

# APPLICATION FOR PLANNED UNIT DEVELOPMENT - PRE-PETITION CONFERENCE

DOUG and JENNY SELBY –  
OWNERS

711 Fountain Street, Ann Arbor  
maildoug@me.com  
734-262-0825

SUBJECT PROPERTY:  
530 North Division Street  
Ann Arbor, MI 48104





530 north division is a student rental in the Kerrytown neighborhood. It is currently zoned R4C and became a non-contributing property in the Old Fourth Ward Historic District in July 2019.

The current building is 2 houses that were conjoined in 1929. The property was purchased by the current owner in 1999 and is a 4-unit apartment building with 10 total bedrooms

The houses were poorly joined in 1929 and the building is currently in moderate to severe structural disrepair. There is a gravel parking lot in back for 10 cars and no natural features of note on the lot. The lot size is 8512 Square feet.

The Owner of the property is applying for a PUD to create a new structure with greater occupant density (although still 4 total apartments), *designed to be the first multi-family building in the world to achieve both Living Building Challenge and Passive House certifications.*





## PUD Development Program, Section 5:80(4)(d)

**QUESTION 1:** LIST, DESCRIBE AND EXPLAIN THE OBJECTIVES, PURPOSES AND BENEFICIAL EFFECTS PROPOSED TO BE ACHIEVED BY THE PUD ZONING

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The objective of this project is to rebuild and add onto the current building, becoming the most energy-efficient, healthy and biophilic student rental in the world.

A goal of the project is to show that even severely underperforming classes of buildings, such as student rentals, can be made to be carbon neutral and still be economically viable.

By providing a framework for deep energy retrofits and examples of real-world solutions that work, we hope this project will inspire others to help Ann Arbor reach our 2030 carbon neutrality goals.

Aside from being net positive energy and carbon-neutral, this building will store and re-use the water that falls on site and create habitat for people, pollinators and other wildlife.





## PUD Development Program, Section 5:80(4)(d)

**QUESTION 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.

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The benefits of this project to the city would be difficult to achieve without re-zoning to a PUD. The lot is small, at 8512 square feet.

As a multi-family building, there are many requirements which must be met no matter if the building were 4 units or 50. Some do not make sense for a building and lot of this size.

To maximize this site and create a project that can have the long-term sustainability features desired, density is the key to being able to afford building the project. Given the small lot size, that creates at least 5 items that would need ZBA approval.

In the planning process with the city, it was determined that due to the plethora of benefits that far exceed code standards or local ordinances, a PUD should be pursued for the project.

### PARKING LOT IN THE REAR OF THE PROPERTY





## PUD Development Program, Section 5:80(4)(d)

**QUESTION 3:** EXPLAIN WHY THE USE OF USES PROPOSED WILL NOT HAVE A DETRIMENTAL EFFECT ON PUBLIC UTILITIES OR SURROUNDING PROPERTIES

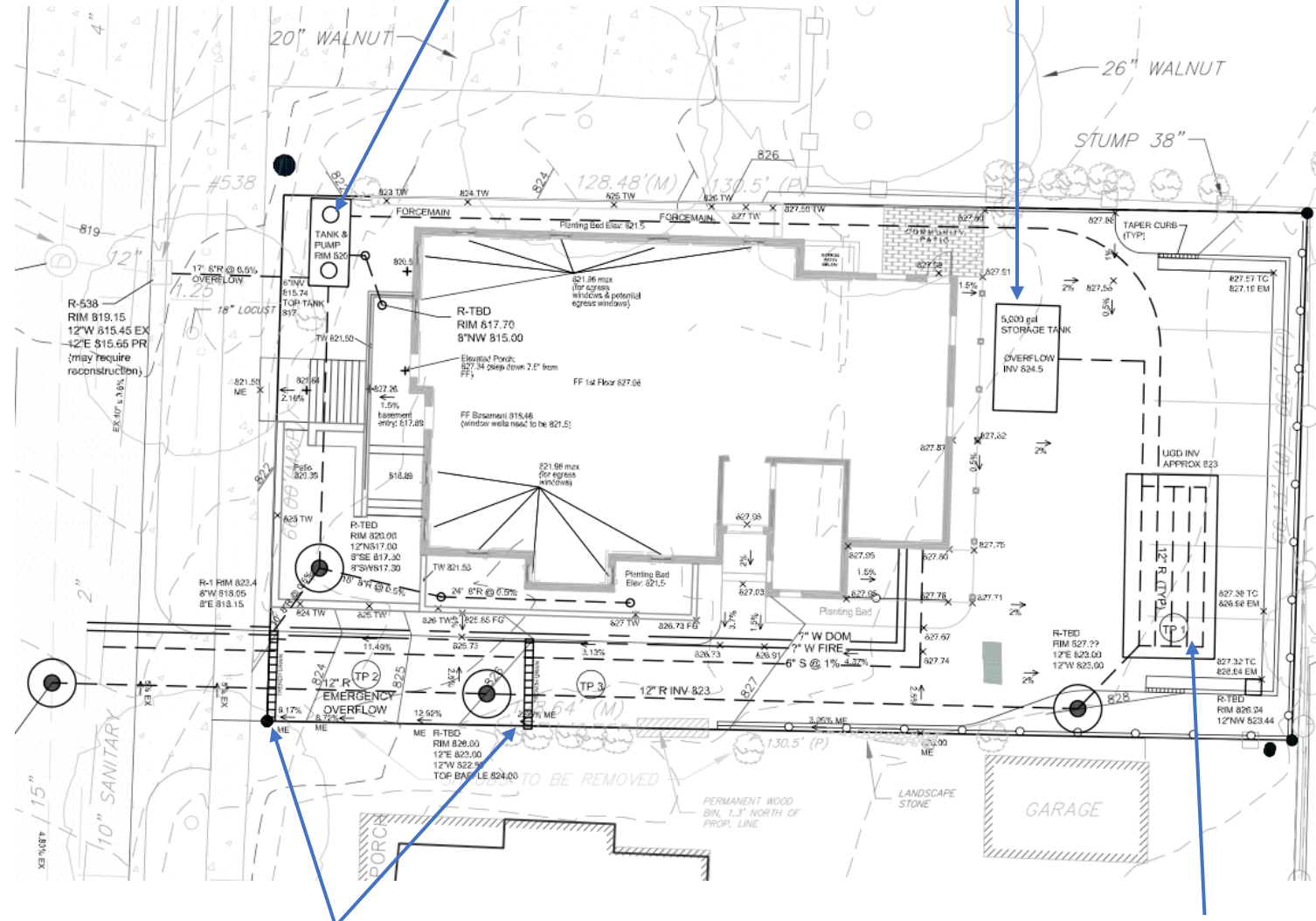
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This project has a positive impact on both public utilities and the surrounding area.

The utilities used on this site – electric, water and sewer – will all be less than the building uses now even with far less density. The building will not have natural gas connected to the home and will be net-positive energy, making at least 5% more energy than is needed to operate the building over the course of a year.

Stormwater and allowable graywater will be captured on-site and re-used or infiltrated. The owners will retrofit other buildings in the area with water-saving fixtures to bring this building to net-zero water usage, saving an additional 135,000 gallons of water per year. Waste effluent will be greatly reduced through ultra-low-flow fixtures.

The building is designed to fit the historic neighborhood, and will be (re)built with quality, period-specific materials. It is deliberately designed to activate the street and outdoor areas, creating spaces for human enjoyment and wildlife.

### PROPOSED SITE PLAN



500-gallon tank with pump station at lowest point on site directs all site water from driveway and patio to infiltration gallery

Roof runoff goes to cistern to be cleaned and used for laundry and flushing toilets

Trench drains capture all driveway runoff

Infiltration gallery for 100% of site water



## PUD Development Program, Section 5:80(4)(d)

**QUESTION 4:** EXPLAIN HOW THE PROPOSED PUD OBJECTIVES, PURPOSES, BENEFICIAL EFFECTS, AND LAND USES CONFORM TO THE ADOPTED MASTER PLAN AND POLICIES OF THE CITY.

The proposed project fits into the R4C master plan for this area and will fulfill the city's goals of greater density and encouragement of alternate modes of transportation.

The project will also be a model for the 2030 initiative as a net-positive energy, carbon positive building. All stormwater will be stored and used on-site, and the building is net-zero water when community "scale-jumping" is accounted for (by reducing water consumption of nearby buildings).

Finally the project will activate the street and outdoor areas by providing areas for residents to enjoy the outdoors in the front, side and rear of the house.

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**QUESTION 5:** IF INCREASED DENSITIES ARE REQUESTED IN ORDER FOR THE PUD TO PROVIDE AFFORDABLE HOUSING, DESCRIBE THE HOUSING.

The increased density of the building is within the parameters set forth in R4C guidelines by city codes. Affordable housing is not a component of this project, which would not be economically viable with a 4-unit project built to Passive House and Living Building Challenge standards.



PROPOSED FRONT  
(WEST) FAÇADE



PROPOSED REAR (EAST) FAÇADE



## PUD Development Program, Section 5:80(4)(d)

**QUESTION 6:** DESCRIBE HOW VEHICULAR TRAFFIC AND PEDESTRIAN CIRCULATION WILL BE PROVIDED AND HOW THE PROPOSAL WILL ENCOURAGE AND SUPPORT ALTERNATE METHODS OF TRANSPORTATION.

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Although this is a 4-unit apartment building on a smaller lot, the design was made to fulfill the parking requirements as set forth in the R4C zoning.

Each of the 24 tenants in the building will have their own covered bike parking rack, and the bus stop for UofM and city buses is within a few hundred feet. The train station and the Blake Transit Center are a short walk from the building and a transit information placard will be placed in the foyer of the building.





## PUD Development Program, Section 5:80(4)(d)

**QUESTION 7:** EXPLAIN ANY DISTURBANCE OF EXISTING NATURAL FEATURES OR HISTORICAL FEATURES OF THE SITE AND WHY THIS DISTURBANCE IS NECESSARY.

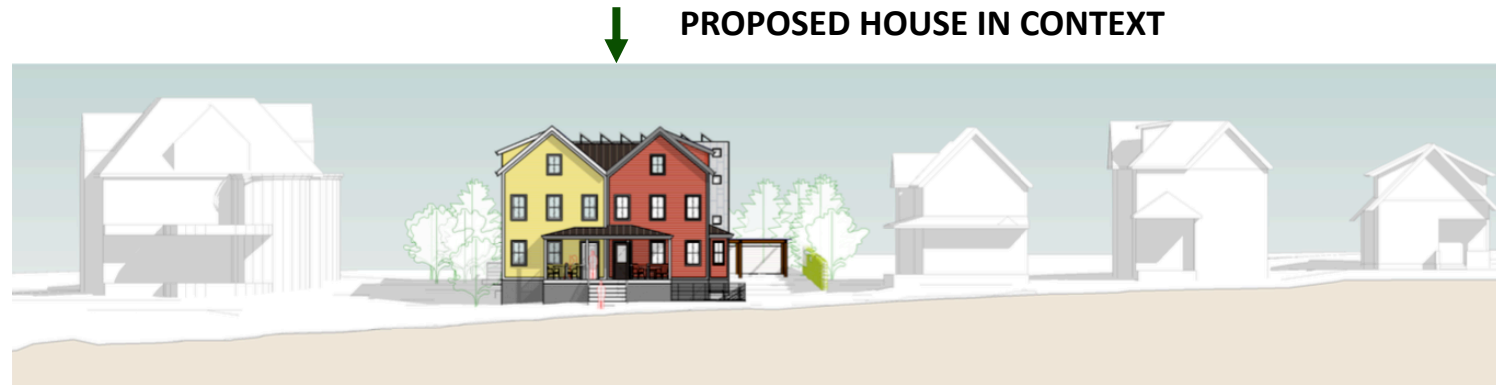
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With no trees, a gravel parking lot and some existing non-native shrubs, there are no natural features to protect. Landscaping will be installed in accordance with Living Building Challenge standards that creates food, beauty and biodiversity on site.

While this building is no longer a contributing historical resource, care was taken in design and specifications to re-use original exterior materials and the footprint of the original homes while making a roofline that re-creates the original two homes. It will be more in scale and character of the neighborhood than the existing home.



EXISTING HOUSE IN CONTEXT ↑



↓ PROPOSED HOUSE IN CONTEXT



PUD Development Program, Section 5:80(4)(d)

**QUESTION 8:** LIST ANY MODIFICATIONS OF THE CITY CODE THAT ARE REQUESTED; PROVIDE JUSTIFICATION FOR EACH MODIFICATION

ITEM	EXISTING CONDITIONS	REQUIRED/ ALLOWED BY ZONING	PROPOSED	NOTES
ZONING	R4C	R4C	PUD	
LOT WIDTH (FEET)	66	60	66	MEETS OR EXCEEDS REQUIREMENT
SITE AREA GROSS (SQUARE FEET)	8512	8500	8512	MEETS OR EXCEEDS REQUIREMENT
LOT DENSITY (DWELLING/ACRE)	20.4	20	20.4	EXISTING NON-CONFORMING – NOT MAKING WORSE
MINIMUM LOT AREA PER DWELLING	2128 SF/UNIT	2175	2128	EXISTING NON-CONFORMING – NOT MAKING WORSE
NUMBER OF DWELLING UNITS	4	4	4	MEETS OR EXCEEDS REQUIREMENT
OCCUPANTS PER DWELLING UNIT	2 and 3	6	6	MEETS OR EXCEEDS REQUIREMENT
NUMBER OF BEDROOMS	10	24	24	MEETS OR EXCEEDS REQUIREMENT
BUILDING HEIGHT MAXIMUM (FEET)	26.5	30	28.5	MEETS OR EXCEEDS REQUIREMENT
FRONT SETBACK (AVE of NEIGHBORS, FEET)	13	11	11	SEE EXPLANATION
SIDE SETBACK NORTH - EXISTING (FEET)	1'2"	12	3'9"	EXISTING NON-CONFORMING –MAKING MORE CONFORMING
SIDE SETBACK NORTH - ADDITION (FEET)	N/A	12	8'8"	SEE EXPLANATION
SIDE SETBACK SOUTH (FEET)	16'10"	12	16'10"	MEETS OR EXCEEDS REQUIREMENT



PUD Development Program, Section 5:80(4)(d)

**QUESTION 8:** LIST ANY MODIFICATIONS OF THE CITY CODE THAT ARE REQUESTED; PROVIDE JUSTIFICATION FOR EACH MODIFICATION

ITEM	EXISTING CONDITIONS	REQUIRED BY ZONING	PROPOSED	NOTES
REAR SETBACK (FEET)	61	30	40'7"	MEETS OR EXCEEDS REQUIREMENT
CONFLICTING LAND USE BUFFER	0' – 3'	15'	2' – 3'	SEE EXPLANATION
MINIMUM USABLE OPEN SPACE	2954 SF – 34.7%	3404 SF – 40%	2563 SF – 25.7%	SEE EXPLANATION
ACTIVE OPEN SPACE/DWELLING	267 SF	1200 SF	1012 SF	SEE EXPLANATION
DRIVEWAY WIDTH (FEET)	8'	18'	10'6"	SEE EXPLANATION
PARKING SPACES	10	6	6	MEETS OR EXCEEDS REQUIREMENT
BICYCLE PARKING	5	1	24	SEE EXPLANATION
TREE MITIGATION	NO TREES	??	NONE?	SEE EXPLANATION
OUTDOOR TRASH STORAGE	ALONG DRIVE	COVERED	COVERED	MEETS OR EXCEEDS REQUIREMENT
STORMWATER MANAGEMENT				SEE EXPLANATION

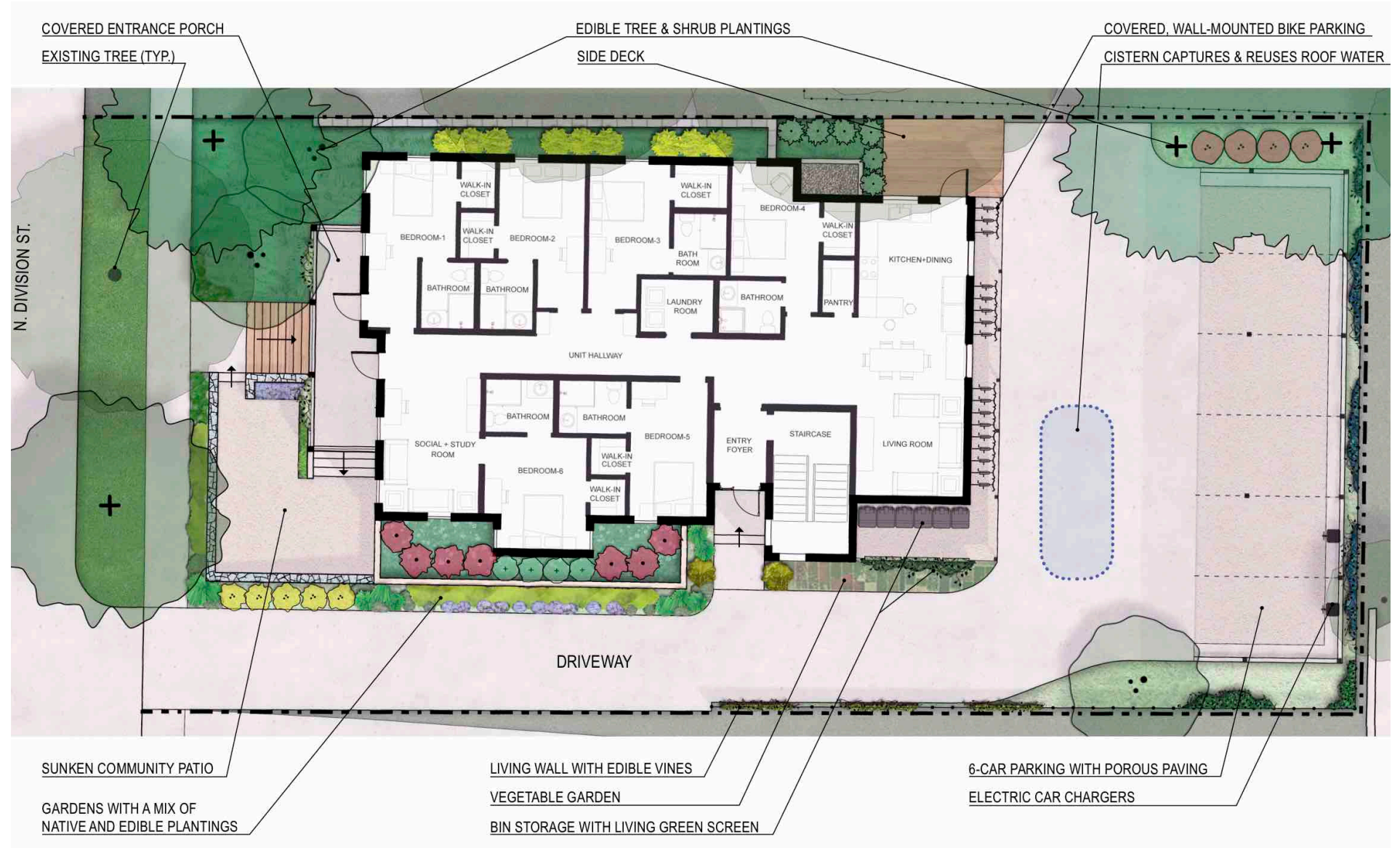


## LANDSCAPE PLAN – GROUND LEVEL

Per the Living Building Challenge (LBC) process, all plantings must be native, creating habitat for animals such as birds and insects, with a percentage that also creates food for the human occupants.

Beauty and biophilia make up two of the LBC “imperatives”, and this landscape plan has been designed to reach those goals on a tight site as well.

The building will have covered vertical bike storage for every occupant, a covered refuse collection station and a crushed granite water infiltration area under the carport, the only area of the site shown to infiltrate water.

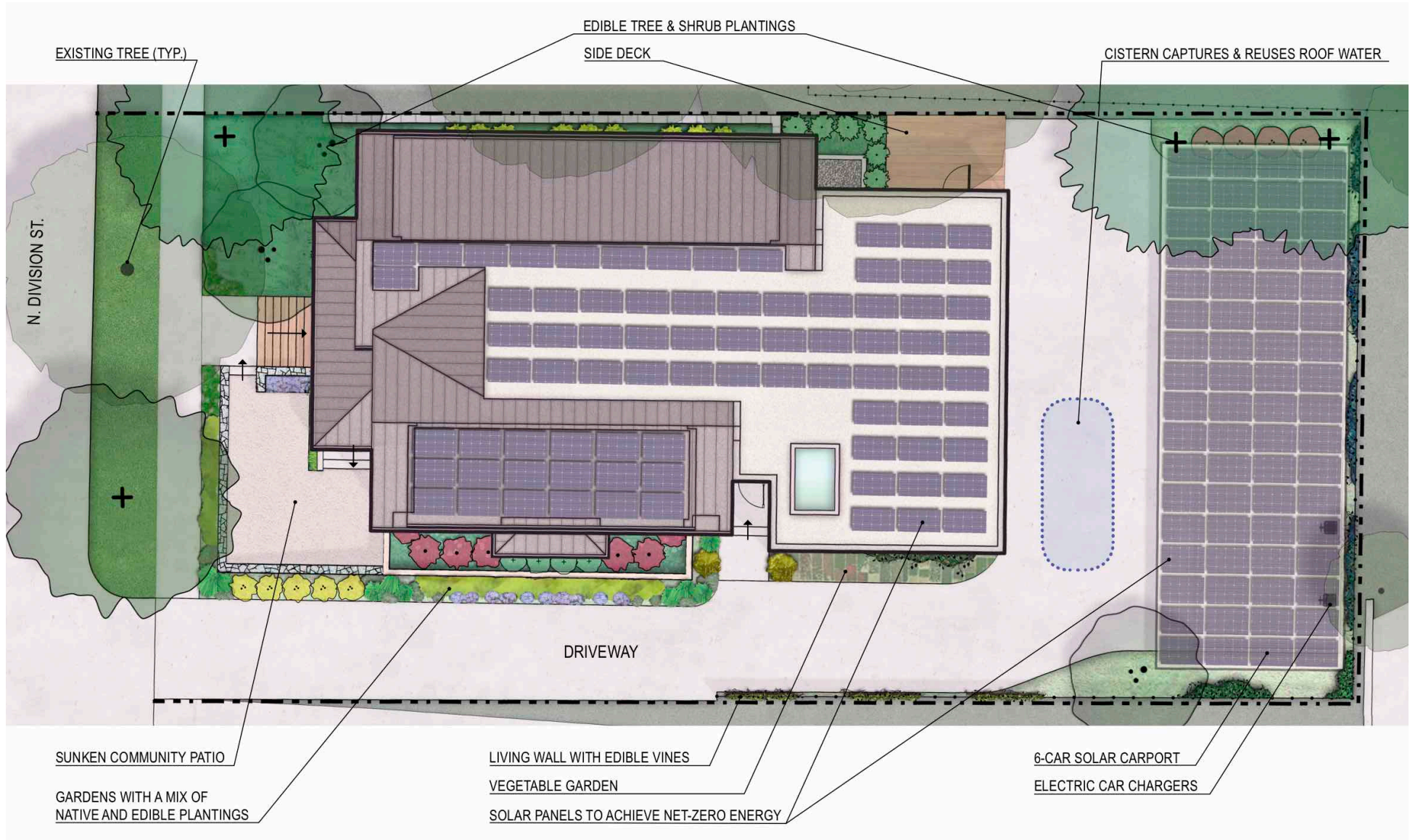




## LANDSCAPE PLAN – ROOF LEVEL

Achieving Living Building Challenge full certification means that at least 105% of the building's energy needs are made on-site. Also designed to be a certified Passive House, the building will be net-positive energy.

The project has also been designed to create outside living areas for the occupants to enjoy. A patio in the back create a private gathering space, while the front sunken patio activates the street and creates active open space, intended to be a gathering spot and place of respite on a nice day.





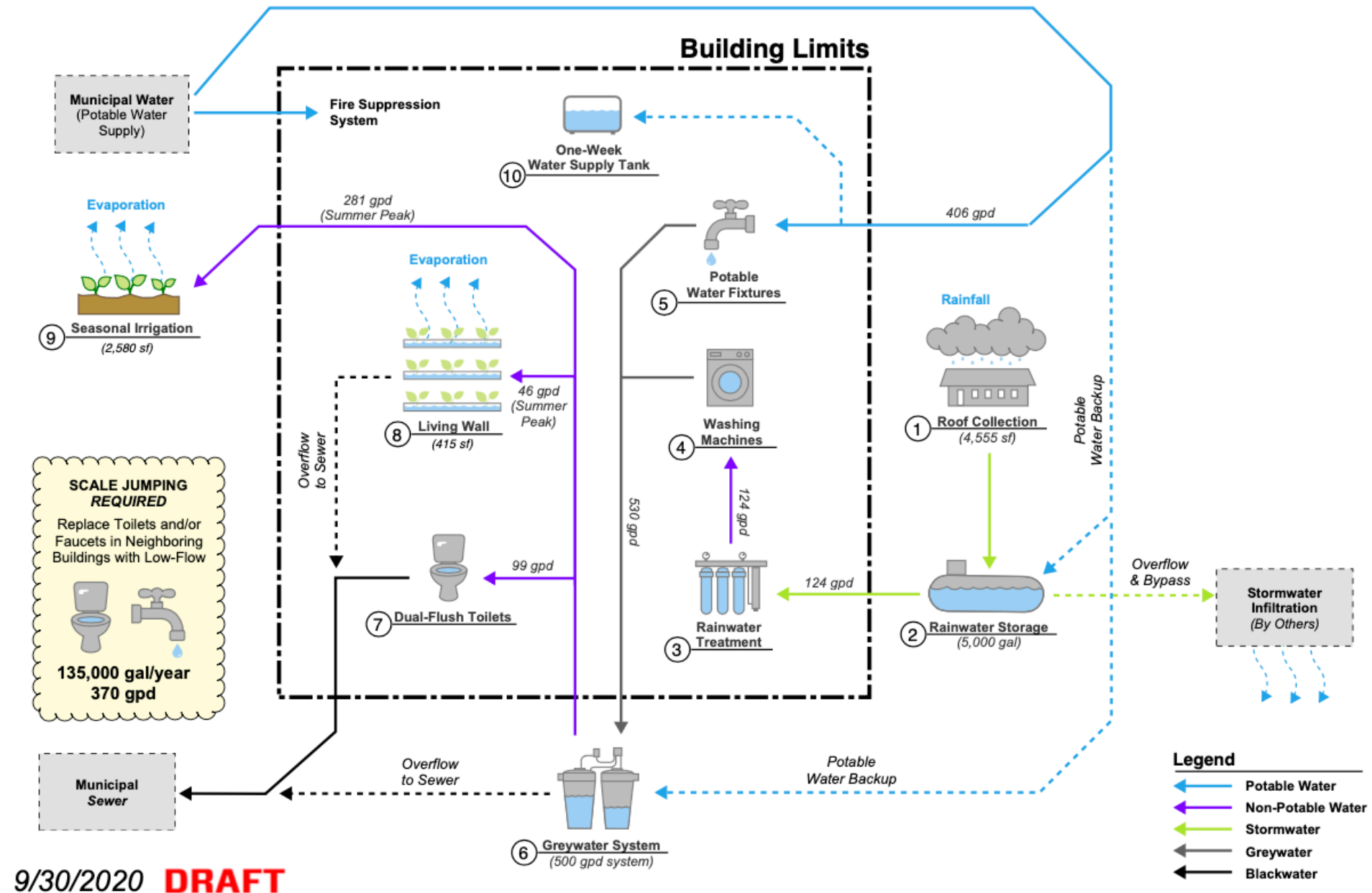
## WATER COLLECTION AND RE-USE PLAN

The Living Building Challenge program also calls for buildings to be “zero water”, meaning no municipal water source is needed to operate the building.

Although it is technically feasible for this building to collect, filter and re-use all the water needed, this is still illegal in the City of Ann Arbor.

To get to zero water, this project will re-use rainwater from roof collection into a cistern – storing, treating and using for toilet flushing, laundry and site irrigation.

After re-using the water we legally can, the plan calls for “Scale Jumping,” retro-fitting other buildings with low flow fixtures to offset 135,000 gallons of water.





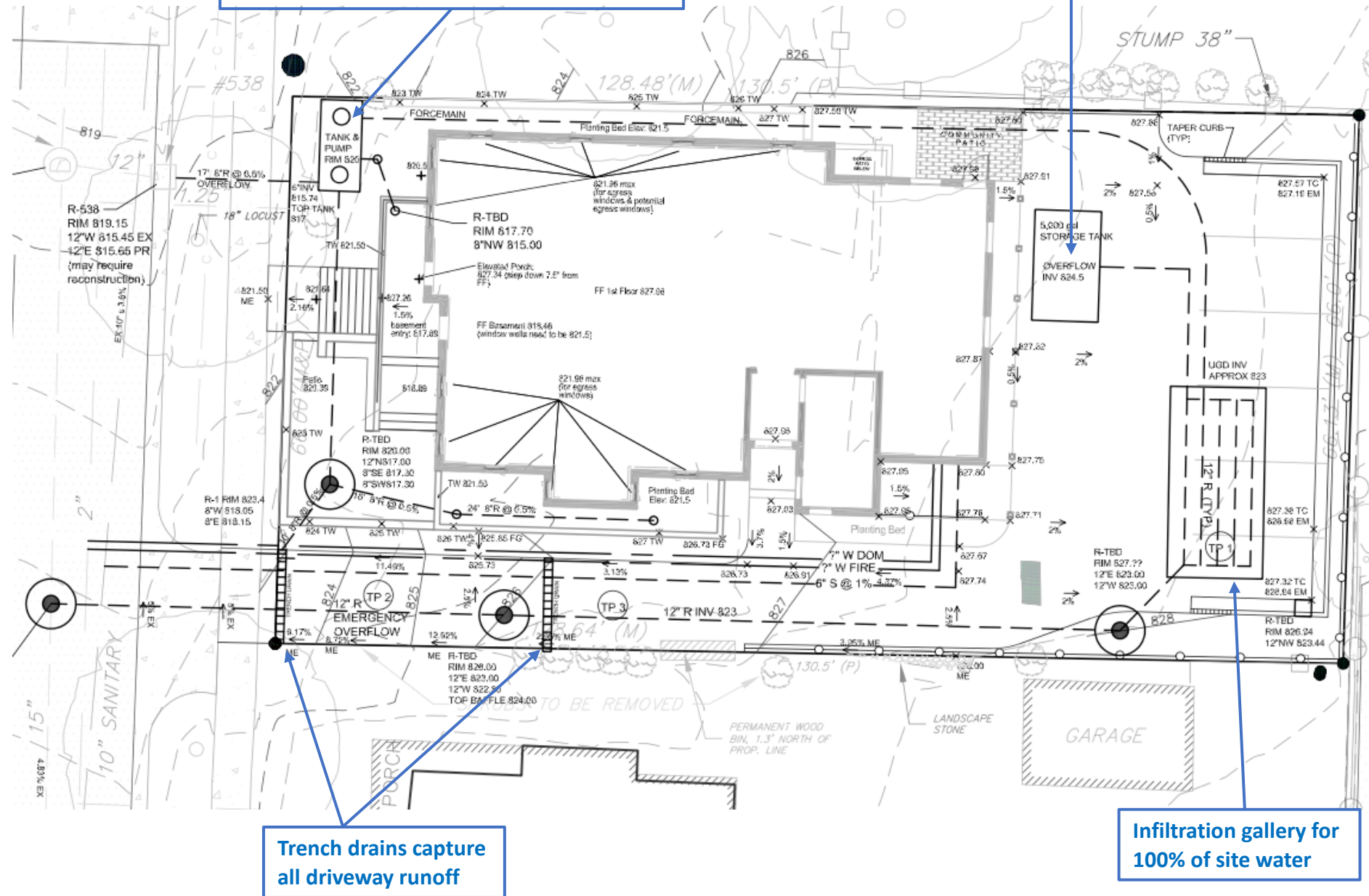
## STORMWATER PLAN

The goal for both the Living Building Challenge and the City of Ann Arbor is to greatly reduce or eliminate stormwater runoff from the site.

The Living Building Challenge calls for runoff to be no greater than pre-development levels, and no water from driveways or parking lots can leave the site if untreated.

For this reason, we will be intercepting 100% of the stormwater runoff from the site, to be collected and pumped to an infiltration gallery at the rear parking area of the property, the only area of the property that has perc-able soils.

The rainwater that falls on the roof will be collected and directed to a cistern in the back of the property, to be treated and used for toilet flushing, laundry and irrigation.





## USABLE OUTDOOR OPEN SPACE AND ACTIVE OUTDOOR OPEN SPACE

The usable open space, defined as open space not dedicated to driveways and parking, does not currently meet the requirement of 40% open space.

While we have tried to maximize outdoor living areas on this tight site and create areas that serve double-duty as drive aisle and outdoor patio space, the best we are able to achieve is 25.7% adhering to these strict definitions.

This project does however activate both the front and the back of the property for outdoor use however, using creative strategies for outdoor gathering areas, such as the sunken patio in front and the enclosed patio area in back. Each unit has a balcony, porch or other outdoor area.

This outdoor active space, is required by R4C zoning to be 300 square feet per unit, 1200 SF total. While this project would increase the current outdoor active space (267 SF) by 379% to 1012 SF, it falls just short of the overall goal.

Since the front sunken patio is intended to be for use by all occupants, the project meets the per unit outdoor active space requirements.

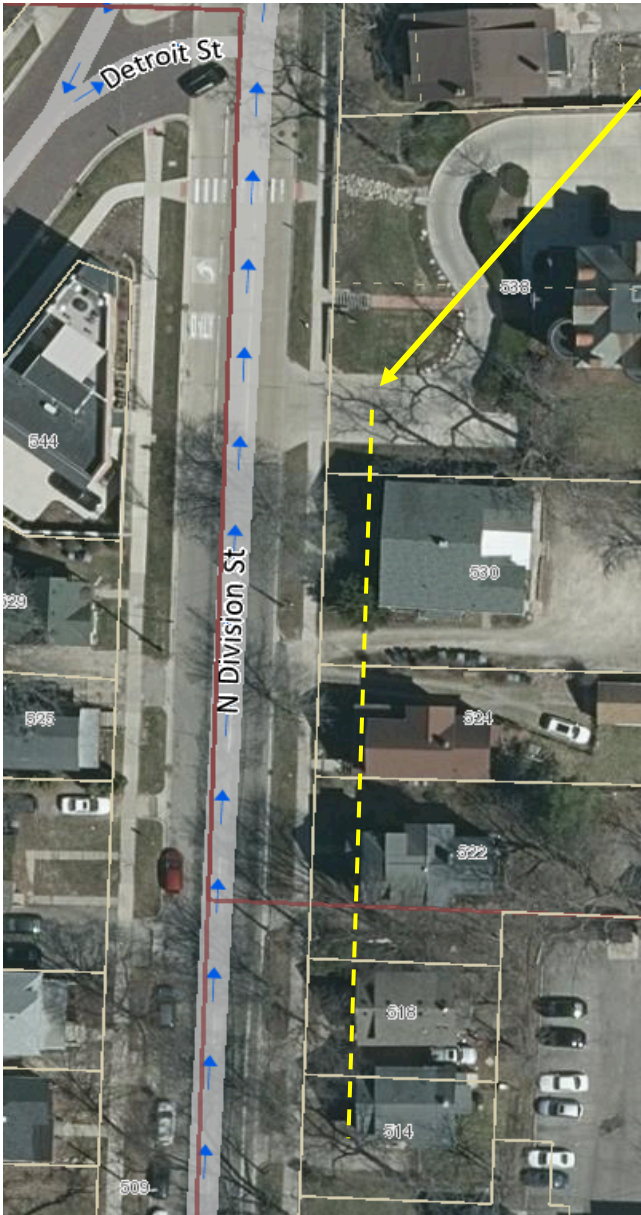






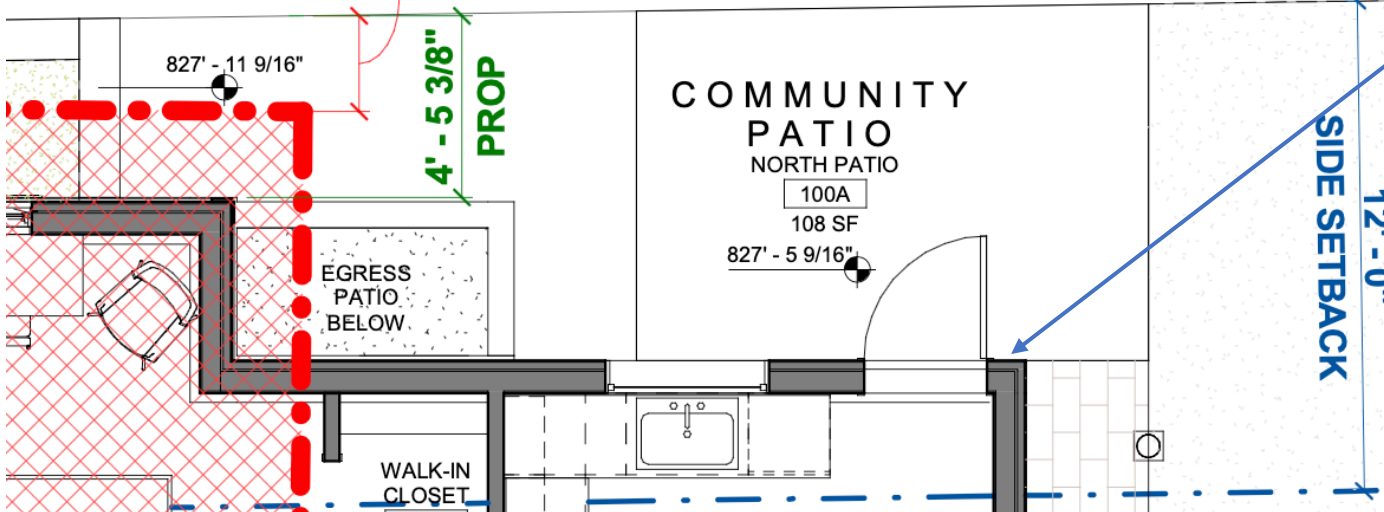
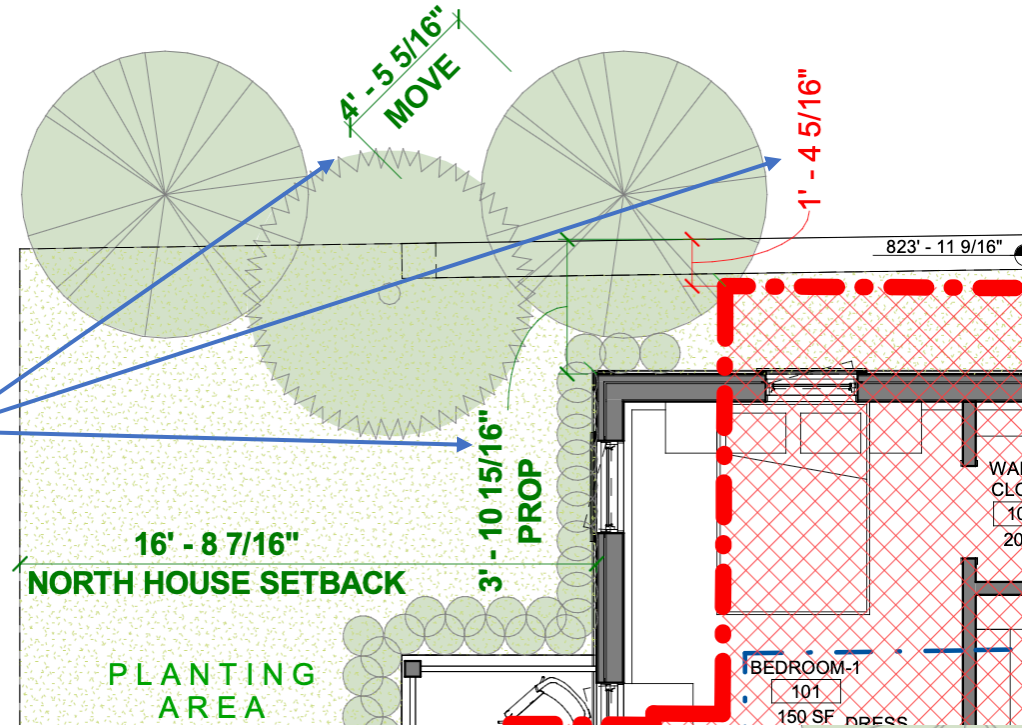


LOT SETBACKS



YELLOW LINE INDICATES THE EXTENT OF THE FORWARD MOVEMENT OF THE HOUSE

MEASURES INDICATE THE EXTENT OF BUILDING PLACEMENT CHANGES



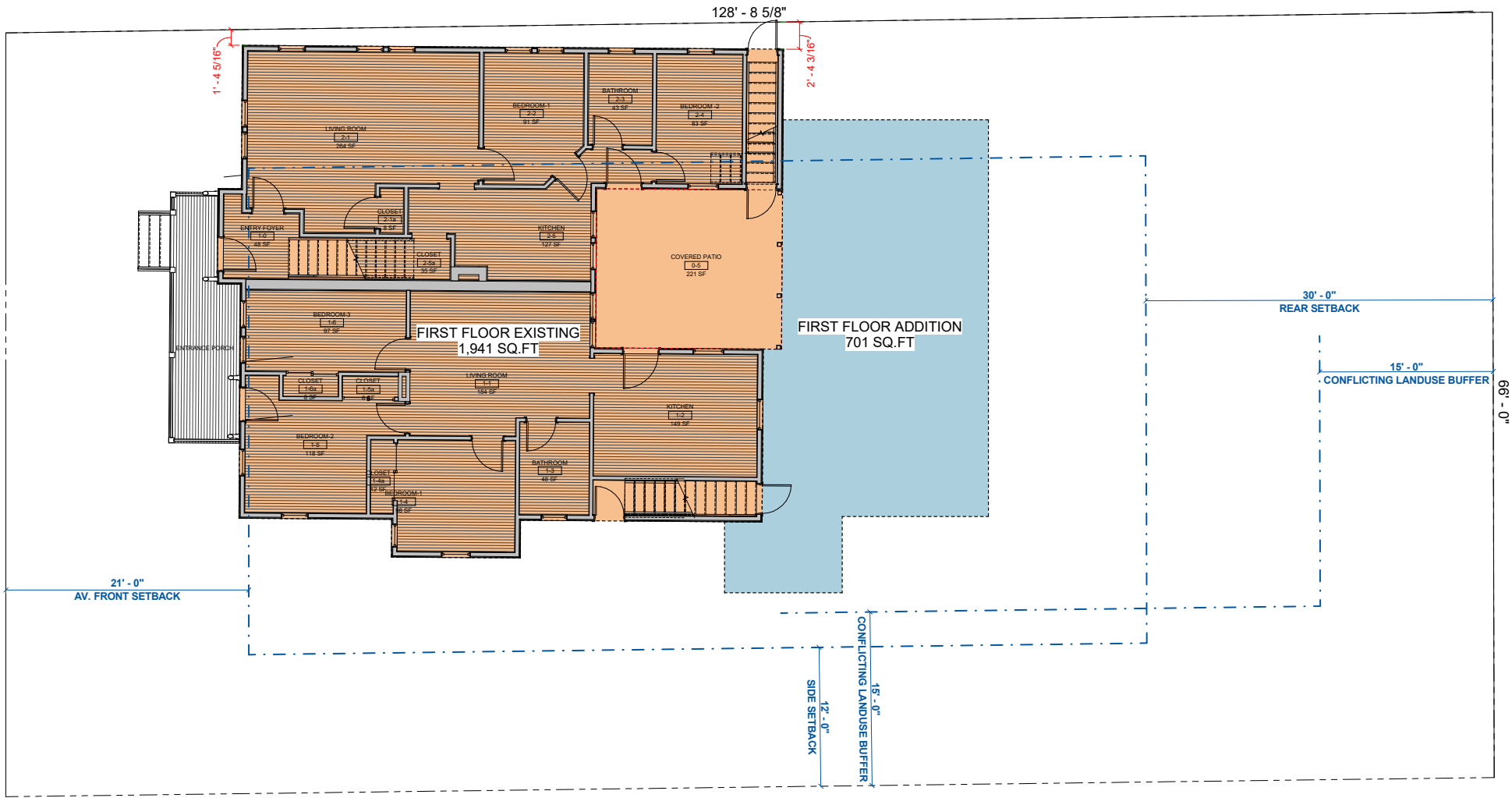
PROPOSE ENCROACHMENT OF 3'4" INTO NORTH SETBACK FOR ADDITION DUE TO EXTRA EQUIPMENT NEEDED IN MECHANICAL ROOM FOR A ZERO ENERGY, ZERO WATER BUILDING. STILL 8'8" FROM PROPERTY LINE.

# ADDED SQUARE FEET

The Orange outline is the area currently under a roof on the existing building.

The blue area is the added square footage on the lot. We are proposing adding 36% of new footprint to the existing building.

The new total building footprint would cover 31% of the total lot area, while the carport adds and additional 10% to the total lot area under a roof.



EXISTING GROSS FLOOR AREA = 1,720 SQ.FT  
EXISTING COVERED PATIO = 221 SQ.FT  
NEW GROSS FLOOR AREA = 701 SQ.FT

Existing First Floor Plan  
530N DIVISION MULTI-FAMILY PROJECT  
530N DIVISION ST, ANN ARBOR, MI 48109  
09/14/2020  
LAS #10968-00





# EXPLANATION – CONFLICTING LAND USE BUFFER

The east and south property lines are subjected to the conflicting land use buffer requirements; however the north property line abuts an existing PUD and thus no buffer would be required.

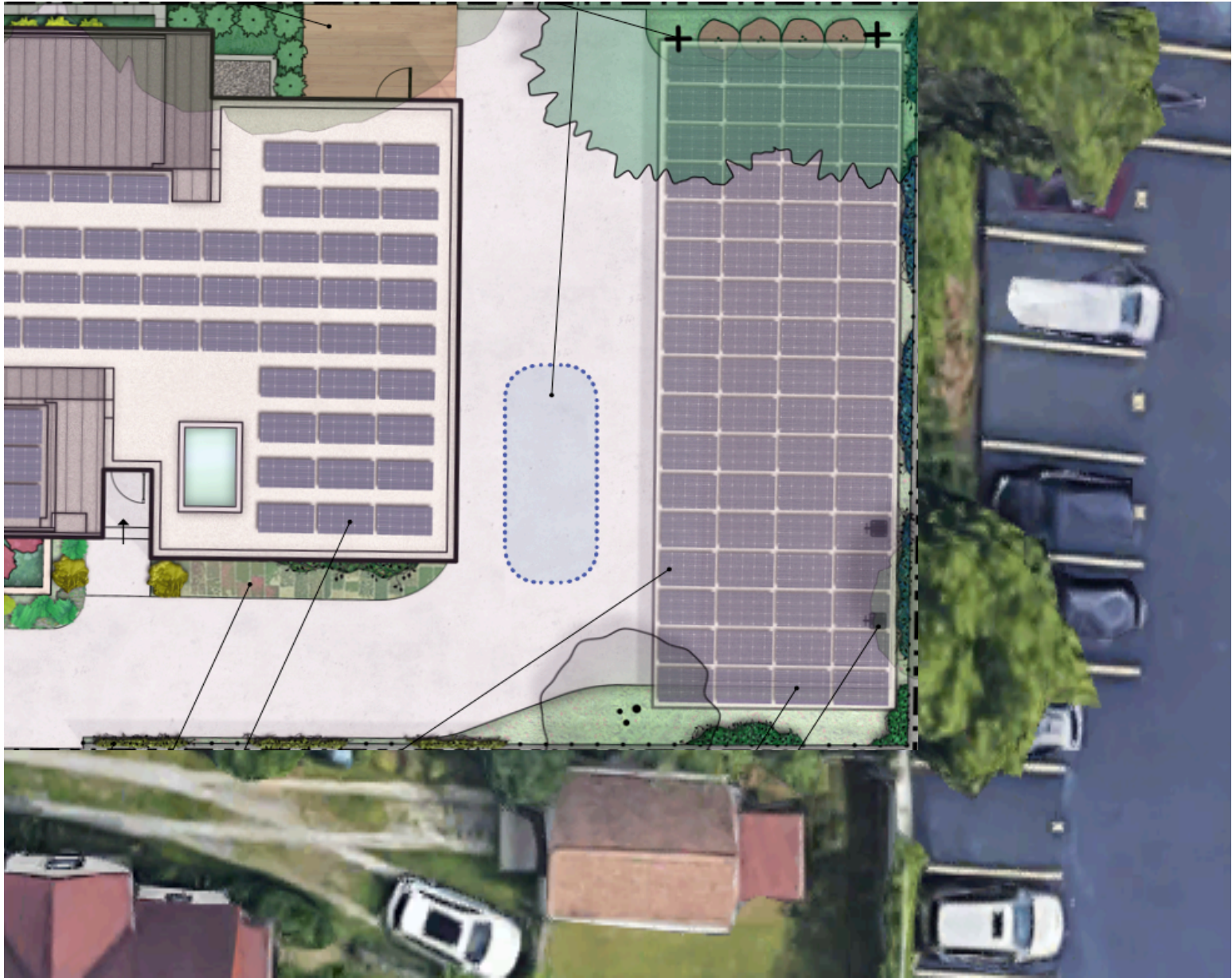
The existing east property line abuts an asphalt parking lot and currently has no buffer. Our plan would make a living wall in the back of the new carport to create a "green screen" of vegetation.

The South property line is currently the ingress and egress for the property. It would not be possible to have a 15-foot land use buffer now or in the future if cars were to be able to park on the property.

Our goal is to move the driveway over to the south property line at the same elevation as the driveway for the property directly to the south until the driveway bifurcates, approximately at the side entry to the building.

While creating a better driveway than currently exists and taking advantage of the existing shared approach, we also would create a living wall 6' high along the south property line after the driveway bifurcates.

This Green Screen would afford the adjacent properties a 6' vertical plant buffer that is 2 to 3' wide





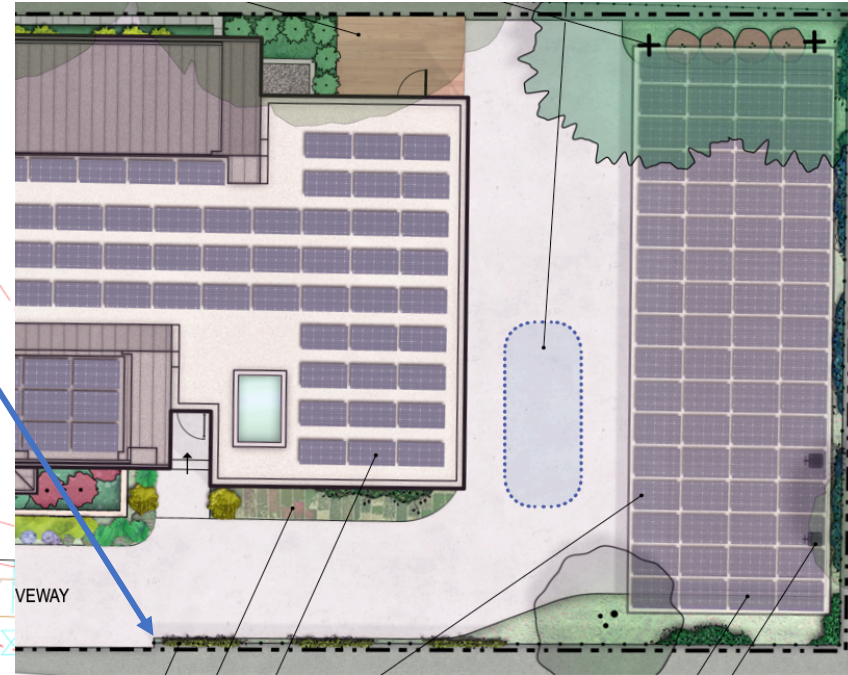
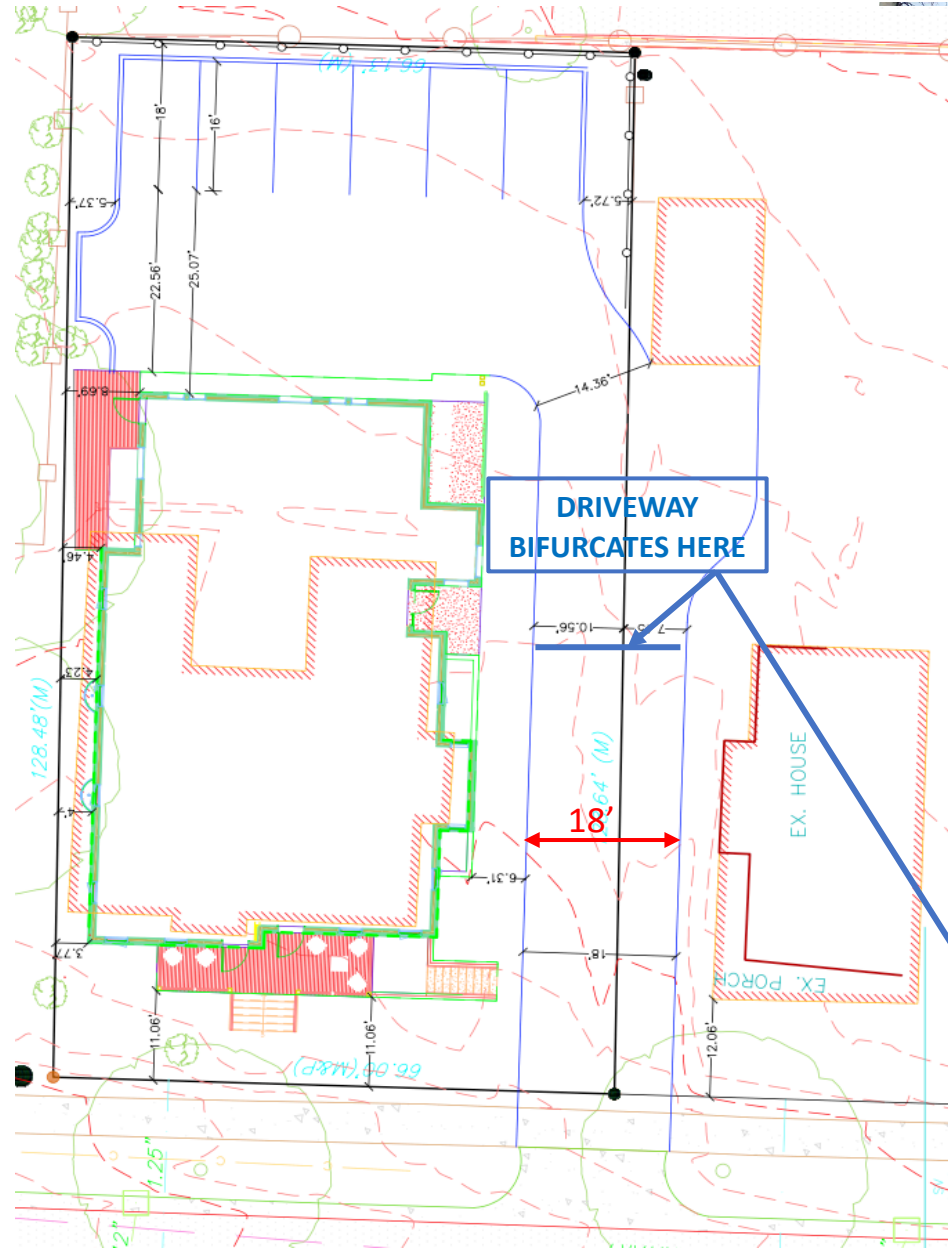
## DRIVEWAY WIDTH

The code for multi-family buildings calls for an 18' driveway aisle, no matter if the building is 3 units or 50 units. For this project, it is highly impractical to have an 18' driveway for 6 total parking spaces.

This property currently shares a street approach with the neighbor to the south, who's driveway is encroaching on the subject property, see photo at right.

For this project, we are proposing that we match the current grade of the driveway to the south, creating a total of 18' wide, while keeping and improving the current shared approach, and allowing easy access to both properties.

The driveway would bifurcate after the egress window wells along the driveway on the subject property, creating a living green buffer separating the properties at the car parking and garage areas for the property to the south. We would invariably be intercepting and infiltrating some of the runoff from the property to the south, a benefit of this approach.





## TREES IMPACTED BY THE PROJECT

There are 3 trees that are potentially impacted by the project of a size and species that are regulated by the City of Ann Arbor.

Two walnut trees are on the neighboring property to the north. The subject property however had a foundation replacement in 1999 that had a 4-foot overdig and was subsequently backfilled with sand.

We believe given the prior work on the property and the placement of the house further to the south of where it is currently located, neither of these tree's critical root zones will be impacted by the project.

There is an 18" locust tree in the city-owned extension on the front. It is likely that there will be some small amount of landscape work that will impact a wedge of this tree's critical root zone. It is our intent to keep this tree healthy for the duration of the project. We do not intend to replace the concrete sidewalks or dig in the area of this tree's root zone unless required by the city utilities.



## RESIDENT PARTICIPATION MEETINGS

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The project team met several times with the Old Fourth Ward Neighborhood Association during the conceptual and planning stages of this project. Members of the association spoke on behalf of the project and the property owner at various Historic District Commission meetings and the Neighborhood Association has written in support of this project, which they believe will enhance the neighborhood.

On May 7<sup>th</sup>, the property owner gave the Resident Participation meeting online due to the COVID shutdown. Previously scheduled for March 17<sup>th</sup> as an in-person meeting, this was cancelled due to the shutdown, and the postcards were re-printed and mailed to 1031 addresses within a 1000-foot radius.

At the online meeting, there were 142 sign-ups and 81 live attendees. 27 attendees rated the meeting afterward, giving an average of 4.8 out of 5 for the presentation. All those who signed up received an email with a summary of the presentation and a link to view the presentation on YouTube.

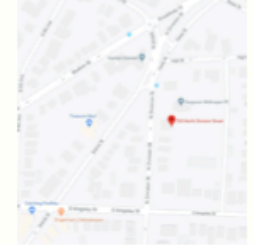
For all the neighbors who have provided feedback, all but one have been overwhelmingly supportive of the project. The neighbor who owns the rental house directly to the south, however, has stated that he is not in favor of the project and has sent a letter highlighting his concerns, which is available upon request. Those concerns are primarily objections to the increase in density and lack of parking for cars, as well as concerns about maintenance of the property and loss of habitat for animals as well as nuisance animal control.

## RESIDENT PARTICIPATION MEETING!

A PUBLIC MEETING IS BEING HELD BY ONLINE - Green Homes Institute  
FOR A PROJECT AT 530 North Division Street, Ann Arbor

This project at 530 N. Division is intended to rezone the property to a PUD with site plan approval for rebuilding and adding onto the existing house. This property is currently and will remain a 4-unit apartment house. The project will include a new roofline for the existing house and adding 28% to the current footprint. It is a gut-rebuild that will become one of the most sustainable homes in the world.

This ONLINE WEBINAR will be presented by Doug Selby of Meadowlark Design + Build. Any questions or issues can be addressed by contacting Doug at [doug@HomeWithMeadowlark.com](mailto:doug@HomeWithMeadowlark.com) or 734-332-1500.



### MEETING INFORMATION

Date: May 7th, 2020

Time: 4:30 pm

Place: This is an ONLINE meeting, 1 hour + Q&A Period

Register at <https://virtualtownhalllivingbuilding.eventbrite.com>

Accommodations for individuals with disabilities can be arranged by contacting:

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In accordance with the City of Ann Arbor's Citizen Participation Ordinance, the Developer for the above project is notifying residents and property owners within 1,000 feet of the above address. If this project is placed on an agenda for the City Planning Commission, the City of Ann Arbor will notice residents and property owners within 300 ft. of the above address. If you would like to be notified if this project is placed on a City Planning Commission agenda, please contact City of Ann Arbor Planning Services at 734-794-6265 or [planning@a2gov.org](mailto:planning@a2gov.org).