

ERIM PRELIMINARY PHASE 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-, [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 the Plymouth-Green vicinity, 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 1334.86 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 Preliminary Phase Planned Unit Development (PUD) Zoning. These regulations, however, are intended to supplement only those provisions in the City Codes which may be modified as 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 City Codes.

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-~~uses~~, research, limited manufacturing-~~and extended stay~~-, [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.

- 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" hotel, 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 restricting land use and development on the property described above, to that 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.
- ~~E. The Petitioner's participation in a comprehensive traffic study of adjacent roadways and contribution to remedial measures will mitigate any negative impacts the development may have on the surrounding public street system and adjacent intersections.~~
- E. ~~F.~~ The parcel 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 nor deprivation of property rights.

Section 4: PUD Regulations

- A. Permitted principal uses shall be:
 - 1. Offices for the following occupations: executive, administrative, professional, accounting, writing, clerical, drafting, sales, and engineering, ~~excluding~~ including medical and dental offices.
 - 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. Laboratories for the research, development, and testing of medical, optical, dental, and pharmaceutical products.
 - 5. 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. Printing, publishing, duplicating, and photographic processing.

~~7. —Extended stay hotel, with maximum capacity of 100 rooms.~~

7. Hotels, including extended stay hotels.

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

9. Multifamily residential buildings.

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.
- 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) — No signage is permitted on the exterior of the building(s) or elsewhere on the site so as to be visible from outside the PUD boundaries.~~

- ~~(b)~~ (e) Food service shall be in conjunction with and incidental to the permitted principal uses of the PUD district. The serving of meals for purchase by the general public is prohibited.

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

C. Setbacks:

- 1. Front - ~~75~~ 25 feet from the edge of both Plymouth Road and US-23 right-of-way.
- 2. Side - 25 feet along north property line; 100 feet along south property line. At such time as an existing, nonconforming residential/office structure located in the southwest quadrant of the PUD is removed, the structure shall not be replaced except in conformance with this setback. The structure shall not be expanded.
- 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.
- 2. A minimum of two stories for all new buildings.

E. Lot Size: The size of the PUD zoning district shall be 35.26 acres, more or less. The PUD may be divided into no more than five (5) lots, in accordance with laws of the State of Michigan; provided, however, that no lot shall be smaller than 2.8 acres (121,968 square feet).

~~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.~~

F. Floor Area Ratio: There is no maximum floor area ratio.

G. Parking: Permitted parking shall be no more than one space per 250 SF (office), one space per 600 SF (research) ~~or, one space per room (extended stay hotel/residential), hotel, or two 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 and pedestrian access ~~and parking.~~ Bicycle parking shall be provided for each new building on each final phase PUD site plan in accordance with final land uses and corresponding types of spaces as specified in ~~Chapter 59- Article IV, Section 5.19 (Off-Street Parking Standards)~~ of the City of Ann Arbor City Unified Development Code (the "UDC").

H. Landscape, Screening, and Lighting: Detailed landscape drawings and materials lists, ~~in conformance with the Landscape Concepts of the preliminary phase PUD drawings by Pollack Design Associates, dated 28 April 1997,~~ 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.
2. South - A minimum setback and landscape buffer, along the PUD boundary line with Green Brier Apartments, 100 feet wide, containing paths, storm water detention, grasses, shrubs and trees.
3. East and West - A minimum setback and landscape buffer along the exterior boundary lines of the PUD zoning district, ~~75-25~~ feet wide, containing sidewalks, shrubs and trees.
4. A range of heights and varieties of plants shall be used so as to meet the criteria established in the preliminary phase PUD drawings. Final species, quantities and sizes shall be reviewed and approved with the final phase PUD site plan and all new landscaping shall meet the materials standards established in ~~Chapter 62 Article IV, Section 5.20 (Landscape and, Screening and Buffering)~~ of the ~~City Code-UDC~~ and in these supplemental regulations.
5. Landscape design, installation and maintenance shall be coordinated throughout the PUD ~~in order to maintain the integrity of the Landscape Concepts of the preliminary phase PUD drawings by Pollack Design Associates, dated 28 April 1997.~~ There shall be no fences, hedges, or any other device utilized to designate lot boundaries within the external boundaries of the PUD zoning district.

6. Only native, non-invasive Michigan plant material species shall be utilized in natural areas, ~~as designated on the preliminary phase PUD drawings by Pollack Design Associates, dated 28 April 1997.~~
7. Invasive plant species, as ~~included on a list adopted in Chapter 60 (Wetlands Preservation)~~ 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 future.
8. ~~Parking~~ New 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 IV, Section 5.25 (Outdoor Lighting) of the UDC with illumination levels as stated therein.

I. Site Access:

1. The proposed boulevard curb cut onto Green Road shall be located so as to minimize traffic conflicts. Final location shall be reviewed and approved at final phase PUD site plan. Access to Green Road shall be limited to a maximum of two curb cuts. At such time as the existing residential/office structure in the southwest quadrant is removed, access to Green Road shall be limited to a single curb cut. 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 shall be submitted as part of the final phase PUD site plan. These plans must 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.
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 ~~multiple family~~ multifamily housing.
- K. Administration and Governance. ~~Prior to finalization of the land division, an~~ An association composed of all owners of properties within the ERIM PUD zoning district shall be formed, membership in which shall be required ~~by covenants and restrictions recorded on each deed.~~ 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, ~~and restoration and reestablishment of natural systems in accordance with the Landscape Concepts drawing by Pollack Design Associates, dated 28 April 1997 and incorporated into the preliminary phase PUD zoning district.~~
 2. To coordinate and maintain shared parking and pedestrian and vehicular circulation within the entire zoning district.
 3. To review and provide to the City of Ann Arbor Planning Commission, prior to submittal for final phase PUD site plan review, written comments and a statement of approval of the architectural and site plans of any proposed construction, addition, or demolition within the PUD zoning district. Such comments and approval will be received and taken under advisement by the Planning Commission in its deliberations, but shall not be binding upon its action.

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