



City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING SERVICES

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APPLICATION FOR ESTABLISHMENT OF OR CHANGES TO PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT

See www.a2gov.org/planning for submittal requirements.

TO: The Honorable Mayor and City Council
City of Ann Arbor, Michigan

We, the undersigned, respectfully petition the Honorable Council of the City of Ann Arbor to amend the Zoning Map as it relates to the property described below:
2857 Packard Road, Ann Arbor, Michigan, 48104

(Give or attach legal description, and include address of property, if available)

See attached Exhibit A for legal description

Petitioner's name, address and telephone number. Include fax number and e-mail address, if available.
Peters Building Company - Jim Haeussler

172 S. Industrial Highway, Saline, MI 48176

734-429-4200; jhaeussler@petersbuilding.com

Interest in the land (i.e. owner, land contract holder, option to purchase, etc.).

Purchase agreement

Name, address, telephone number, and interest in the land of all others with a legal or equitable interest in the property. Provide **written** authorization of the owner(s) to seek the PUD zoning. Section 5:80(4)(a)

Robert R. Weber - Owner - 13162 Lyons Highway, Sand Creek, Michigan 49279

The petitioner requests that the Official Zoning Map be amended to rezone this property from R1E to PUD (Planned Unit Development) to permit the use(s) described in the PUD Supplemental Regulations, which are attached. (See **Supplemental Regulations** below.)

Attach a **property survey by a registered surveyor**, including all public or private easements located within or adjacent to the property petitioned for zoning/rezoning. (All property that is part of the development shall be included in the PUD zoning district request.)

Mandatory Pre-petition Conference with Planning Commission was held April 8, 2019.

It was determined by the Planning Commission that a study model is or is not required. PUD Zoning District and Site Plan approval are or are not being requested together. (Circle appropriate answers.)

PUD Development Program, Section 5:80(4)(d) – On a separate page(s), provide complete information for each of the following: **Requirements superceded by Unified Development Code - Article V: 5.29.10.D.4**

1. List, describe and explain the objectives, purposes and beneficial effect(s) proposed to be achieved by the PUD zoning district. Refer to 5:80(6)(a).
2. Explain why the beneficial effect cannot be achieved under any other zoning designation. If applicable, explain how the beneficial effect exceeds the requirements of any existing standard, regulation or ordinance. Refer to 5:80(6)(b).
3. Explain why the use or uses proposed will not have a detrimental effect on public utilities or surrounding properties. Refer to 5:80 (6)(c).
4. Explain how the proposed PUD objectives, purposes, beneficial effects, and land uses conform to the adopted Master Plan and policies of the City. If the proposal does not conform to the City's adopted plan and policies, provide detailed, compelling justification. Refer to 5:80 (6)(d).
5. If increased densities are requested in order for the PUD to provide affordable housing for lower income households, describe the type of housing, number of units, and how the affordability and availability of the units will be assured. Refer to 5:80(6)(e).
6. Describe how vehicular and pedestrian circulation will be provided and how the proposal will encourage and support alternate methods of transportation. Refer to 5:80(6)(g).
7. Explain any disturbance of existing natural features or historical features of the site and why this disturbance is necessary. Refer to 5:80(6)(h).
8. List any modifications of the City Code that are requested; provide justification for each modification. Refer to 5:80(2).

Supplemental Regulations, Section 5:80(4)(e) – Provide draft supplemental regulations. The regulations must include, but are not limited to: permitted land uses; accessory uses; minimum and maximum standards of lot area; minimum usable open space in percentage of lot area; minimum required front, side and rear setbacks; minimum and maximum height and number of stories; minimum and maximum number of dwelling units and lot area per dwelling unit (if residential); and minimum and maximum numbers of vehicle and bicycle parking spaces. Additionally, the supplemental regulations must provide justification for the beneficial effect(s) provided and detailed performance standards sufficient to evaluate the proposed development and whether the stated beneficial effect(s) is achieved. A sample format is attached for your information. Refer to 5:80(6)(f).

Conceptual PUD Plan, Section 5:80(4)(b) – Provide 15 copies of the conceptual PUD plan, at a scale of 1" = 50 feet or greater. This conceptual PUD plan shall include all information required by Chapter 57 and the Land Development Regulations, Section 1:3, for PUD zoning districts. Illustrate the PUD development program and the PUD district's supplemental regulations, including: area; sizes, locations and relationships of permitted land uses; parking and circulation systems; landscape features and a conceptual landscape plan; preserved natural features; proposed phasing; and any other unique physical characteristics warranting the PUD zoning district.

The undersigned states he/she is interested in the property as aforesaid and that the foregoing statements are true and correct to the best of his/her knowledge and belief.

Dated 4/17/19

Peters Building Co,
Signature: [Signature]
James G. Haenysler - President
P.O. Box 577, 172 S. Industrial Dr
Saline, MI 48176
(Print name and address of petitioner)

STATE OF MICHIGAN

COUNTY OF WASHTENAW

On this 17th day of April, 2019, before me personally appeared the above-named petitioner(s), who being duly sworn, say that they have read the foregoing petition by them signed, and know the contents thereof, and that the same is true of their knowledge, except as to the matter therein stated to be upon their information and belief, and as to those matters they believe it to be true.

Signature: [Signature]
(Print name of Notary Public) NICOLE MARIE HINCK

My Commission Expires: 8/25/19

Exhibit A

(from Absolute Title Commitment, File No. 69755 Rev. 2, with effective date of March 29, 2016)

Commencing at the South 1/4 post of Section 3, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence North 89°47'30" East, 594 feet in the South line of said Section for a Place of Beginning; thence North 00°51'30" East, 853.56 feet; thence North 89°56'30" East, 407.13 feet; thence South 00°56' West to the South line of the Section; thence West along said South Section line to Place of Beginning.

Being more particularly described as the following:

Commencing at the S 1/4 corner of Section 3, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence N89°47'30"E 593.60 feet (recorded 594 feet) along the South line of said Section 3 to the Point of Beginning;

thence N00°51'30"E 853.56 feet along the East line of Lots 1-9 of "Green Lea" Subdivision as recorded in Liber 11 of Plats, Page 42, Washtenaw County Records;

thence N89°56'30"E 407.13 feet along the South line of Lots 11-14 of said "Green Lea" Subdivision;

thence S00°56'00"W 324.52 feet along the West line of Lots 29-33 of "Kensington Farms" Subdivision, as recorded in Liber 12 of Plats, Pages 49 and 50, Washtenaw County Records;

thence continuing S00°56'00"W 528.00 feet;

thence S89°47'30"W 406.03 feet (recorded West) along said South line of Section 3 to the Point of Beginning. Being a part of the SE 1/4 of Section 3, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, and containing 7.96 acres, more or less. Being subject to the rights of public over that portion as occupied by Packard Road. Being subject to any restrictions or easements, if any.

PUD Development Program:

The proposed development does not deviate from the area, height, and placement requirements or the off-street parking or landscaping requirements. The proposed deviation is for the multi-family residential land use in the R1E zoning district for the proposed side by side attached residential units.

- *Description of objectives, purposes, and beneficial effect for the City proposed to be achieved by the PUD zoning District:*

Diverse housing typology for Ann Arbor housing market:

The proposed residential lot size and attached residential units provide a housing typology that is not currently available in the community; a smaller single family residential lot at a market price geared toward households with one full-time and one part time income and attached residential units within an established single family residential community along a major transit route/pedestrian corridor within the City limits.

Limitation on density:

The proposed density of the development limits the number of residential units to 51 dwelling units with 25 single family residential lots and 26 attached units. The placement of the detached single family residential lots along the perimeter, and the intent to meet the conditional rezoning requirement of a minimum number of ranch style houses along the perimeter, creates a development that is compatible with the adjacent existing residential subdivisions.

Management of stormwater from off-site neighbors:

The proposed rear yard drainage system and stormwater management basin in the northeast corner of the site, allow for stormwater conveyance and infiltration of off-site drainage that has historically caused flooding issues as identified by the project neighbors. It is anticipated these stormwater improvements and infrastructure will reduce or entirely resolve historical neighbor concerns of ponding in this area. The project is addressing 2.3 acres of off-site drainage that passes through the site and creates ponding/flooding of the neighbor's rear yards. The project as designed will gather this water and store in an infiltration basin while releasing any overflow water to the underground pipe conveyance system away from the area of historical flooding.

Natural features preservation:

In order to achieve additional preservation of landmark trees and woodlands more consistent with the original Area Plan approved with the rezoning, the single family lots in the interior of the private drive loop were changed to attached residential units. These units as attached are of the same size, design, and character as proposed in the plan where they were detached. As a result, there are two areas of landmark tree/woodland preservation along the western property edge, woodland preservation in the southeast corner of the property, and woodland preservation between the attached single family units.

Natural features maintenance plan:

The preserved woodland and landmark trees on the site are a valuable resource to the development and the Ann Arbor community. In order to maintain the health and viability of these trees, a natural features maintenance plan, including invasive species control, is being proposed as part of the development and would be perpetuated as part of the master deed and bylaws through the homeowners association.

In-Fill Development (Not Greenfield Development)

This project is proposed for development of a property that has adjacency and access to:

- Utility Infrastructure that does not require improvements to accommodate
 - Along a collector roadway w/ public transit stops
 - Surrounded by parks
 - Proximity to employers
 - Proximity to schools and education
 - Proximity to services
- *Why beneficial effect cannot be achieved under other zoning designation:*
The inclusion of attached multi-family units enables further preservation of natural features that cannot be achieved with the conditional R1E zoning classification.

- *Conformity to the adopted master plan and policies of the City or detailed compelling justification for departures from the plan and policies*

The site is identified as Site 8 in the South Area of the Land Use Element Master Plan and single-family detached residential use is recommended. The perimeter of the site includes single family residential lots at complementary density to adjacent neighborhoods with the intent to maintain rezoning conditions identified in the conditional rezoning to R1E including a 15 foot wide buffer, type and number of models, and ranch houses. The internal block includes four buildings with attached residential units that have similar size as would be anticipated with the single family homes as approved with the area plan.

The proposed units with this development would support the Washtenaw County Office of Community and Economic Development's report, Housing Affordability and Economic Equity Analysis, Washtenaw County, Michigan that identifies a need to:

- *Consider ways for zoning to encourage smaller starter homes, family sized units and to add some workforce options to existing neighborhoods.*
- *Consider changes to zoning and/or policy to encourage development of mixed-income housing in targeted areas*

Additionally, the City of Ann Arbor Sustainability Framework outlines three primary aspects of sustainability: environment, economy, and equity. The proposed development incorporates design elements for several of the 16 sustainability goals including:

- **Diverse Housing** – the development is intended to add diversity to the housing typologies available within the Ann Arbor housing market.
- **Active Living and Learning** – the proposed site layout includes several areas of natural features preservation on the site and a pedestrian sidewalk network that provides connectivity to Packard Road and throughout the site, allowing for passive recreation and connectivity to off-site recreational opportunities such as Cobblestone Farm and Buhr Park.
- **Economic Vitality** – the housing typology has the potential to enable existing employees within Ann Arbor to live in Ann Arbor and the potential to attract a new set of talented individuals that are seeking employment in the Ann Arbor area but are having difficulty finding housing that does not exceed their budget for housing expenses.
- **Transportation Options** – The development site is located along Packard Road, which is along an AATA transit route,
- **Clean Air and Water** – Stormwater runoff treatment includes infiltration and underground detention that reduced impacts to natural features on the site.
- **Healthy Ecosystems** – The development includes preservation of existing woodlands and landmark trees on the site.

2857 Packard Road Supplemental Regulations:

(DRAFT dated April 25, 2019)

Section 1: Purpose

It is the purpose of the City Council in adopting these regulations to provide for the coordinated and unified development of this parcel of land in harmonious integration with the surrounding neighborhood and preservation of natural features on the parcel. These regulations seek to promote development of a mix of single family residential units and attached multi-family buildings with side by side single family residential units will provide diverse housing within the established neighborhood and be compatible with surrounding residential uses.

Section 2: Applicability

The provisions of these regulations shall apply to the property described as follows ("Property" or "Project"):

Commencing at the South 1/4 post of Section 3, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence North 89°47'30" East, 594 feet in the South line of said Section for a Place of Beginning; thence North 00°51'30" East, 853.56 feet; thence North 89°56'30" East, 407.13 feet; thence South 00°56' West to the South line of the Section; thence West along said South Section line to Place of Beginning.

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Exceptions

Rights of the public or any governmental unit in any part of subject property taken, deeded, or used for street, road, or highway purposes.

Resolution authorizing water improvement charges, as recorded in Liber 4646, Page 933, Washtenaw County Records.

Further, the provisions of these regulations shall be adopted and incorporated into the 2857 Packard Road 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 City Codes.

Section 3: Findings

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

Section 4: PUD Regulations:

- A. Permitted Principal Uses of the development as depicted on the attached Site Plan shall be:

1. Single family residential units
2. Multiple-family residential building with single family dwelling units. Side by side attached units with no firewalls
3. Additional uses as identified in the R1E zoning district.

B. Permitted Accessory Uses shall be:

1. Uses as identified in the R1E zoning district.

C. Setbacks: Minimum setbacks are:

1. Single family residential lots:
 - i. Front: 20 foot minimum
 1. Front lot line located at face of curb on private street
 - ii. Side: 3ft per side minimum, 6 ft total minimum
 - iii. Rear: 20 foot minimum
2. Attached multiple family units:
 - i. Front: 26 foot minimum from face of curb
 - ii. Side: 14ft minimum from face of curb
 - iii. Building separation:
 1. 23 foot minimum side to side
 2. 40 foot minimum rear to rear – decks/patios permitted within 40 foot setback

D. Density:

1. 7 dwelling units per acre
2. Maximum of 51 dwelling units

E. Lot Size:

1. Minimum lot size of 4,000sf
2. Minimum lot width: 34 ft

F. Landscaping, Screening, and Buffers:

1. Site perimeter - 15' landscape buffer along the East, North, and South property lines
2. Natural Features maintenance and invasive species control: A maintenance and invasive species control plan shall be incorporated into the development and perpetuated as part of the master deed and bylaws through the homeowners association.

G. Architectural Design:

1. Building Height: 30 foot, 2 story maximum
2. Floor area: Maximum of 2,000sf floor area. Unfinished basement square footage not included in floor area calculations.
3. Home type: Four distinct model homes (two 2-story, one 1.5-story, and one 1-story) and the same model shall not be built next to each other. A minimum of five 1-story ranch style houses shall be around the perimeter of the development.
4. Finishing: Dwelling units will have varying exterior colors with no two adjacent facing the street being the same color.
5. Garages: Attached garages shall not project further than 12 feet out from the front of each house or 6 feet from the porch.
6. Basement: Allowed to have 8 foot ceiling basement but the basement is prohibited to be finished into ordinary living areas.