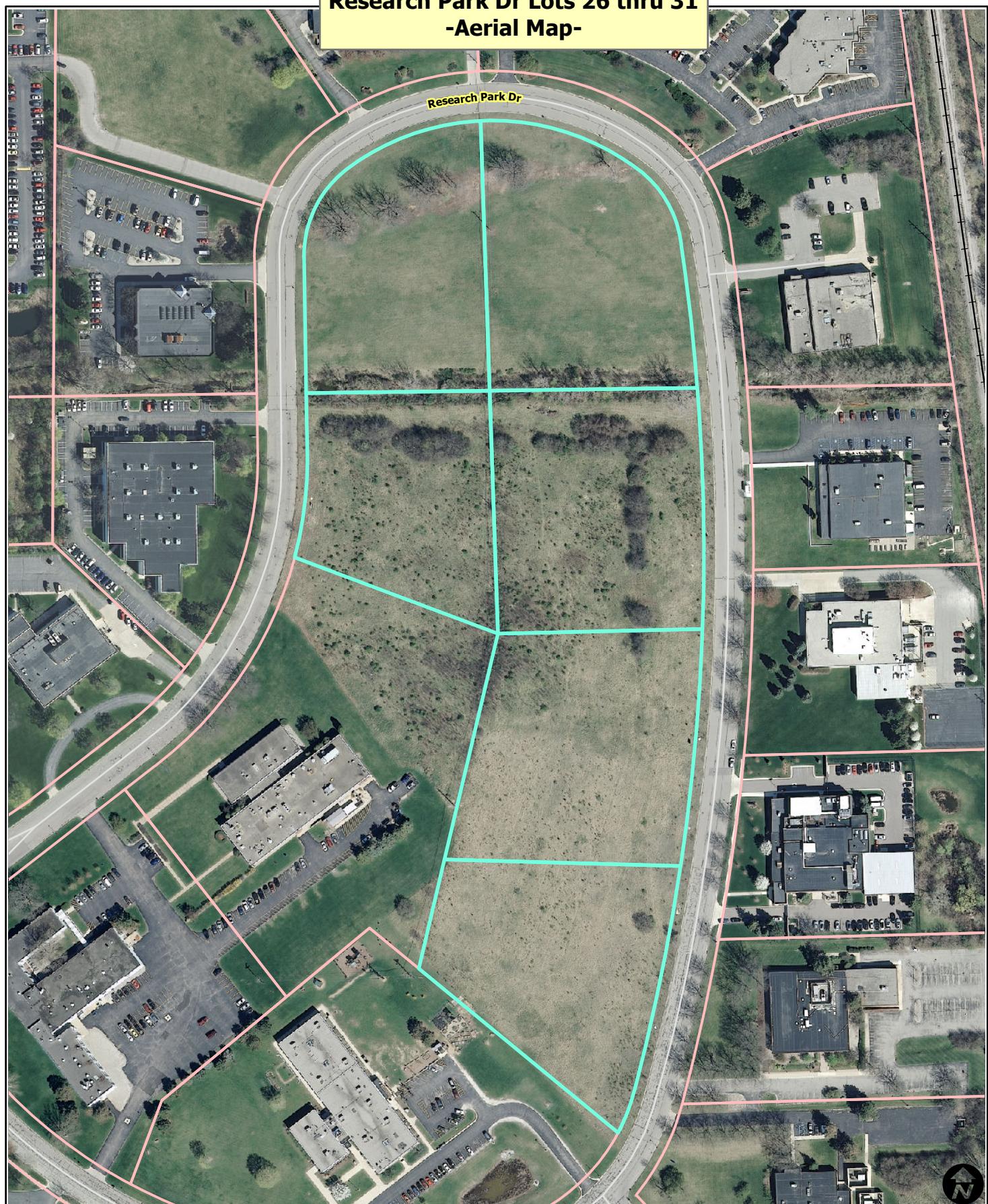
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Map Created: 3/28/2014

## Research Park Dr Lots 26 thru 31 -Aerial Map-



- ~ Railroads
- Parcel
- Huron River

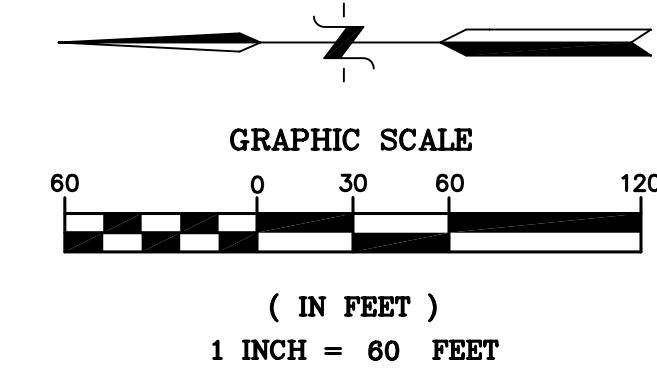
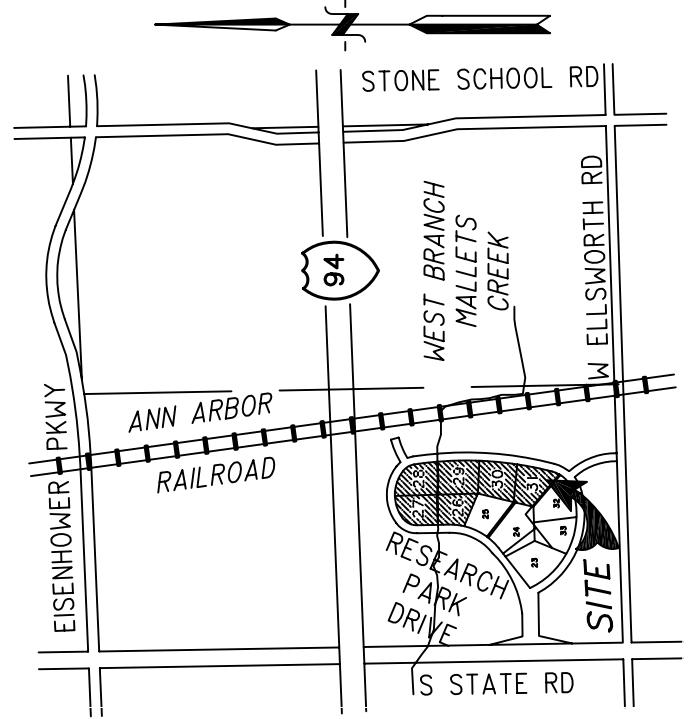


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Map Created: 3/28/2014



**CLIENT**  
QUBIT CORPORATION, LLC  
325 WINDYCREST DRIVE  
ANN ARBOR, MI 48105

**CLIENT**  
BMS HOLDINGS, LLC  
12232 TRINKLE ROAD  
DEXTER, MI 48130

	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DESIGN: JMB	1	5-13-14	REVISE PER REVIEW COMMENTS			
DRAFT: RWL						
CHECK: JMB						

## RESEARCH PARK REZONING

## AREA PLAN SCHEMATIC DEVELOPMENT

**CLIENT:**  
ORBITS CORPORATION, LLC  
BMS HOLDINGS, LLC  
**SCALE:** 1IN = 8FT  
PROJECT No.: 9132316  
DWG NAME: 2316-PRES-5  
ISSUED: MAY 13, 2014

PRES-5