

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of October 19, 2010

**SUBJECT: University Bank PUD Supplemental Regulations and PUD Site Plan (2015 Washtenaw Avenue)
File No. Z09-028 & SP09-029**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the University Bank Planned Unit Development (PUD) Supplemental Regulations and Site Plan.

STAFF RECOMMENDATION

Staff recommends **denial** of the proposed PUD supplemental regulations, because the proposed revisions to the occupancy and parking do not provide an overall beneficial effect for the City.

Staff recommends **denial** of the proposed PUD site plan (dated August 11, 2010) because the proposed plan impacts both landmark and woodland trees and does not limit impacts to natural features to the minimum necessary to make a reasonable use of the land, as required by the review criteria of Chapter 57, Section 5:129.

LOCATION

The site is located north of Washtenaw Avenue and west of Devonshire Road (Northeast Area and Malletts Creek Watershed).

DESCRIPTION OF PETITION

The petitioner is proposing to revise the PUD zoning district to increase the allowable number of employees on this bank site from 50 to 59 and construct 14 additional employee and customer parking spaces in a new lot on the east side of the building, for a new total of 53 on-site spaces. The current PUD, approved in 1978, allowed 39 parking spaces to support approximately 9,400 square feet of office space, one 1,119-square foot dwelling, and 571 square feet of storage. Since no supplemental regulations were required as part of this PUD approval in 1978, this petition includes proposed supplemental regulations as part of the request.

The proposed location of the new parking lot contains a mid-level concern urban woodland. Construction will remove 17 landmark and woodland trees. A total of 211 inches of mitigation trees is proposed to be planted throughout the site. A 15-foot conflicting land use buffer is proposed along the east side of parking lot to screen from the adjacent residences. The natural features alternatives analysis is attached.

To comply with storm water detention requirements, a new storm water basin will be created in the in the front lawn area of this site. New bicycle parking spaces will be installed at the southeast corner of the bank building. A traffic impact study was submitted (attached).

The petitioner held a neighborhood meeting on May 28, 2009, consistent with the Citizen Participation Ordinance requirements. The petitioner's summary of this meeting is attached.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Single-Family Residential	R1B (Single-Family Dwelling District)
EAST	Single-Family Residential	R1B
SOUTH	Single-Family Residential and Religious Uses	R1B
WEST	Single-Family Residential	R1B

COMPARISON CHART

	EXISTING	PROPOSED	1978 APPROVED PUD SITE PLAN REQUIRED/PERMITTED	PROPOSED PUD SUPPLEMENTAL REGULATIONS REQUIRED/PERMITTED
Zoning	PUD	PUD	PUD	PUD
Gross Lot Area	91,500 sq ft (2.1 acres)	91,500 sq ft (2.1 acres)	91,500 sq ft MIN (2.1 acres)	91,500 sq ft MIN (2.1 acres)
Open Space	Not applicable	Not applicable	Not applicable	Not applicable
Floor Area in Percentage of Lot Area	11.1%	11.1%	11.1% MAX	11.1% MAX
Setback – Front (Washtenaw)	320 ft to building 250 ft to parking	320 ft	320 ft MIN	250 ft MIN - Washtenaw
Setback – Side(s)	60 ft - west 45 ft - east	60 ft – west 45 ft - east	60 ft – west MIN 45 ft – east MIN	30 ft MIN
Setback – Rear	140 ft	140 ft	140 ft MIN	50 ft MIN
Height	3 stories	3 stories	30 ft (3 stories) MAX	3 stories MAX
Parking – Automobile	39 spaces	53 spaces	39 spaces MIN/MAX	53 spaces MIN
Parking – Bicycle	None	5 spaces – Class A	None	5 spaces MIN – Class C

HISTORY

The Hoover Mansion was constructed in 1918. This site was zoned PUD (Planned Unit Development District) in 1978 by Domino's Pizza for business office purposes limited to no more than 50 employees. One dwelling unit for a caretaker was also permitted. In 1982, a proposal was submitted to expand the Hoover Mansion PUD to include the existing carriage house located at 2013 Washtenaw Avenue. The carriage house was proposed to be used as a daycare center, office space and support services, and construction of an additional 15 parking spaces also was proposed. Planning Commission recommended denial of this proposal and it was withdrawn by the petitioner before going to City Council.

This site included in the Individual Historic Properties District. The district was subsequently deemed invalid by the courts.

This PUD proposal was presented to the City Planning Commission for a pre-petition conference at its March 10, 2009 working session.

PLANNING BACKGROUND

The Master Plan: Land Use Element recommends mixed uses for this site.

PUD STANDARDS FOR APPROVAL

According to Section 5:30(6) of the Zoning Ordinance, the Commission shall recommend approval, approval with conditions, or denial, and City Council shall approve or deny the proposed PUD zoning district based on the following standards (petitioner's responses in regular type, staff responses in *italic type*):

- (a) The use or uses, physical characteristics, design features, or amenities proposed shall have a beneficial effect for the City, in terms of public health, safety, welfare, aesthetics, or convenience, or any combination thereof, on present and potential surrounding land uses.**

Use of European pavers provide an environmentally friendly parking surface as well as promote better drainage for the site as well as adjacent residential parcels. European pavers are designed to allow water to flow through the parking surface. Water will be diverted to the front of the site via proposed storm drains. The proposed site for the parking lot slopes dramatically toward neighboring parcels. The proposed parking area and storm water system will divert water away from these areas.

The original PUD allowed for the adaptive re-use and preservation of an unusual, and difficult to use building. Operation of the bank also prevented the potential conversion of the property to other uses which might be less compatible with the existing neighborhood fabric. This amendment to the PUD seeks to continue these advantages and not impact the existing structure.

This site is no longer listed as an individual historic district. The proposed amended PUD will ensure the survival of the existing building onsite. There are no proposed additions to the buildings, thus maintaining the existing character of the street elevations and the site as a whole.

- (b) This beneficial effect for the City shall be one which could not be achieved under any other zoning classification and shall be one which is not required to be provided under any existing standard, regulation or ordinance of any local, state or federal agency.**

An increase in parking allows for job opportunities within the city due to an increase in employees at the bank. Increasing the number of employees on site from 49 to 59 would create the potential for 10 additional jobs within the city. The increase would require additional employee and customer parking. The current PUD only allows for 49 employees at the site and

has parking available for only 39.

By increasing the number of allowable employees as well as the availability of parking on the site the petitioner will be able to remain on the site and continue its stewardship of the property.

The site is already zoned PUD. The size of the structure lessens the likelihood that it would be used solely as a single-family residence. Other permitted special exception uses in the single-family zoning districts, such as churches, child care centers, or group day care homes would tend to generate more traffic and parking demand on a daily basis.

(c) The use or uses proposed shall not have a detrimental effect on public utilities or surrounding properties.

No public utilities are impacted.

The bank recognizes that spillover parking to nearby residential streets could potentially impact surrounding properties. The petitioner contacted the synagogue across Washtenaw Avenue and was unable to secure shared parking. However, the spillover impact would be limited, since parking is no longer permitted along Devonshire without proper permits during the weekday from 8-5 pm; Tuomy Street does not allow parking Monday-Friday; and Austin Street allows weekday parking on one side of the street only.

(d) The use or uses proposed shall be consistent with the Master Plan and policies adopted by the City or the petitioner shall provide adequate justification for departures from the approved plans and policies.

The original PUD conforms to the City's Master Plan, as do the proposed amendments. The Master Plan: Land Use Element recommends mixed uses for this site.

(e) If the proposed district allows residential uses, the residential density proposed shall be consistent with the Master Plan and policies adopted by the City or the underlying zoning when the master plan does not contain a residential density recommendation, unless additional density has been proposed in order to provide affordable housing for lower income households in the following manner:

Proposed PUD projects exceeding the residential density recommendation of the master plan, or the underlying zoning when the master plan does not contain a residential density recommendation, by up to 25 percent shall provide 10 percent of the total dwelling units as dwelling units affordable to lower income house holds. Proposed PUD projects exceeding the residential density recommendation of the master plan or the underlying zoning when the master plan does not contain a residential density recommendation, by over 25 percent shall provide 15 percent of the total dwelling units as dwelling units affordable to lower income households.

Provisions to implement the affordable housing proposal shall be included in the PUD supplemental regulations or the development agreement, or both, as determined by the City.

Because no density increase is requested, this request does not apply.

(f) The supplemental regulations shall include analysis and justification sufficient to

determine what the purported benefit is, how the special benefit will be provided, and performance standards by which the special benefit will be evaluated.

See attached supplemental regulations.

Based on the public benefits articulated by the petitioner, staff finds the beneficial effects of the of this PUD proposal for the City to be preserving the office use of the historic building and providing storm water detention facilities for the site. However, these benefits are countered by the negative impacts of the proposed parking lot on natural features (see item [h] below).

(g) Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the district shall be provided and, where feasible, the proposal shall encourage and support the use of alternative methods of transportation.

Increased on-site parking will eliminate the need to park on the access drive and surrounding residential streets. Vehicular and pedestrian circulation will remain relatively the same as under the current PUD.

See Item (c) above regarding spillover parking on neighborhood streets.

Per the Traffic Impact Report, the bank is a walk-up bank use, with no drive-through teller windows or automatic teller machine vehicle lanes provided. The petitioner indicates the site should full under bank use parking requirement of a minimum of 43 spaces and a maximum of 52 spaces. It has been staff's observation that the bank is primarily used as a headquarters office, with occasional customer visits. Under the office use parking requirements, a 9,400-square foot office would require a minimum of 28 parking spaces and a maximum of 38 parking spaces for general office use. This seems consistent with the current operation, since the parking lot has only been observed to be full during annual auditor visits.

The petitioner has not provided a connecting sidewalk from the public sidewalk to the front entrance, as requested by Parks staff.

(h) Disturbance of existing natural features, historical features and historically significant architectural features of the district shall be limited to the minimum necessary to allow a reasonable use of the land and the benefit to the community shall be substantially greater than any negative impacts.

The proposed parking expansion has been since reduced to avoid all but 2 landmark trees and almost all of the woodland area. Calculations for tree mitigation are included in the current plan.

The petitioner has provided an alternative analysis that would avoid all natural features impacts, therefore staff does not believe this standard has been met. See the Land Development comments, below.

(i) List any modifications of the City Code that are requested; provide justification for each modification.

No modifications are requested.

DEPARTMENT COMMENTS PENDING OR UNRESOLVED

Malletts Creek Coordinating Committee - The committee met on December 9, 2009 and made two recommendations: 1) detention should be placed under the parking lot; and 2) the parking lot should not impact natural features.

Parks - As the building is open to customers, they should not be made to walk down the driveway to access the front entrance. Please provide a pedestrian walk as was requested in previous comments.

Land Development – The natural features alternative analysis shows 24 parking spaces located along the north side of the entrance drive between Washtenaw Avenue and the bank building. This alternative shows a layout that realistically preserves all of the landmark and woodland trees and reduces the total amount of impervious surface necessary to install the parking. The proposed plan (not the alternative) therefore has not justified that the natural features impact is limited to the minimum necessary, as required by the review criteria of Chapter 57, Section 5:129, as the proposed plan removes 17 regulated landmark/woodland trees. Staff cannot support the proposed parking layout with respect to natural features impacts, as the alternative design reduces impacts to a minimum.

The soil types are Miami Loam and allows for moderate storm water infiltration. The proposed drainage will not have an adverse impact on surrounding neighbors.

Planning –The petitioner held a neighborhood meeting on Thursday, May 28, 2009 (attached), to discuss the proposed parking expansion. The original proposal called for 24 spaces, and the petitioner has since reduced the proposal to 14 spaces. Planning requested the petitioner hold another public meeting since the previous meeting was held more than a year ago. The petitioner indicates another notification was sent to the neighbors recently and no feedback or concerns have been received to date.

The petitioner also submitted a letter from the Beth Israel Congregation, located south of the bank, requesting shared parking (attached). This request was denied due to security and congregation scheduling during weekdays.

The petitioner has indicated parking cannot be placed on the driveway, as shown for the natural features alternatives analysis, due to the following reasons; 1) it causes a nuisance to the two houses accessing their driveway off the main entrance drive; 2) cars parked along the drive makes it difficult for service and delivery trucks to access the site; 3) cars parked on the driveway make access from Washtenaw difficult due to the sharp bend at the drive entrance; and 4) hidden parking from the street view allows the bank building to better blend in with the surrounding neighborhood. Planning staff believes these issues can be addressed by refining the design to provide for parallel parking along a limited portion of the driveway near the building.

Prepared by Chris Cheng
Reviewed by Wendy Rampson
mg/10/11/10

Attachments: Zoning/Parcel Maps
Aerial Photo
Proposed Supplemental Regulations

PUD Site Plan
Natural Features Alternative Analysis
Traffic Impact Study Summary
Synagogue Parking Request Letter
5/28/09 Citizen Participation Meeting Summary

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City Attorney
Project Management
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