Zoning Board of Appeals June 22, 2016 Regular Meeting

STAFF REPORT

Subject: ZBA16-015, 2550 Packard Street

Summary: Packard Square, LLC is requesting two variances from **Chapter 61 5:502(2)(b)** Ground Signs to allow for a business center ground mounted sign to be 2 feet from the property line and to be 10 feet in height. The code requires a 10 foot tall sign to be a minimum of 20 feet from the property line.

Background:

The variances include a reduction from the required setback from the right-of-way from 20 feet to 2 feet for an 18 foot variance request. Additionally, the code requires a sign that is located 2 feet from the property line to be 1 foot in height. The petitioner is requesting a 10 foot tall sign and therefore a 9 foot variance from the height requirements is requested.

The subject parcel is zoned C1B (Community Convenience Center) and will be a mixed-use development with approximately 23,500 square feet of retail space, 249 apartment units and 460 parking spaces.

Chapter 61 addresses sign height and setback requirements in the following sections:

5:502 Exterior Business Signs.

(2) (b) Ground Signs.

Signs not structurally attached to a building shall be at least 5 feet from all property lines. Such signs shall be permitted a maximum height of 1 foot for each 2 feet the sign is set back from the nearest property line, provided that the height of any such sign shall not exceed 25 feet.

Standards for Approval - Variance

The Sign Board of Appeals has the power granted by State law and by

Section 5:517(4), Application of the Variance Power from the City of Ann Arbor Sign Ordinance The following criteria shall apply:

(a) That the alleged hardships or practical difficulties, or both, are peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the city.

The petitioner states that the building configuration contributes to a hardship and practical difficulty due to the zoning ordinance requiring the building be no less than 10 feet and no more than 25 feet from the property line. The Packard Square building will be located 10 feet from the property line which limits the sign location and would reduce the visibility of the sign if it were setback further from the road. Additionally, the petitioner states that there is a significant grade change of approximately 7 feet from the right of way and the parking lot. Other obstacles for the sign location are a storm sewer and the parking lot configuration.

(b) That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by the failure of the Board to grant a variance and the rights of others whose property would be affected by the allowance of the variance.

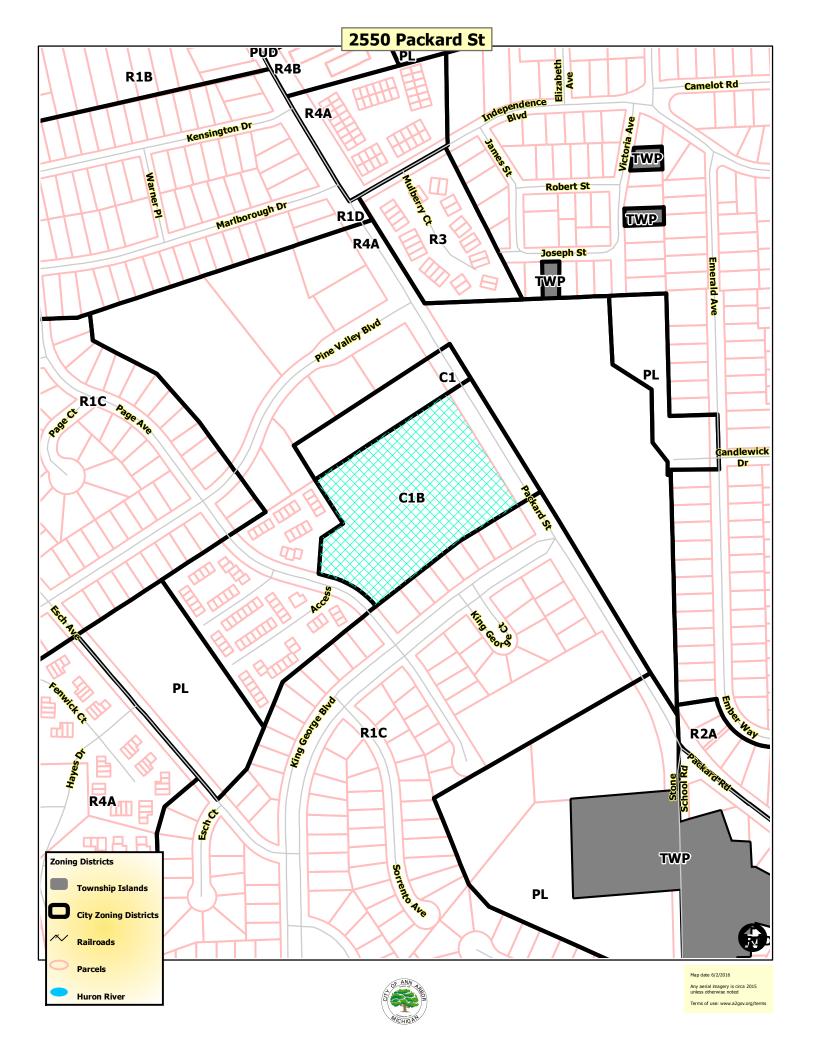
Applicant contends that approval of the setback variance would not negatively impact other property owners, and the proposal does not cause negative sight impacts or create unsafe conditions.

(c) Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

Petitioner states that conditions preventing compliance with the ordinance are not self imposed but are the result of grade change, building location and two egress points on-site that have existed for 40 years for the previous Georgetown Mall. The two driveway access points at the front of the site for fire and customer vehicles limit the locations for the subject sign.

Respectfully submitted,

Jon Barrett Zoning Coordinator







APPLICATION FOR VARIANCE OR ADMINISTRATIVE APPEAL SIGN BOARD OF APPEALS

Section 1: Applicant Inforr	mation		
Name of Applicant:	Packard Square	LLC	
Address of Applicant:	D O D	7067, Bloomfield Hills,	MI 48302
Daytime Phone:	040 040 4	777	
Fax:		3286	
Email:	craig@h	arborcos.com	
Applicant's Relationship to		_	
Section 2: Property Inform	ation		
Address of Property:			
Zoning Classification:		C1B	
Tax ID# (if known):			
*Name of Property Owner	•		
		horization from the property owner	
Section 3: Request Inform	ation		
VarianceChapter(s) and Section(s) variance is requested:	from which a	Required dimension:	PROPOSED dimension:
-13-04		20 feet	2 feet
CH. 61 SECTION 5	0:502(2)(B)		44
Example: Chapter 61, \$	Section 5:26	Example: 40' Setback from Right of Way	Example: 36' Setback from Right of Way
Give a detailed description (attach additional sheets in .		are proposing and why it	t will require a variance
see "	A" attached		
Section 4: VARIANCE REC	UEST (If not ap	plying for a variance, s	kip to section 5)
The City of Ann Arbor Sig 61. A variance may be gr difficulties or unnecessary provide a complete respon evaluation of the request l	anted by the Sigr hardships when use to each item	n Board of Appeals only in ALL of the following is for below. These responses	n cases involving practical bund TRUE . Please swill form the basis for

·	see #1 attached
	the hardships or practical difficulties more than mere inconvenience, inability higher financial return? (explain)
	see #2 attached
3. Wha	effect will granting the variance have on the neighboring properties?
	see #3 attached
4. Wha	physical characteristics of your property in terms of size, shape, location or phy prevent you from using it in a way that is consistent with the ordinance?
	see #4 attached
impose	d? How did the condition come about? see #5 attached
	See #3 attached
ction 5:	Administrative Appeal (ONLY – DO NOT COMPLETE IF FILING FOR
	use of the property
Exp	ain what you were denied and why you are requesting an Administrative Appeal:

44-	

E 2

Section 6: Required Materials The following materials are required for all variance requests or administrative appeals. Failure to provide these materials will result in an incomplete application and will delay staff review and Sign Board of Appeals consideration of the request. The materials listed below must accompany the application and constitute an inseparable part of the application. All materials must be provided on 8 1/2" by 11" sheets. Building showing frontage dimensions. Photographs of the property and any existing buildings involved in the request. Any other graphic or written materials that support the request. Property Site Plan showing setbacks, right of ways, etc. Section 7: Acknowledgement SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Ann Arbor City Code for the stated reasons, in accordance with the materials attached hereto. 248-613-1777 Signature Phone Number craiq@harborcos.com Craig Schubiner, Manager Email Address I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct. I acknowledge that I've received all instructions, time, date and place of meeting and will be present to present the appeal. Staff will not send additional notification of meeting times. Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Sign Board of Appeals permission to access the subject property for the purpose of reviewing my variance request. dav of 20 / before me personally appeared the above named

May 25, 2016

A. Give a detailed description of the work you are proposing and why it will require a variance

A 10-foot by 10-foot, two-sided monument sign for the Packard Square development is proposed. Packard Square will be a mixed-use development with approximately 23,500 square feet of retail space, 249 apartment units and 460 parking spaces. With more than 360,000 square feet under roof, Packard Square will be a significant mixed-use development in Ann Arbor. Packard Square is now under construction with initial resident and retailer occupancies slated to begin in the August/September 2016 timeframe.

The proposed sign would sit two (2) feet west of the property line adjoining the subject property. Within the adjoining right-of way, the property owner will be installing a 6-foot wide ADA-complaint sidewalk. There is a greenbelt that is approximately 30-feet wide between the new sidewalk and the Packard Street pavement where vehicles and bicycles travel. Between the proposed sign and the Packard Street pavement, there is nearly a 40-foot setback.

A 25-foot tall sign is allowable by right if it were set back 50 feet from the property line. A 25-foot pylon would be unsightly and given the site's configuration, there is no potential location for a 25-foot pylon sign. Therefore, a variance for a significantly shorter sign of 10-foot tall is proposed. A variance is necessary because of a number of hardships and practical difficulties associated with the subject property.

1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

There are several hardships and practical difficulties associated with complying with the ordinance. These hardships and practical difficulties are unique to the subject property.

The Packard Square building configuration would severely limit sign visibility if the sign were setback farther from the right-of-way. The Packard Square building has a symmetrical configuration with two wings of the building located within 10-feet of the right-of-way. This configuration severely reduces the visibility for a sign if it were set back farther from the road. This condition is not self-imposed as the zoning ordinance required locating the building no less than 10 feet and no more than 25 feet from the property line.

In addition, there is a sharp grade change in the site's topography immediately west of the new public sidewalk. A retaining wall is being installed to retain an approximately 7-

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foot decrease in elevation from the right-of-way to the subject property's parking lot. Locating the sign down this 7-foot distance would severely or entirely limit the sign's visibility.

Furthermore, setting the sign back farther from the right-of way and increasing the sign height to make up for the significant grade change is not possible due to the location of a storm sewer and the parking lot configuration.

The parking lot was configured to space adequately two egress drive aisles along Packard Street essentially in the same locations which pre-existed for approximately forty (40) years earlier when the Georgetown Mall was formerly located on the site. While the new building was not built to the maximum allowable FAR, it is large enough to require two (adequately spaced) egress points from Packard Street near the north and south edges of the subject property.

The need for two drive aisles spaced along Packard Street and the 10-foot building setback from Packard Street required the parking lot drive aisles to cross under the new building to allow fire truck and retailer customer access to the storefronts facing Packard Street.

Therefore, the location of the parking lot drive aisle and storm sewer (centered in the parking lot drive aisle) make it impossible to locate a taller pylon sign farther back from Packard Street.

2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return? (explain)

The hardships and practical difficulties are much more than mere inconvenience and are unassociated with a higher financial return. Given the site configuration of the new building and its parking lot, there is no other logical or possible location for a sign that would be farther set back from the property line. There is a sharp grade change in the site's topography immediately west of the new public sidewalk that sits in the right-of-way. This topographical hardship was actually improved significantly in the current approved site plan but the grade could not be raised any higher without negatively impacting neighboring properties or creating too severe of a slope within the property's parking lot.

Furthermore, the short setbacks of the building from the right-of-way would severely impact visibility of the sign if it even were possible to locate it farther from the property line. The building's symmetrical configuration limits visibility of the sign from Packard Street in both directions and therefore locating the sign in the center of the site near the grade level of Packard Street is the only logistically practicable location as well as the logical location.

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3. What effect will granting the variance have on the neighboring properties

Granting the variance will have no negative and only positive effects on the neighboring properties. The sign will not limit visibility, create unsafe conditions or otherwise negatively impact neighboring properties in any manner. Rather, Packard Square is expected to be a hub of activity for this region of Ann Arbor and the property's awareness and success will inure to the benefit of neighboring property owners.

4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?

As mentioned earlier, there are several characteristics of the property in terms of size, shape, location and topography preventing a sign from being installed consistent with the ordinance including:

There is a sharp grade change in the site's topography immediately west of the new public sidewalk. To enable a sign to be located farther from the property line and to be visible, it would require a much taller pylon sign. However, even if there were a location for a taller (likely unsightly) pylon sign, such a sign would not be adequately visible due to the two wings of the building located near the property line. And given the parking lot configuration, there is no possible location for a pylon sign. And, a pylon sign, even if there were a location to set it far back from the road, would potentially cause unsafe conditions for drivers who would have to turn their attention far off the road to read the sign.

The short setbacks of the wings of the building from the right-of-way would severely affect visibility of a sign if it were even possible to find a suitable location for the sign farther from property line.

The parking lot configuration and need for clear drive aisles located 360-degrees around the site for fire and vehicular traffic prevents a sign from being setback farther from the property line.

The storm drain in the parking lot prevents locating the sign farther from the property line.

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

The conditions preventing compliance with the ordinance are not self-imposed but rather are the result of several conditions unique to the site including:

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There is a sharp grade change in the site's topography immediately west of the new public sidewalk.

The wings of the building sit close to the road pursuit to the City's zoning ordinance that required the building to be located between 10 and 25 feet from the road. These portions of the building severely impact the visibility of a sign unless it is located close to the property line.

While the new building was not built out to the maximum allowable FAR, it is large enough to require two adequately-spaced egress points from Packard Street which are generally in the same locations as existed for approximately forty (40) years earlier for the Georgetown Mall formerly located on the site. The siting of the drive aisles required cross access in the front of the site for fire and customer vehicles thereby preventing a sign to be located anywhere but near the property line.

A1 - Project Identity





Form

Sign cabinet

Approx. Size 10'-0"w x 10'-0"h x 2'-0"d

Illumination Requirements Internally illuminated

Material, Fabrication & Finish

Fabricated sign cabinet w/ painted finish, cutout pushed through translucent acrylic letters

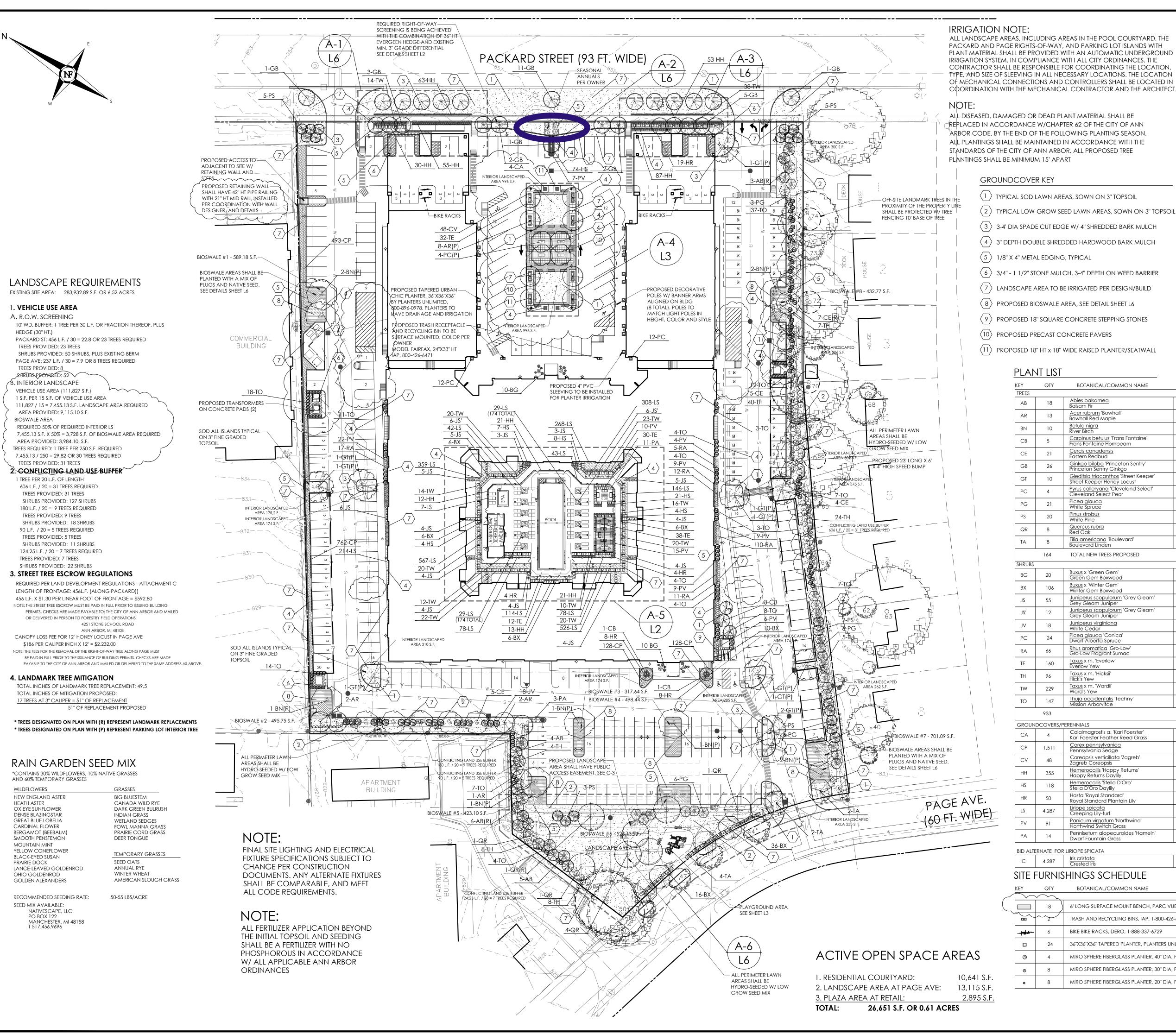
Inset white edge & interior return edges to be internally illuminated & produce halo/glow

Installation & Foundation/Support

Sign mounted to site, provide anchor/foundation as necessary

Quantity





ALL LANDSCAPE AREAS, INCLUDING AREAS IN THE POOL COURTYARD, THE PACKARD AND PAGE RIGHTS-OF-WAY, AND PARKING LOT ISLANDS WITH PLANT MATERIAL SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM, IN COMPLIANCE WITH ALL CITY ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE LOCATION, TYPE, AND SIZE OF SLEEVING IN ALL NECESSARY LOCATIONS. THE LOCATION OF MECHANICAL CONNECTIONS AND CONTROLLERS SHALL BE LOCATED IN COORDINATION WITH THE MECHANICAL CONTRACTOR AND THE ARCHITECT.

ALL DISEASED, DAMAGED OR DEAD PLANT MATERIAL SHALL BE REPLACED IN ACCORDANCE W/CHAPTER 62 OF THE CITY OF ANN "ARBOR CODE, BY THE END OF THE FOLLOWING PLANTING SEASON." ALL PLANTINGS SHALL BE MAINTAINED IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF ANN ARBOR. ALL PROPOSED TREE PLANTINGS SHALL BE MINIMUM 15' APART

QTY

BOTANICAL/COMMON NAME

Carpinus betulus 'Frans Fontaine' Frans Fontaine Hornbeam

Ginkgo biloba 'Princeton Sentry' Princeton Sentry Ginkgo

Gleditsia triacanthos 'Street Keeper Street Keeper Honey Locust

<u>Pyrus calleryana</u> 'Cleveland Select' <u>Cleveland Select</u> Pear

Acer rubrum 'Bowhall' Bowhall Red Maple

Picea glauce
White Spruce

Pinus strobus
White Pine

Quercus rubra Red Oak

Boulevard Linden

Buxus x 'Green Gem' Green Gem Boxwood

Buxus x 'Winter Gem' Winter Gem Boxwood

<u>Juniperus virginiana</u> White Cedar

<u>Picea glauca</u> 'Conica Dwarf Alberta Spruce

<u>Taxus</u> x m. 'Everlow' Everlow Yew

Thuja occidentalis 'Techny' Mission Arborvitae

Calalmagrostis a. 'Karl Foerster' Karl Foerster Feather Reed Grass

<u>Coreopsis verticillata</u> 'Zagrek

<u>Hemerocallis</u> 'Happy Returns' Happy Returns Daylily

<u>Hosta</u> 'Royal Standard' Royal Standard Plantain Lily

<u>Pennisetum alopecuroides</u> 'Hamelr Dwarf Fountain Grass

BOTANICAL/COMMON NAME

BIKE BIKE RACKS, DERO, 1-888-337-6729

TRASH AND RECYCLING BINS, IAP, 1-800-426-6471

36"X36"X36" TAPERED PLANTER, PLANTERS UNLIMITED, 1-800-326-0626

Taxus x m. 'Hicksii' Hick's Yew

229

933

118

4.287

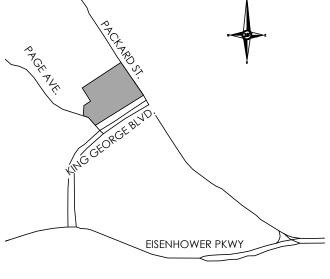
4,287

<u>Tilia americana</u> 'Boulevard'

TOTAL NEW TREES PROPOSED

<u>Juniperus scopulorum</u> 'Grey Gleam' Grey Gleam Juniper

Juniperus scopulorum 'Grey Gleam' Grey Gleam Juniper



LOCATION MAP

SIZE SPACING ROOT COMMENT

B&B

CONT

B&B

B&B

B&B

CONT

CONT

CONT

CONT

CONT

CONT

CONT

CONT

SEE PLAN CONT PLANTED IN RD PLANTERS

8' OC

SEE PLAN

SEE PLAN

SEE PLAN

SEE PLAN

SEE PLAN

SEE PLAN

8' OC

VARIES

30" OC

SEE PLAN

SEE PLAN

24" OC

2' OC

3' OC

3' OC

30" OC

15" OC

18" OC

12" OC

18" OC

24" OC

12" OC

30" OC

30" OC

#1 POT 12" OC

SEE PLAN CONT

5' OC

2.5" CAL VARIES

7' HT

14' HT

3.5" CAL

2.5" CAL

2.5" CAL

2.5" CAL

2.5" CAL

3.5" CAL

7' HT

2.5" CAL

3 GAL

24-30" HT

5' HT

6-8' HT

5' HT

3 GAL

18" HT

36" HT

30" HT

5' HT

3 GAL

#1 POT

18" HT

2 GAL

2 GAL

2 GAL

#1 POT

3 GAL

6' LONG SURFACE MOUNT BENCH, PARC VUE, FROM LANDSCAPE FORMS, 1800-521-2546

MIRO SPHERE FIBERGLASS PLANTER, 40" DIA, PLANTERS UNLIMITED, 1-800-326-0626

MIRO SPHERE FIBERGLASS PLANTER, 30" DIA, PLANTERS UNLIMITED, 1-800-326-0626

MIRO SPHERE FIBERGLASS PLANTER, 20" DIA, PLANTERS UNLIMITED, 1-800-326-0626

FULL TO GROUND

FULL BRANCHED HEAD

FULL TO GROUND

FULL TO GROUND

MAINTAIN AS 5' HT HEDGE

PLANTED IN CONTAINER

MAINTAIN AS HEDGE

MAINTAIN AS HEDGE

MAINTAIN AS HEDGE

FULL HEAD

CLUMP FORM

NOWAK & FRAUS ENGINEERS 46777 WOODWARD AVE. PONTIAC, MI 48342-5032 TEL. (248) 332-7931

ENGINEERS

CIVIL ENGINEERS

LAND SURVEYORS

LAND PLANNERS

FAX. (248) 332-8257



PROJECT

Packard Square

CLIENT Packard Square LLC 1900 Telegraph Road Bloomfield Hills, MI 48302 Phone: (248) 332-4444

Contact: Craig Schubiner

PROJECT LOCATION Part of the 1/4 of Section 4 T. 3 South, R. 6 East City of Ann Arbor, Washtenaw County,

SHEET

Michigan

Landscape Plan



REVISIONS
11-10-14 REVISED LIGHTING PER ELECTRICAL
02-13-15 REVISED PER ADDENDUM 1
03-16-15 REVISED PER CLIENT
08-27-15 REVISED PER ADDENDUM 3
10-09-15 COURTYARD/POOL DECK
10-14-15 PARKING/METER ACCESS
11-24-15 BULLETIN 8
12-15-15 REVISED PARKING AND TRASH ENCLOSUR
01-20-16 REVISED PARKING PER CLIENT
02-04-16 REVISED PARKING PER CLIENT
02/17/16 BULLETIN 15
03/08/16 ADMINISTRATIVE AMENDMENT 2

DRAWN BY: G. Ostrowski **DESIGNED BY:** G. Ostrowski

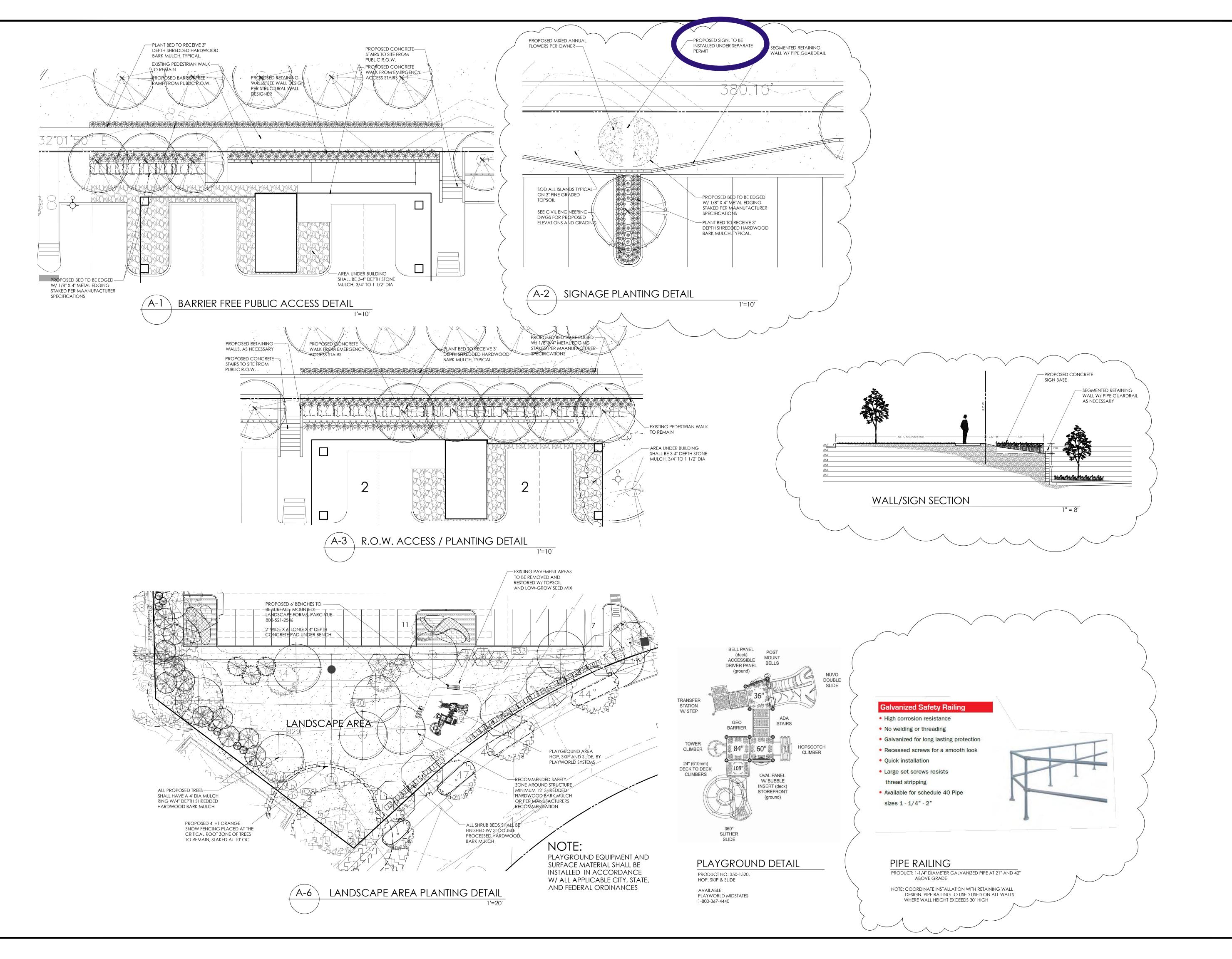
APPROVED BY: G. Ostrowski

DATE: 01-21-11 SCALE:

1'' = 40'

NFE JOB NO.

SHEET NO. **D601** L1





NOWAK & FRAUS ENGINEERS 46777 WOODWARD AVE. PONTIAC, MI 48342-5032 TEL. (248) 332-7931 FAX. (248) 332-8257

LAND PLANNERS



PROJECT

Packard Square

CLIENT Packard Square LLC 1900 Telegraph Road Bloomfield Hills,

MI 48302 Phone: (248) 332-4444 Contact: Craig Schubiner

PROJECT LOCATION Part of the 1/4 of Section 4 T. 3 South, R. 6 East City of Ann Arbor, Washtenaw County, Michigan

SHEET

Park and Frontage Details



REVISIONS 10-13-14 ISSUED FOR BIDS 11-10-14 REVISED LIGHTING PER ELECTRICAL 02-13-15 REVISED PER ADDENDUM 1

10-09-15 COURTYARD/POOL DECK

3 08-27-15 REVISED PER ADDENDUM 3

10-14-15 PARKING/METER ACCESS

02-17-16 BULLETIN 15

03/08/16 ADMINISTRATIVE AMENDMENT 2

DRAWN BY: G. Ostrowski

DESIGNED BY: G. Ostrowski

APPROVED BY:

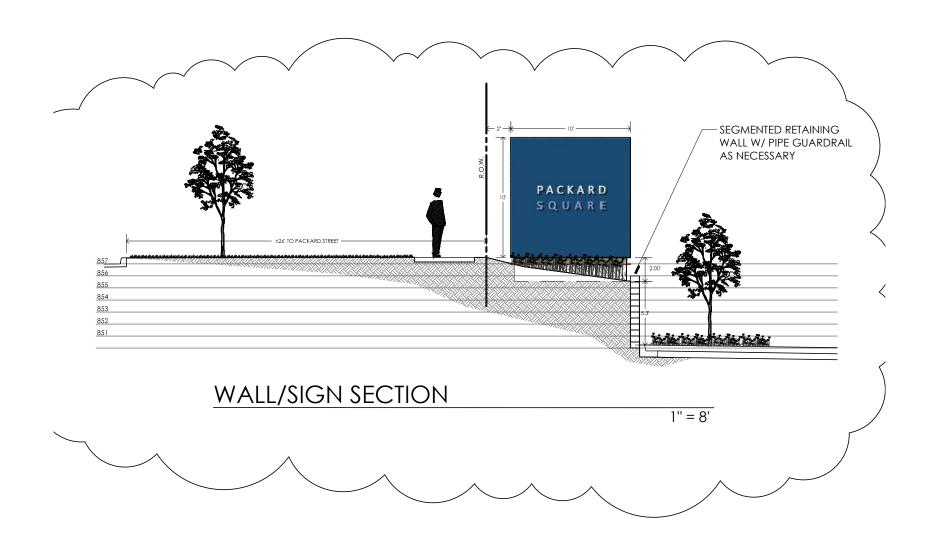
G. Ostrowski

DATE: 01-21-11

SCALE: **VARIES**

NFE JOB NO. **D601**

SHEET NO. **L6**



From: v.t.jordan

Sent: Friday, June 10, 2016 8:35 PM

To: Barrett, Jon

Subject: Packard Square variances

Mr. Barrett,

I am responding to the sign variances request by the Packard Square development. I am EMPHATICALLY against adding any larger signage, especially so close to the property line. This development is so out of scale and proportion to the residential neighborhood as it is. The mass in and of itself is impossible to miss and acts as it's own stand alone advertisement.

The "twin towers" already encroach on the sidewalk area. My view of sky and sunlight is gone. Enough!

I would greatly appreciate anything you can do to prevent this.

Virginia Jordan 1553 King George Blvd Ann Arbor From: Mary H Thieme

Sent: Sunday, June 12, 2016 11:42 AM

To: Barrett, Jon

Subject: Packard development

I am an owner at 2761 Page Street in the Georgetown townhouse complex. I am absolutely opposed to the Packard development's construct of a 10 ft tall sign 2 feet from the sidewalk. This would be a major eyesore and is currently against citywide regulations.

Please consider the neighbors and residents in this area.

Mary H Thieme https://www.youtube.com/watch?v=qzuM2XTnpSA

From: Mancherian

Sent: Thursday, June 09, 2016 5:33 PM

To: Barrett, Jon

Subject: Packard Square sign variance

I am not opposed to this request as long as there are no exterior floodlights, and no blinking lights on the sign.

I am comfortable with lighting within the sign.

Charles Mancherian 1485 King George Blvd