

ORDINANCE NO. ORD-20-28

First Reading: September 21, 2020 Approved:
Public Hearing: October 19, 2020 Published:
Effective:

VERIDIAN AT COUNTY FARM PUD ZONING
(2270 PLATT ROAD)

AN ORDINANCE TO AMEND THE ZONING MAP, BEING A PART OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. THE ZONING MAP, which, by Section 5:4 of Chapter 55 of Title V of the Code of the City of Ann Arbor is made a part of said Chapter 55, shall be so amended as to designate the zoning classification of property described as follows:

PART OF THE NORTHEAST FRACTIONAL 1/4 OF SECTION 3, T3S, R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, THE ENTIRE PROPERTY BEING DESCRIBED AS: BEGINNING AT THE EAST 1/4 CORNER OF SAID SECTION 3; THENCE S 89°56'30" W 740.00 FEET ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION 3, SAID LINE ALSO BEING THE NORTH LINE OF KENSINGTON FARMS NO. 2" AS RECORDED IN LIBER 12 OF PLATS, PAGE 58, WASHTENAW COUNTY RECORDS; THENCE N 00°35'21" E 800.00 FEET; THENCE N 89°56'30" E 740.00 FEET TO A POINT IN THE CENTERLINE OF PLATT ROAD (66 FEET WIDE) ALSO BEING THE EAST LINE OF SAID SECTION 3; THENCE S 00°35'21" W 800.00 FEET TO THE POINT OF BEGINNING. BEING A PART OF THE NORTHEAST FRACTIONAL 1/4 OF SAID SECTION 3 AND CONTAINING 13.59 ACRES OF LAND (12.80 ACRES NET).

in the City of Ann Arbor, Washtenaw County, Michigan as PUD (Planned Unit Development District) in accordance with the attached Veridian at County Farm PUD Supplemental Regulations, which are hereby adopted and incorporated into the Veridian at County Farm PUD zoning ordinance.

Section 2. This ordinance shall take effect and be in force on and after ten days from legal publication.

VERIDIAN AT COUNTY FARM PUD SUPPLEMENTAL REGULATIONS
City of Ann Arbor, Michigan

Section 1: Purpose

It is the purpose of the City Council in adopting these regulations to provide for the comprehensive and coordinated development of a 12.8 acre parcel. Any proposed development will be in a manner that results in an unified arrangement of sustainable and affordable homes and community amenities. These regulations seek to promote exceptional, orderly and best practices for single family homes, multiple-family buildings, retail and office uses, as well as shared indoor and outdoor spaces, in a mixed-income, mixed-use community at this location, integrated into the fabric and character of the City.

Section 2: Applicability

The provisions of these regulations shall apply to the land described as follows:

PART OF THE NORTHEAST FRACTIONAL 1/4 OF SECTION 3, T3S, R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, THE ENTIRE PROPERTY BEING DESCRIBED AS:

BEGINNING AT THE EAST 1/4 CORNER OF SAID SECTION 3;

THENCE S 89°56'30" W 740.00 FEET ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION 3, SAID LINE ALSO BEING THE NORTH LINE OF "KENSINGTON FARMS NO. 2" AS RECORDED IN LIBER 12 OF PLATS, PAGE 58, WASHTENAW COUNTY RECORDS;

THENCE N 00°35'21" E 800.00 FEET;

THENCE N 89°56'30" E 740.00 FEET TO A POINT IN THE CENTERLINE OF PLATT ROAD (66 FEET WIDE) ALSO BEING THE EAST LINE OF SAID SECTION 3;

THENCE S 00°35'21" W 800.00 FEET TO THE POINT OF BEGINNING. BEING A PART OF THE NORTHEAST FRACTIONAL 1/4 OF SAID SECTION 3 AND CONTAINING 13.59 ACRES OF LAND (12.80 ACRES NET).

Further, the provisions of these regulations shall be adopted and incorporated into the Veridian at County Farm Planned Unit Development (PUD) zoning district. These regulations are intended to supplement only those provisions in the City Code that may be modified as a part of a PUD and shall not be construed to replace or modify other provisions or regulations in the City Code.

Section 3: Findings

During the public hearings on this PUD, the Planning Commission and City Council determined that:

- (A) It is desirable to develop the land as a mixed-income, mixed-housing type, sustainable neighborhood.
- (B) The surrounding neighborhoods include an established single-family subdivision tract to the south, a regional commercial corridor to the north, nearby office developments, and a regional county park.
- (C) It is desirable to develop the property in such fashion, developed consistent with the principles identified in a community-driven design process conducted by the Washtenaw

County Board of Commissioners, and in keeping with the overall themes of the eight elements of the City of Ann Arbor Master Plan.

- (D) Limitations placed on the district provided in these Supplemental Regulations will enable and ensure the beneficial effects are realized and maintained, specifically, a development of the desired character in (A) above.
- (E) The creation of this PUD zoning district as described above will allow a unique arrangement of homes and community amenities that are not permitted in any conventional established zoning district but which are reasonable, sustainable, beneficial, and pose no harm, threat or concern to the natural environment, surrounding area, or the City.
- (F) The land described above meets the standards for approval as a Planned Unit Development, and the regulations contained herein do not constitute the granting of special privilege or deprivation of property rights.

Section 4: PUD Regulations

The standards and regulations provided below shall regulate development in the Veridian at County Farm PUD district using the terms, definitions, interpretations and applicability set forth in Chapter 55, Unified Development Code. All of the standards and regulations provided in the UDC shall also apply unless specifically provided in these Supplemental Regulations.

- (A) **District Components.** The Veridian at County Farm PUD District shall be divided into to components, matching the boundaries of the approved Veridian at County Farm North PUD Site Plan and Veridian at County Farm South PUD Site Plan, and as sketched below. The district components shall be referred to as “NORTH” and “SOUTH.”

(Sketch to be inserted)

Unless specifically distinguished, all of these regulations shall apply to both NORTH and SOUTH.

- (B) **Principal Uses.** The permitted principal uses shall be residential dwellings including detached single-family, two-family, multiple-family and townhome (attached single-family).
- (C) **Accessory Uses.** In addition to normal and customary accessory uses for residential dwelling units, and the accessory uses allowed in the R4B district as provided in Table 5.15.2 of Section 5.15 of the Unified Development Code, the permitted accessory uses shall be as follows:
 - 1. Community Center
 - 2. Child Care Center
 - 3. Office, General
 - 4. School, Private
 - 5. Solar Energy, Personal Scale
 - 6. Solar Energy System
 - 7. Additional permitted Accessory Uses for SOUTH:
 - a. Retail Sales, General Merchandise
 - b. Restaurant, Bar, Food Service

- c. Outdoor Sales, Permanent
- d. Personal Services

(D) Area, Height and Placement Standards

1. **District Area.** The PUD zoning district shall be 12.8 acres.
2. **Lot Area.** The PUD district shall include at least 2 lots, matching the boundaries of the approved PUD Site Plans and the district components. Additional legal divisions may be created for phasing, financing or taxing purposes, however such subdivided lots shall not be considered for any zoning purposes. All regulations provided in these PUD Supplemental Regulations shall be applicable to the lot or lots that match the boundaries of the approved PUD Site Plans and district components.
3. **Density and Floor Area**
 - a. **Density** – The maximum density permitted in the district, and each District Component, shall be 16 dwelling units per acre.
 - b. **Floor Area**
 - i. **NORTH:** In addition to the floor area of dwellings, up to 6,000 square feet of floor area is allowed for accessory uses.
 - ii. **SOUTH:** In addition to the floor area of dwellings, up to 24,000 square feet of floor area is allowed for accessory uses.
4. **Setbacks, Building Spacing, and Height**
 - a. **Front** – All buildings and structures shall be set back a minimum of 10 feet from the Platt Road right-of-way.
 - b. **Rear** - All buildings and structures shall be set back a minimum of 15 feet from the west district boundary.
 - c. **Other Setbacks** – No other minimum setbacks are required with the following exceptions:
 - i. **NORTH:** All buildings and structures shall be set back a minimum of 20 feet from the North district boundary.
 - ii. **SOUTH:** All buildings and structures shall be set back a minimum of 30 feet from the south district boundary.
5. **Height.** The maximum height permitted for any building in the district shall be 45 feet. See the Paragraph 9, community-oriented design, for further height requirements.
6. **Parking**
 - a. **Vehicle** – ~~A maximum of 2 off-street parking spaces shall be required for each dwelling unit. A maximum of 1 off-street parking space shall be provided for every 500 square feet of nonresidential floor area.~~ No minimum parking is required and no more than 2 off-street parking spaces for each dwelling unit or 1 off-street parking space for each 500 square feet of nonresidential floor area may be provided.
 - b. **Bicycle** – As required in Section 5.19 of the Unified Development Code.

7. **Landscaping and Buffers.** The standards for landscaping, screening, and buffering of Section 5.20 in the Unified Development Code shall apply in the District with the following exception:
- a. **South District Boundary Alternative** – An alternative conflicting land use buffer shall be provided along the south side of the PUD district including the following elements:
 - i. Width: The minimum width shall be an average of 25 feet with no point less than 15 feet in width.
 - ii. Plantings: One tree shall be provided for each 15 feet or fraction thereof of abutting land. At least 50% of the planted trees shall be evergreen. Arrangement of trees in clusters or groupings is encouraged with exceptions allowed to avoid public utility easements and overhead wires.
 - iii. Continuous Screening: A generally continuous hedgerow of dense shrubs with a minimum planting height of 4 feet and a minimum mature height of 8 feet.
8. **Affordable Housing.** A minimum of 15% of all dwellings in each component shall be Affordable Housing Dwelling Units, and shall be provided as follows:
- a. Affordable Housing Dwelling Units may be provided on site.
 - b. In the SOUTH only, the required number of Affordable Housing Dwelling Units may be provided off-site in the NORTH if the NORTH has already met its minimum Affordable Housing requirement.
 - c. In the SOUTH only, a payment in lieu for the required number of Affordable Housing Dwelling Units may be provided, consistent with the procedures and formulas established in the Unified Development Code and City Council.
 - d. In the SOUTH only, security as provided in Chapter 55, Unified Development Code, Section 5.28.8.C may be posted when under one of following conditions:
 - ~~i. A number of Affordable Housing Dwelling Units equal to or greater than 15% of the total number of residential dwelling units proposed and/or constructed for the NORTH and SOUTH combined, have been constructed and received a certificate of occupancy from the City in the NORTH.~~
 - A number of Affordable Housing Dwelling Units equal to or greater than 15% of the total number of residential dwelling units proposed and/or constructed for the NORTH and SOUTH combined are in progress of development, and the North District Component has received a funding commitment of Low Income Housing Tax Credits, HUD HOME or CDBG funds, Ann Arbor Affordable Housing Fund, or other financing in support of the project that the City, at its sole discretion, finds to be a commitment of funding, and the North District Component has applied for, been issued, and commenced building construction (exclusive of foundations and grading) for the required number of Affordable Housing Dwelling Units.
9. **Community-Oriented Design.** The community-oriented design recommendations in the Land Use Element of the Master Plan are required features and amenities for development in the district as follows:

- a. **Compact and clustered development** – Buildings shall be compact and clustered to encourage shared open spaces and nonmotorized access.
- b. **Front porches** – Usable front porches shall be provided for detached dwellings and townhouses to enhance the sense of community. Each porch shall be covered, a minimum of 16 square feet in area, and unenclosed.
- c. **Garages** – Garage doors shall be located at the rear of detached dwellings or townhouses, garages shall be located beside or behind other residential buildings.
- d. **Streets** – Drives within the district shall be interconnected and pedestrian friendly. A hierarchical network within the district including collectors, minor drives and alleys shall be provided to help reduce travel speeds, reduce unnecessary imperviousness, create a more pedestrian friendly environment. Drives shall be a maximum 20 feet in width, except where wider widths are required for emergency access.
- e. **Mixture of housing types** – A variety of housing types shall be provided within each district component as follows:

Housing Type	NORTH	SOUTH
Detached single-family dwellings	n/a	Minimum 10% of dwellings
Attached single-family/townhouse dwellings	Minimum of 30% of Dwellings	Minimum of 30% of dwellings
Multiple-family Dwellings	Minimum of 20% of Dwellings	Minimum of 20% of dwellings

- f. **Multiple-story buildings** – Buildings in the district shall be a minimum of two stories, except for community centers or accessory structures.
- g. **Open space linkages** – Interconnected greenways, open spaces and natural areas shall be provided to connect the North and South District Components, improve recreational opportunities and enhanced sense of community.
- h. **Pedestrian, bicycle, and transit connections and amenities** – Pedestrian, bicycle and transit connections and amenities shall be provided to encourage alternatives to personal vehicle use and increase travel choices. Connections and amenities include but are not limited to: safe, well lighted and convenient pedestrian and bicycle paths, providing secure bicycle storage and maintenance facilities, designing sites with an emphasis on pedestrians, bicyclists and transit users.

10. Sustainability

- a. **North District Component** – Development on the North component shall achieve Enterprise Green Certification.
- b. **SOUTH** – The following sustainability requirements shall be achieved, at minimum:

- i. Development on the South component shall be registered as a Living Community Challenge project.
- ii. Solar voltaic panels shall be installed to provide at minimum 400 kW of electrical power.

c. Compliance

- i. Documentation shall be required for issuance of a Certificate of Occupancy.
- ii. Failure to maintain compliance shall require amendment to these Supplemental Regulations to replace the public benefits as a result of this sustainability section with other sustainability measures of equal or great public benefit, in accordance with the PUD amendment procedures set forth in the Unified Development Code.

11. Outdoor Lighting To enable any outdoor lighting on site to limit light pollution and reduce energy, any exterior lighting shall be dark sky compliant and shall not be subject to the provisions of Chapter 55, Section 5.25.3 Parking Lots.

As Amended and Approved at First Reading by Ann Arbor City Council on September 21, 2020