

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For the Planning Commission Meeting of May 5, 2020

**SUBJECT: MMG Plymouth Road Mixed Use Development
(3611-3621 Plymouth Road)
Rezoning – Project no. Z19-007
Site Plan for City Council Approval with Planned Project
Modifications – Project No. SP19-003
Special Exception Use – Project No. SEU19-002**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the MMG Plymouth Road Mixed Use Development rezoning from PUD to C3 (Fringe Commercial).

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the MMG Plymouth Road Mixed Use Development Site Plan and Planned Project Modifications to increase the maximum height to 65 feet 10 inches and eliminate the maximum front setback requirement for new buildings, subject to providing solar orientation and energy conserving design by maintaining solar panels covering a minimum of 45% of the proposed hotel and 25% of the renovated restaurant roof surface, and maintaining a minimum of 30% open space, and Development Agreement.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, find the petition substantially meets the standards in Chapter 55 (Unified Development Code), Section 5.29.5 (Special Exception Use), and therefore approves MMG Plymouth Road Mixed Use Special Exception Use for one drive-through lane at the freestanding restaurant. This approval is based on the following findings:

1. The proposed use will be consistent with the C3 Fringe Commercial zoning district, which allows commercial activities accessed primarily by personal vehicles.
2. The site is located adjacent to a highway and its access ramps, and the drive-through facility is more appropriate in close proximity to highways.
3. The proposed use will not adversely impact pedestrians, bicyclists, vehicles, and general circulation based on the location. Plymouth Road and the private street network through this site provide adequate access and the proposed facility is consistent with the surrounding uses on and adjacent to the site.

This Special Exception Use approval is based upon the following condition:

1. Approval of the MMG Plymouth Mixed Use Development Rezoning Petition and Site Plan with Planned Project Modifications.

SUMMARY:

Petition Description – Three related applications have been submitted for approval. First, a petition to rezone this 4.5-acre site from PUD to C3 (Fringe Commercial). Second, a proposed site plan to demolish two of the existing buildings and construct a six-story, 76,200-square foot, 127-room hotel and remodel the existing restaurant into a new restaurant. Planned project modifications are requested as part of the site plan to allow increased height and increased front setback. Third and finally, a special exception petition to allow a drive-through facility to be added to the remodeled restaurant.

History – These petitions were tabled after a public hearing and discussion at the Planning Commission's November 19, 2019 meeting. The recommendation to table was primarily to allow the petitioner additional time to respond to outstanding Engineering and Urban Forestry and Natural Resources comments, but two additional issues of

concern were also raised by the Planning Commission: the lack of specific commitments to energy conserving design and the lack of active recreation opportunities.

Existing and Proposed Development – The site currently contains two pairs of two-story Red Roof Inn motel buildings, each pair having a total of 17,244-square feet, and a 5,000-square foot closed Big Boy restaurant. The proposed site plan calls for demolishing the eastern pair of motels, constructing a new six-story, 76,200-square foot, 127 room Hampton Inn hotel, and remodeling the restaurant into a Panera Bread, including adding a drive-through facility. Planned project modifications are requested to increase the maximum height allowed and increase the maximum front setback standard.

Revisions – Revised plans were submitted, and reviewed, that resolved the outstanding comments from Engineering and Urban Forestry and Natural Resources, and reduce the amount of impervious surface while creating a bit of active recreation space. Specific commitments to solar panel coverage on both the hotel and renovated restaurant have been provided.

STAFF RECOMMENDATIONS:

Staff recommends that the **rezoning** petition be **approved** because the proposed district is compatible with the existing and proposed uses and the Master Plan future land use recommendation, and is compatible with the surrounding districts.

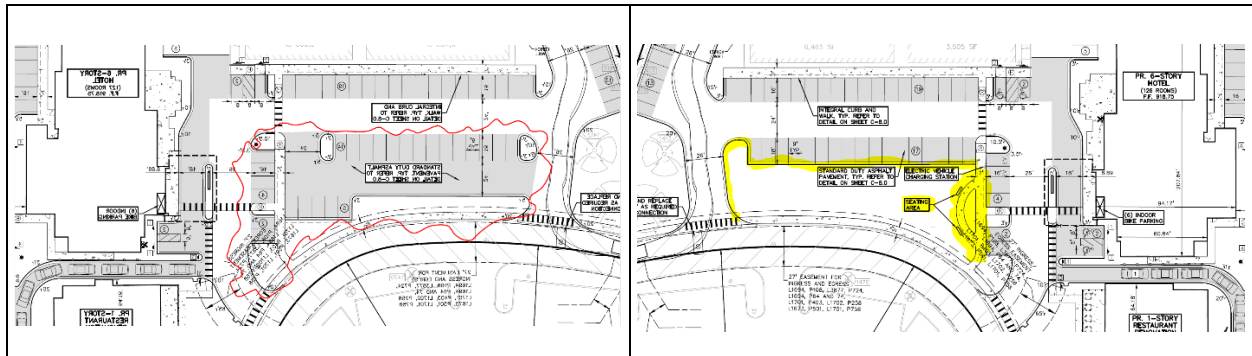
Staff recommends that the **site plan**, including **planned project modifications** to increase the maximum height and maximum front setback standard, be **approved** because, with the modifications, the contemplated development complies with all applicable state, local and federal laws, ordinances, standards and regulations; the development limits the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and the development does not cause a public or private nuisance and does not have a detrimental effect on the public health, safety or welfare. The planned project modifications will provide open space and solar orientation.

Staff recommends that the **special exception use** be **approved** because the proposed layout and development conditions substantially meets the criteria for approval.

PETITION CHANGES:

Site Plan – A portion of the parking area south of the existing, remaining hotel and west of the proposed hotel, north of the street, has been replaced with lawn and a seating area. See Figure 1.

Figure 1 – Comparison of Site Plan #4 (Previous) and Site Plan #7 (Proposed) Dimensional Layout Sheets:



Solar Details – Approximately 45% of the proposed hotel’s roof area and approximately 25% of the renovated restaurant’s roof area will be covered by solar panels. The current plans call for 272 panels to be installed on the hotel roof and 52 panels on the restaurant roof. Each panel is 3’3” by 6’6”, roughly 21 square feet.

These details have been added to the proposed motion and to the draft development agreement. Upon approval, the developer will be committed to the roof coverage percentages and the quality of panels. These two features were specifically chosen as items which can be enforced in the future if need be.

STAFF COMMENTS:

Staff described and analyzed the **rezoning petition** in our November 19, 2019 Staff Report, linked [here](#), see page 3. It was and remains staff’s opinion that maintaining the existing PUD district does not make sense when the C3 district suits the needs of the applicant, land owner, and community, and provides more flexibility for future uses. The requested rezoning is supported by the future land use recommendations of the Master Plan.

Staff provided a review of the site plan in our November 19, 2019 Staff Report, including a description and analysis of the **planned project modification petition**, beginning on page 5. Staff found the requested modifications (1. Increase maximum height from 4 stories/55’ to 76’; 2. Eliminate maximum 25’ front setback for new buildings) to meet the standards for approval, in particular, providing open space where none is required and solar orientation or energy conserving design. Staff noted that planned project requests need only one justification and either is sufficient. In that November report, staff asked for confirmation of the minimum percentage of open space, and Planning Commission during its meeting asked for commitments to rooftop solar panels. Both data points have been provided and mentioned in this report.

Staff also included a description and analysis of the special exception use petition in the November 19, 2019 Staff Report, see page 7. It was and remains staff’s finding that the drive-through facility substantially meets the criteria for approval. The proposed drive-

through facility design and features have remained the unchanged since November 19th. However, staff have included a more comprehensive proposed motion including findings in this report.

Prepared by Alexis DiLeo
Reviewed by Brett Lenart
4/20/20

Attachments: November 19, 2020 Revised Planning Staff Report
Draft Development Agreement

Links: [Site Plan #7 Sheets 1-8](#), [Site Plan #7 Sheets 9-end](#)

c: Owner and Applicant – Markus Management Group, 251 E. Merrill St, Birmingham,
MI 48009 (Doriad Markus, dsmarkus@yahoo.com)
Applicant's Engineer – PEA (jsmith@peainc.com)
Systems Planning
Project Nos. Z19-007, SP19-003, SEU19-002