

MEMORANDUM

TO: Planning Commission

FROM: Brett Lenart, Planning Manager
Alexis DiLeo, City Planner

DATE: October 13, 2016

SUBJECT: Working Session Pre-petition Conference on Amendments to Northside Commons PUD

A pre-petition conference with the Planning Commission has been requested by potential developers regarding 1500 Dhu Varren Road, a 211,265-square foot parcel at the southeast corner of Dhu Varren Road and Pontiac Trail and part of the Northside Commons PUD Zoning District and PUD Site Plan.

Background

The Northside Commons PUD Zoning District and Supplemental Regulations, and PUD Site Plan, was approved on March 6, 2000 and amended on April 15, 2002. The site – and PUD Zoning District – is 25.4 acres and contains a mixed-use component and a residential component.

During the public hearings on the PUD, the Planning Commission and City Council determined that (as documented in the PUD Supplemental Regulations, Section 3):

- A. *The surrounding residential and PL (Public Land) districts contain predominantly single-family housing, parks and township properties.*
- B. *It is desirable to develop the property described above with a mixture of residential and non-residential uses.*
- C. *It is in the best interest of the surrounding properties and the City of Ann Arbor that the Northeast Area is preserved and enhanced by medium-density, mixed-use development on the site which has a high quality of architectural and site design, a strong pedestrian orientation and a wide range of residential units on the site. The development will have a beneficial effect on, and will not adversely affect, the surrounding properties or the City, in terms of health, safety or welfare.*

- D. *The architectural design of the mixed-use aspect at the corner of Pontiac Trail and Dhu Varren Road will enhance the Northeast Area's image as the gateway to the City.*
- E. *The mixed land uses and proposed design amenities cannot be achieved within a single zoning district.*
- F. *The parcel described above meets the standards for approval as a Planned Unit Development, and the regulations contained in this ordinance do not constitute the granting of special privilege nor deprivation of property rights.*

The residential component, at least 82% of the district, has since been constructed and includes two distinct housing types: 112 multi-family stacked flat homes with detached garages and 52 two-story townhomes with attached garages. The residential component also includes a 14,700-square foot child care facility with a 54-space parking lot (of which 11 are intended to be shared with the adjacent mixed-use/commercial component).

The mixed-use component, no less than 15% and no more than 18% of the district area, is located at the northwest corner of the site with frontage on both Dhu Varren Road and Pontiac Trail. In accordance with the Supplemental Regulations, the mixed-use component is required to have a minimum of 20% FAR in no fewer than 2 two-story buildings and a maximum of 40% FAR. Further, a minimum of 35% and a maximum of 50% FAR shall be multiple-family dwellings, the majority of which must be on the second floor.

Permitted principle uses of the mixed-use component are:

- a) *Retail sales and personal services which serve the needs of the surrounding residential neighborhoods providing goods and services that meet the day-to-day needs and are considered "convenience goods and services", such as: Sit-down restaurants, take-out restaurants, grocery and produce markets, banks, cleaners, pharmacies, barbershops/beauty salons, clothing apparel, variety and general merchandise, hardware, florists, books.*
- b) *Medical and dental offices, real estate and insurance offices, and other office uses incidental to commercial development.*
- c) *Retail sales that may have service, repair, leasing or rental in connection with, but not limited to: sporting goods, garden supplies, radio and television, interior decorating, and upholstery.*
- d) *Multiple-family dwellings, the majority of which shall be on the second floor.*

Accessory uses in the mixed-use component include:

- a) *A single drive-up service window for banks, cleaners, and pharmacies.*
- b) *Home occupation, subject to all the performance standards provided under the City of Ann Arbor Code of Ordinances.*
- c) *Outdoor sales or display area, not to exceed 10 percent of the gross floor area of the principal building. The activity may not be located in any required front, side or rear open space and the activity may be conducted for periods up to 180 days in any one calendar year.*

Prohibited uses are: *sales, service, repair, leasing, rental, or storage of vehicles.*

Potential Amendments

Staff understands that the potential developers are seeking to develop a two-story, 68,000-square foot multiple-family building intended for seniors and persons desiring assisted living. In that case, the PUD Zoning District and PUD Supplemental Regulations would first need to be amended remove all, or at least most, references to mixed uses including the finding section and the regulations section (permitted uses, floor area, open space, etc.).

Process and Next Steps

The purpose of the required pre-petition conference is for the Planning Commission to learn about the potential public benefits of a newly proposed or amended PUD district, and to provide feedback about whether the proposal already includes sufficient public benefits or may need to be strengthened. Pre-petition conferences are held during working sessions of the Planning Commission to facilitate an open back-and-forth discussion. Comments are not binding but the Planning Commission should provide an honest evaluation of the whether the potential public benefits could or could not meet the standards of approval for a PUD Zoning District.

If Planning Commission finds there are or could be sufficient benefit to the existing PUD residential component, to the surrounding properties and to the City to consider removing the mixed-use component from the PUD Zoning District, the potential developer could be asked to return to a future working session with a draft of the amended PUD Supplemental Regulations that would accommodate their proposal, or could be encouraged to begin the normal petition review process starting with a citizen participation meeting.