

ERIM PUD REVISED SUPPLEMENTAL REGULATIONS

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 unique, partially developed parcel on Green Road into a mix of office, research, light industrial, multifamily residential housing and hotel ~~residential~~ uses. These regulations seek to promote development that integrates this parcel with its neighbors; enhances ~~the character and quality of its open space; recognizes, celebrates and protects Miller's Creek; establishes an integrated design of buildings, parking, planting and paths; and enhances vitality of~~ the Plymouth-Green vicinity area, contributing to a quality gateway image for the City.

Section 2: Applicability

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

Commencing at the North $\frac{1}{4}$ corner of Section 23, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan, thence South $88^{\circ}53'35''$ East 40.00 feet along the north line of said Section 23, to the Point of Beginning, thence South $88^{\circ}53'35''$ East 1294.86 feet along the north line of said Section 23, thence along the west right-of-way line of US-23 Expressway in the following 2 courses: South $00^{\circ}18'25''$ West 384.15 feet, southerly 785.60 feet along the arc of a curve to the left, radius 4016.72 feet, central angle $11^{\circ}12'22''$ chord South $05^{\circ}17'46''$ East 784.35 feet, thence North $88^{\circ}53'35''$ West 1387.56 feet, thence North $01^{\circ}06'00''$ East 1163.64 feet along the east right-of-way line of Green Road to the Point of Beginning, being a part of the North East $\frac{1}{4}$ of Section 23, Town 2 South, Range 6, East, Washtenaw County, Michigan, and containing 35.26 acres of land, more or less.

Subject to any easements and restrictions of record.

Further, the provisions of these regulations shall be adopted and incorporated into the ERIM Planned Unit Development (PUD) Zoning. These regulations, however, are intended to supplement only those provisions in the Ann Arbor City Codes which Code that may be modified as a part of a PUD, such as zoning, landscaping and parking, and shall not be construed to replace or modify other provisions or regulations in the Ann Arbor City Codes Code.

Section 3: Findings

The Planning Commission and City Council determine that:

- A. It is desirable to coordinate development of the property described above to complement its neighboring uses by including certain office, research, limited manufacturing, multifamily residential housing and hotel uses as well as remain consistent with the intent of the Northeast Area Plan and ERIM's Framework Plan for Growth and Change City of Ann Arbor's Comprehensive Plan.

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- B. The surrounding established neighborhood, of which the property described above is a part, contains residential areas, including a significant amount of immediately-adjacent multifamily residential housing, a neighborhood commercial center with a wide range of goods and services, office buildings, banks, a "short stay" hotels, and other accessory uses.
- C. It is in the best interest of the surrounding properties and the City of Ann Arbor that the character and quality of the established neighborhood should be preserved, protected and maintained by providing for land use and development on the property described above which will have a beneficial effect on, and will not adversely affect, the surrounding properties or the City, in terms of public health, safety and welfare, including the construction of much needed housing for the City of Ann Arbor and its residents.
- ~~D. The limitations placed on land uses and the integrated access routes, open spaces, plantings, shared parking, sidewalks and paths, building placement and architectural design will contribute to the overall quality of the existing neighborhood and will enhance the image of the City from US-23, and Plymouth and Green Roads.~~
- ~~D. The unique mix of uses that does not exist in any other zoning district in the City. This mix of uses allows limited manufacturing, research labs, limited retail in addition to desired residential uses along a transit route.~~
- E. In response to the City Policy goal of providing increased affordable housing opportunities, any residential development in the PUD district over 75% base Floor Area Ratio provides an additional 5% over the required amount of affordable housing to be provided on site or as a cash in lieu contribution.
- E.F. The parcel described above has met the standards for approval as a planned unit development, and the regulations contained herein do not constitute the granting of special privilege nor deprivation of property rights.

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Section 4: PUD Regulations

Unless specifically noted in these Supplemental Regulations, all other applicable development codes in Chapter 55(Unified Development Code) shall apply.

- A. Permitted principal uses shall be:
 - ~~1. Offices for the following occupations: executive, administrative, professional, accounting, writing, clerical, drafting, sales, and engineering, including medical and dental offices.~~
 - 1. All Office uses.
 - 2. Research and development, technical training and related activities for industrial, scientific, and business enterprises, and design of pilot or experimental products.

~~3. Data processing and computer centers including computer programming and software development, training, and service and maintenance of electronic data processing equipment.~~

4.3. Laboratories for the research, development, and testing of medical, optical, dental, and pharmaceutical products.

5.4. Any of the following industrial uses when conducted wholly within an enclosed building:

- (a) Processing and assembly of engineering, laboratory, scientific, and research instruments and associated equipment.
- (b) Manufacture, processing, packaging, or treatment of products such as, but not limited to, bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware, and cutlery.
- (c) Manufacture, assembling, or treatment of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals for stones, sheet metal (excluding large stamping such as automobile fenders, or bodies), shell textiles, tobacco, wax, wire, wood (excluding saw and planing mills), and yarns.
- (d) Manufacture of pottery or other similar ceramic products using only previously-pulverized clay and kilns fired only by electricity or gas.
- (e) Manufacture of musical instruments, toys, novelties, and metal or rubber stamps, or other small, molded rubber products.
- (f) Manufacture or assembly of small electrical appliances, electronic instruments, small computers, and other electronic devices.

~~6.5. Printing, publishing, duplicating, and photographic processing.~~

~~7.6. Hotels, including extended stay hotels.~~

~~8.7. Assembly hall, display hall, convention center, or similar place of assembly excluding theaters.~~

~~9.8. Multifamily residential.~~

~~1. Retail, Restaurant Bar, Food Service up to 10% of the total Floor Area of each building, but not to exceed 12,000 square feet per building.~~

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B. Permitted accessory uses shall be:

1. Enclosed maintenance buildings, utility structures and solid waste receptacles incidental to the primary uses, provided they are located so as not to be detrimental to the integrated character of the landscaping, parking, pedestrian pathways, or positive image of the site from adjacent roadways and residential properties Warehousing, storage, shipping, and receiving of materials produced or used on the premises.

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2. Retail, Restaurant Bar, Food Service up to 10% of the total Floor Area of each building, but not to exceed 12,000 square feet per building.

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~~2. Recycling storage facilities where properly screened from the right of way and adjacent residential properties.~~

~~3. Warehousing, storage, shipping, and receiving of materials produced or used on the premises.~~

~~4. Incidental sales and services intended as a service to the employees or users of the PUD district, including food service, personal service shops, places of recreation, child care centers with adjoining play area, and similar uses pursuant to the following standards:~~

~~(a) Not more than 5 percent of the total usable floor area within any single building is used for incidental sales and services.~~

~~(b) Food service shall be in conjunction with and incidental to the permitted principal uses of the PUD district.~~

~~5.3. Amenities appurtenant to multifamily residential uses, including, without limitation, exercise amenities (such as a pool or exercise facility) and a sales or leasing office.~~

C. District Building Setbacks:

~~1. Front – 25 feet from the edge of both Green Road and US 23 right of way.~~

~~1. Side – East and West – 15 feet~~

~~2. North – 25 feet along north property line; 25~~

~~2.3. South – 30 feet along south property line if the building is for multifamily residential use, and 100 feet if the building is for other than multifamily residential use.~~

~~3. Rear – No rear setbacks are required within the interior of the PUD. No external rear setbacks are provided because the PUD zoning district is situated with frontage on two roadways.~~

4. There shall be no required minimum setbacks from any interior property lines, in order to maintain the unified nature of the PUD. Placement of future buildings shall be guided by the principles established on the Landscape Concepts of the preliminary

~~phase PUD drawings by Pollack Design Associates, dated 28 April 1997, and the maximum floor area in percentage of lot area established by these supplemental regulations.~~

D. Height: Heights shall be restricted to:

1. A maximum of ~~50-65~~ feet and ~~four-five~~ stories.

E. Lot Size: The size of the PUD zoning district shall be 35.26 acres, more or less.

F. Floor Area Ratio: ~~Floor area in percentage of lot area for the PUD shall be determined for the entire zoning district, not on a per lot basis, and shall not exceed 40% (614,370 square feet). The floor area of each subsequent development shall be deducted from the total limit. No maximum Floor Area Ratio.~~

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G. Affordable Housing: ~~For basis of the required affordable housing contribution, 75% FAR will be used as the base FAR for the required affordable housing contribution for each parcel. Construction of any one of the residential floor area above described 5 lots within the ERIM PUD zoning district exceeds a FAR of 75% (being the FAR of the underlying zoning) by 75% FAR and up to 25%, then 100% total FAR for the parcel shall be required to provide 15% of the total Dwelling Units to be constructed on said lot shall be as Affordable Housing Dwelling Units or there. Construction of any residential floor area above 100% total FAR for the parcel shall be a payment of an affordable housing contribution in lieu of such units consistent with the formula adopted by annual resolution of the City Council, or by a combination of the development of on-site Affordable Dwelling Units and such contribution; and (b) if the FAR of any one of the above described 5 lots within the ERIM PUD zoning district exceeds a FAR of 75% (being the FAR of the underlying zoning) by more than 25%, then required to provide 20% of the total Dwelling Units to be constructed on said lot shall be as Affordable Housing Dwelling Units or there shall be a payment of. Construction of a residential building which exceeds 75% total FAR for the parcel and elects to avoid providing affordable housing shall be required to make an affordable housing contribution in lieu of such units consistent with the formula adopted by annual resolution of the City Council, or by a combination of the development of on-site Affordable Dwelling Units and such contribution. Capitalized terms not otherwise defined in this subsection shall have the meanings ascribed to them in Article VIII (Definitions) of the City of Ann Arbor Unified Development Code (the "UDC").~~

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GH. Parking: Permitted parking shall be ~~no more than a maximum of~~ one space per 250 SF (office), one space per 600 SF (research), one space per room (hotel), or ~~two one and a half~~ spaces per dwelling unit (multifamily) on a per lot basis; no minimum parking is required for any use. In the event that the 35.26-acre PUD is divided into lots, mutual access easements shall be recorded, prior to finalization of the land division, conveying to each lot the right of shared vehicular access, parking, and pedestrian access. Bicycle and EV parking shall be provided ~~for each new building on each final phase PUD site plan as required in accordance with final land uses and corresponding types of spaces as specified~~

~~in Article IV, Section Chapter 55, Table 5.19 (Parking Standards) of the UDC, 1 for all new buildings.~~

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HJ. Landscape, Screening, and Lighting: ~~Detailed landscape drawings and materials lists shall be submitted with each final phase PUD site plan for each development site or lot. These plans must meet the following standards:~~

- ~~1. North A minimum setback and landscape buffer along the PUD boundary line, 25 feet wide, containing sidewalks, shrubs and trees.~~
- ~~1. South A minimum setback and landscape buffer, along the PUD boundary line with Green Brier Apartments All requirements of 25 feet wide if the buildings are for multifamily residential use and 100 feet wide if for other than residential use, containing paths, storm water detention, grasses, shrubs and trees.~~
- ~~2. East and West A minimum setback and landscape buffer along the exterior boundary lines of the PUD zoning district, 25 feet wide, containing sidewalks, shrubs and trees.~~
- ~~3. A range of heights and varieties of plants shall be used so as to meet the criteria established in the PUD drawings. Final species, quantities and sizes have been reviewed and approved with the final phase PUD site plan and all new landscaping shall meet the materials standards established in Article IV Chapter 55, Section 5.20 (Landscape Landscaping, Screening, and Buffering) of the UDC and in these supplemental regulations.~~
- ~~4. Landscape design, installation and maintenance shall be coordinated throughout the PUD. There shall be no fences, hedges, or any other device utilized to designate lot boundaries within the external boundaries of the PUD zoning district.~~
- ~~5. Only native, non invasive Michigan plant material species shall be utilized in natural areas.~~
- ~~6. Invasive plant species, as defined in the City's Invasive Species list that is maintained and updated in the City's Building Department as provided under the UDC) shall not be used in or around any detention or retention pond areas, existing or apply to future site plans.~~

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~~Parking lot lighting shall be down designed and maintained in accordance with Chapter 59 (Offstreet Parking) of the City Code with a minimum illumination level of 0.4 foot candles, a maximum illumination level of 0.9 foot candles (measured 3 feet above the lot surface) and with a maximum uniformity ratio of 10:1 Article New parking lot~~

~~7. All outdoor lighting shall be down designed and maintained in accordance with Article IV, Section 5.25 (Outdoor Lighting) of the UDC with illumination levels as stated therein.~~

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IJ. Site Access:

1. ~~The boulevard curb cut onto Green Road has been located so as to minimize traffic conflicts as shown on the final phase PUD site plan.~~ Access to Green Road shall be limited to a maximum of two curb cuts. Additional access across the hotel site located at 3600 Plymouth Road shall be conveyed by means of the mutual cross-access easements as shown in the attached agreement.
2. To facilitate non-motorized access between on- and off-site uses, a system of sidewalks shall be provided along on-site interior streets, connecting to the properties on the north (retail center, hotel, bank, etc.), connecting to the existing sidewalk at Green Road on the west, and along the naturalized detention basins.
3. ~~Handicapped accessible sidewalk connections shall be provided in at least two locations from Green Road and ramps shall be provided for crossing driveways at locations noted on preliminary phase PUD development plan.~~

~~J. Architectural Design:~~

~~Detailed architectural drawings, colors and materials have been submitted as part of the final phase PUD site plan. Any proposed development within the PUD shall meet the following standards:~~

1. ~~Exterior materials and colors shall be in harmony with the existing character of other structures on the ERIM PUD site, with the understanding that multifamily residential buildings may vary in materials and colors from other commercial/office use.~~
2. ~~Building facades shall be detailed and shall provide architectural relief, a variety of materials, fenestration and/or varied roof lines on all sides of the buildings.~~
3. ~~Landscaping or other acceptable building materials used for screening shall be placed around transformers, meters, roof top equipment, loading/services/vehicular use areas to screen these from US 23, Green Road and adjacent multifamily housing.~~

~~K. Administration and Governance. An association composed of all owners of properties within the ERIM PUD zoning district has been formed, membership in which shall be required for every lot owner within the PUD. Responsibilities of the association shall be as follows:~~

1. ~~To coordinate and maintain the unique, shared, zoning district wide character and features of landscaping, stormwater detention and retention.~~
1. ~~To coordinate and maintain shared parking and pedestrian and vehicular circulation within the entire zoning district.~~

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