

6.41 ZONING

File No: 9213K12.03 Filing Date: 10/28/02 Area: ~~7.29~~ 6.41 acres

Subject: Broadway Village at Lower Town PUD Zoning

Location: Broadway at Maiden Lane

Petitioner(s): Lower Town Development Group, LLC
314 M.A.C. Avenue, Suite 100
East Lansing, MI 48823

Current Zoning: C1, C3 and O Proposed Zoning: PUD

Staff Recommendation: Approval

CPC Public Hearing: ^{12-17-02 + 3-18-03} Continued Closed Date: 4-1-03

CPC Recommendation: ^{12-17-02 + 3-18-03} Tabled Approval (6-3) Date: 4-1-03

City Council - First Reading: ^{4/2/03, 6/16/03} Postponed Carried Date: 7-31-03

- Public Hearing: Closed Date: 10-7-03

- Second Reading: Carried Date: 10-7-03

File Assigned To: Donna Johnson Karen Hart
Planning Director

Close Out Date: 10-17-03 Date Map(s) Updated: 03-18-04 NK

ANN ARBOR PLANNING DEPARTMENT STAFF REPORT

For Planning Commission Meeting of April 1, 2003

**SUBJECT: Broadway Village at Lower Town PUD Zoning District and PUD Site Plan
(Broadway at Maiden Lane) 9213K12.03 and .05**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Broadway Village at Lower Town PUD (Planned Unit Development District) Zoning District and Supplemental Regulations, and the PUD Site Plan and Development Agreement.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the disturbance of the Traver Creek natural features open space.

STAFF RECOMMENDATION

Staff recommends that the Broadway Village at Lower Town PUD zoning district and supplemental regulations be **approved** because the uses, physical characteristics, design features and amenities proposed provide a beneficial effect for the City and are consistent with elements of the adopted Master Plan, as discussed below.

Staff recommends that the Broadway Village at Lower Town PUD site plan be **approved** because it would comply with the PUD zoning district conceptual plan, development program, and supplemental regulations; would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; would not cause a public or private nuisance; and would not have a detrimental effect on the public health, safety or welfare.

Staff recommends that the disturbance of the Traver Creek natural features open space be **approved** because the disturbed area will be restored to a more natural state, using native vegetation, and floodplain capacity will be increased on the site.

STAFF REPORT

The petition was tabled at the March 18, 2003, Planning Commission meeting for the petitioner to address Commission and public comments regarding height, density, parking, and traffic.

Height and Density Changes to the PUD Zoning District

The petitioner requests approval of a PUD zoning district to develop a complex of multiple-story, mixed-use buildings and parking. The proposal was revised following the March 18, 2003, public hearing. The changes include the reduction in Building B to a maximum of 6 stories (from a maximum of 7 stories) and the reduction of Building G to a maximum of 2 and 4 stories (from a maximum of 2 and 5 stories). The supplemental regulations require the two-story element to be on the building façade that faces the central park open space and is closest to the residential neighborhood. The maximum floor area in percentage of lot area is reduced to 235 percent (from 238 percent), allowing a maximum building area of 656,116 square feet, based on the 6.41-acre

7a

zoning district. The revised number of parking spaces that may be provided is 647, minimum, and 790, maximum. The requirement continues that no less than 80 percent of the parking spaces must be provided in a structure. At least 180 bicycle parking spaces must be provided (reduced from 187) with a mixture of 25 percent Class A, 35 percent Class B, and 40 percent Class C spaces. The supplemental regulations have been revised to reflect these changes; a draft is attached.

CHART 1 – LAND USES/BUILDING AREA

| Building – (General Location) | Proposed Uses | Current Proposal - Height & Floor Area | March 18 Proposal - Height & Floor Area | December 17 Proposal - Height & Floor Area |
|--|--|--|--|---|
| Building A – (southeast corner, at Nielsen and Maiden Lane) | Athletic club, Indoor courts, medical & general office, research & development; retail | 2 & 6 stories/ 163,000 sq ft (gross square feet) | 2 & 6 stories/ 163,000 sq ft (gross square feet) | 8 stories/ 226,000 sq ft |
| Building B - (south central, adj. to private street) | Retail, Upper story medical & general office | 6 stories/ 47,000 sq ft | 7 stories/ 55,000 sq ft | 8 stories/ 67,000 sq ft |
| Building C - (south central, adj. to Maiden Lane) | Retail, Upper story residential | 5 stories/ 31,000 sq ft | 5 stories/ 31,000 sq ft | 5 stories/ 34,000 sq ft |
| Building D - (southwest corner, adj. to Maiden Lane & Broadway right-of-way) | Retail, Upper story residential | 2, 3 & 4 stories/ 28,000 sq ft | 2, 3 & 4 stories/ 28,000 sq ft | 3 & 5 stories/ 35,000 sq ft |
| Building E – (northwest side, adj. to east side of Broadway right-of-way) | Retail, Upper story residential | 4 & 5 stories/ 64,000 sq ft | 4 & 5 stories/ 64,000 sq ft | 4 & 5 stories/ 63,000 sq ft |
| Building F – (on parcel northwest of Broadway) | Residential with ground floor retail | -0- (deleted) | -0- (deleted) | 3 & 4 stories/ 51,000 sq ft |
| Building G – (west side, corner of Broadway and private street) | Retail, Upper story residential or office | 2 & 4 stories/ 27,000 sq ft | 2 & 5 stories/ 33,000 sq ft | 3 stories/ 30,000 sq ft |
| Building H – (north central, adjacent to parking deck) | Residential w/ground floor retail facing Building A | 6 stories/ 87,000 sq ft | 6 stories/ 87,000 sq ft | 6 stories/ 87,000 sq ft |
| Parking Deck – (east side) | Parking | 6 stories/ 188,000 sq ft | 6 stories/ 188,000 sq ft | 6 stories/ 253,500 sq ft |
| TOTAL | | 635,000 sq ft | 649,000 sq ft | 846,500 sq ft |

Shaded areas indicate those items in the current proposal that were changed from the March 18 proposal.

Parking

The petitioner's traffic consultant prepared comparative estimates of parking requirements based on three methods: 1) peak parking demand factors from the Urban Land Institute (ULI) and parking generation rates from the Institute of Transportation Engineers (ITE) for the proposed land uses; 2) City of Ann Arbor parking requirements for the proposed land uses; and 3) similar mixed-use developments. Using the assumptions that 85 percent of the visitors to the PUD would arrive by automobile and that parking demand is reduced by 10 to 14 percent with shared parking facilities, the methods showed requirements ranging from 784 to 1,145 parking spaces. Based on the range of land uses and their square footage in the proposed PUD site plan, City Code requires 1,336 parking spaces and makes no reduced provisions for shared facilities. The proposed range of required parking provided by the Broadway Village supplemental regulations is 647 to 790 spaces. The PUD site plan proposes 719 parking spaces. The reduction in available parking in the PUD zoning district responds to the mixture of uses within the development and encourages the use of alternate modes of transportation. No more than 150 permits may be made available for on-site residents and retail tenants; these permits may have location or time restrictions. No more than 190 spaces may be reserved for tenants and visitors of Building A. All parking charges, at both on-street meters and within the parking deck, would be managed in such a way as to discourage long-term parking.

Traffic

The traffic impact study examined existing conditions including peak hour volumes and turning movements, the timing of existing signals, roadway conditions, sight distances, and pedestrian safety conditions at the intersections of Plymouth/Broadway, Broadway/Maiden Lane, Broadway/Wall, Broadway/Swift, and Maiden Lane/Nielsen. Traffic on Broadway was studied specifically, as well, to evaluate traffic calming measures for the residential neighborhood. Projections were made for future conditions without development on the PUD site but including projected impacts from the North Quad and the Kessler projects, and with the proposed development on the PUD site.

The background conditions study shows that the Broadway/Maiden Lane and Broadway/Wall intersections presently operate at unacceptable levels of service and will continue to operate in this manner without any development on the PUD site. As a part of the study, mitigation measures for the existing conditions were provided to show what would be needed to bring the intersections up to acceptable levels of service. These measures include changes in turning movement/signals at Broadway/Maiden Lane and at northbound Maiden Lane, reconfiguring the roadway to add a right-turn pocket and shared left-turn/through lane in the existing roadway footprint. Both of these measures are included in the PUD development agreement. The poor level of service at Broadway/Wall was determined to be the result of illegal left-turns during peak hours, an enforcement issue.

Addendum #1 to the initial report reflected the elimination of the parcel of land northwest of Boardwalk and the reduction in building square footage. Addendum #2 eliminated the most northern private street into Boardwalk and reduced building square footage by approximately 22 percent. With the Broadway Village development, unacceptable levels of service (D, E, or F) were projected in the PM peak hour at Broadway/Maiden Lane, Broadway/Wall, Broadway/Swift, Maiden Lane/Nielsen, and Broadway Village private street/Maiden Lane. In the AM peak hour, a level of service F was projected at Maiden Lane/Nielsen.

The changes to improve traffic operations to acceptable levels of service with development of the proposal (in addition to those listed above) include:

- Modifying the southwest bound Plymouth Road left turn lane and changing it to a permitted/protected movement in the AM and PM peak hours;
- Installing a signal at Maiden Lane/Nielsen; modifying all cycle lengths;
- Changing the northbound Maiden Lane approach to a 100-foot right turn lane, a through lane and a left-turn lane starting near the private drive intersection;
- Extending the left-turn lane for northeast bound Plymouth Road to the intersection of Broadway and Swift; and
- Restricting left turns for vehicles from the Broadway Village private street, to force them to utilize the signalized intersection at Maiden Lane/Nielsen.

Within the site, the private streets utilize traffic calming design elements including narrow, curving design with on-street parallel parking spaces sheltered by bump-outs and narrowed pavement at intersections.

The field review of Broadway concluded that speeding traffic in both directions was the primary safety issue and that traffic calming measures might reduce speeds. Alternatives for traffic calming include constrictions to reduce travel-lane width (“chokers”), center islands, channelized parking lanes (a striped parking lane between curb and travel lane) and rumble strips as well as clearer speed limit signs. Additionally, in the course of the design proposal, circulation within the site was reduced to a single private street into Broadway, near the signal at Plymouth Road. It is anticipated that motorists leaving the site will chose to utilize the signalized intersections at Broadway/Plymouth, which is visible from the Broadway Village private drive intersection, and at Maiden Lane/Nielsen to expedite departure from the site rather than entering the residential portion of Broadway. Staff of the City’s Engineering Division has worked with the Broadway neighborhood to evaluate traffic calming alternatives. Initial measures include seven speed humps and neighborhood identification signs at either end. Following a meeting in early spring to do a demonstration of actual proposed locations, voting cards will be sent to the residents for a vote on whether the devices will be installed.

All of the remedial and mitigation measures are included in a development agreement. A \$25,000 contribution for other traffic mitigation measures is included as well and may be used for other projects, such as the traffic calming on Broadway.

Changes to PUD Site Plan

A PUD site plan is proposed to allow construction of seven mixed-use buildings and a six-story parking structure totaling 635,088 square feet. Revised Chart 1 identifies and describes proposed buildings, locations, and uses. Phase I would include Building E, the majority of site utilities, brownfield clean-up infrastructure, portions of the storm water management system, and improvements in the Broadway Street right-of-way. Phase 2 will include Buildings A, B, C, D, F, G, the parking deck, the private streets and sidewalks, the remaining storm water management system, traffic management infrastructure, and remaining site improvements.

A revised draft of the development agreement is attached with minor changes addressing phasing requirements.

REVISED COMPARISON CHART

| | EXISTING | PROPOSED PUD SITE PLAN | REQUIRED/ PERMITTED COMPARISON | REQUIRED/ PERMITTED COMPARISON | REQUIRED/ PERMITTED COMPARISON | REQUIRED/ PERMITTED BY PROPOSED PUD |
|------------------------------------|---|--|--|---|---|--|
| Zoning | C1; C3; O | PUD | C3 (Fringe Commercial) | O (Office) | C1 (Local Business) | PUD |
| Gross Lot Area | 6.41 ac total C1 – 2.04 ac (89,074.6 sq ft) C3 – 3.96 ac (172,378 sq ft) O – 0.41 ac (17,767 sq ft) | 6.41 ac (279,219.6 sq ft) | 6,000 sq ft MIN | 6,000 sq ft MIN | No MIN | 6.41 ac (279,219.6 sq ft) |
| Usable Floor Area in % of Lot Area | Overall - 22% (61,592 sq ft) C1 – 21.5% (19,236 sq ft) C3 - 23% (40,134 sq ft) O - 22% (3,957 sq ft) | 227% (635,088 sq ft) | 50% (139,609.8 sq ft) MAX | 40% (111,687.8 sq ft) MAX | 200% (558,439.2 sq ft) w/premiums 400% (1,116,878.4 sq ft) MAX | 235% (656,166 sq ft) MAX |
| Setback – Front | SW (Maiden) - 0 ft -130 ft (varies) SE (Nielsen) – 16.7 ft NW (Broadway) – 0 ft - 29 ft (varies) | SW (Maiden) - 10 ft SE (Nielsen) - None NW (Broadway) – None | 40 ft MIN | 25 ft MIN | None required | SW (Maiden) - 10 ft MIN SE (Nielsen) - None required NW (Broadway) - None required |
| Side(s) | SE 13.5 ft - 54 ft (varies) | SE -14.5 ft | 30 ft MIN abutting residential/ otherwise, none | 20 ft MIN abutting residential/ otherwise, none | 20 ft MIN abutting residential/ otherwise, none | SE -10 ft MIN |
| Rear | NE – 15.3-83.8 ft (varies) | NE - 61 ft Bldg H - 61 ft Bldg G - 145 ft | 30 ft MIN abutting residential/ otherwise, 20 ft MIN | 30 ft MIN abutting residential/ otherwise, none | 30 ft MIN abutting residential/ otherwise, none | NE - 60 ft MIN |
| Height | 1-story/approx. 20ft (+ one 2-story residential structure) | Bldg A – 90 ft/6 stories; Bldg B – 85 ft/6 stories; Bldg C – 65 ft/5 stories; Bldg D – 55 ft/4 stories; Bldg E – 65 ft/5 stories; Bldg F – 85 ft/ 6 stories; Bldg G - 60 ft/4 stories; Deck – 75 ft/6 stories | 35 ft/3 stories MAX | 40 ft/3 stories MAX | No MAX | 40 ft/3 stories MIN 90 ft/6 stories MAX (Refer to Chart 1 for specific Building Limits.) |
| Parking Spaces – Automobile | 346 sps | 719 sps | 2,397 sps MIN 2,703 sps MAX | 381 sps MIN 508 sps MAX (non-medical) 847 sps (all-medical) MIN | 2,397 sps MIN 2,703 sps MAX | 647 sps MIN 790 sps MAX |
| Parking Spaces- Bicycle | 180 sps (144 sps - Class C; 36 sps – Class A) | 187 MIN (25% - Class A; 35% - Class B; 40% - Class C) | 212 sps MIN | 43-85 sps MIN (non-medical/ medical) | 212 sps MIN | 180 sps MIN (25% - Class A; 35% - Class B; 40% - Class C) |

Shaded areas indicate revisions from the previous report.

DEPARTMENT COMMENTS DISMISSED OR RESOLVED

Planning – To address Commission concerns with density and height, the zoning district proposal has been reduced to a maximum floor area ratio of 235 percent (previously 238 percent). The maximum heights of two buildings were reduced: Building B, on the interior of the site, was reduced from 7 to 6 stories and Building G, adjacent to Boardwalk and the central park open space, was reduced from 5 to 4 stories. A representative of the Ann Arbor Transportation Authority has provided comments regarding the impact of the proposal and its interaction with the bus transit system.

Staff supports the proposed PUD zoning district because the uses support the recommendations and goals of the current Northeast Area Plan and the draft Plan; the redevelopment of the site will provide an opportunity for the existing neighborhood businesses to remain nearby while providing economic feasibility for clean-up of soil and ground water contamination; and the assemblage of land and coordinated development will allow the comprehensive redevelopment of the site.

Staff supports the proposed PUD site plan because it meets the standards set forth in the supplemental regulations.

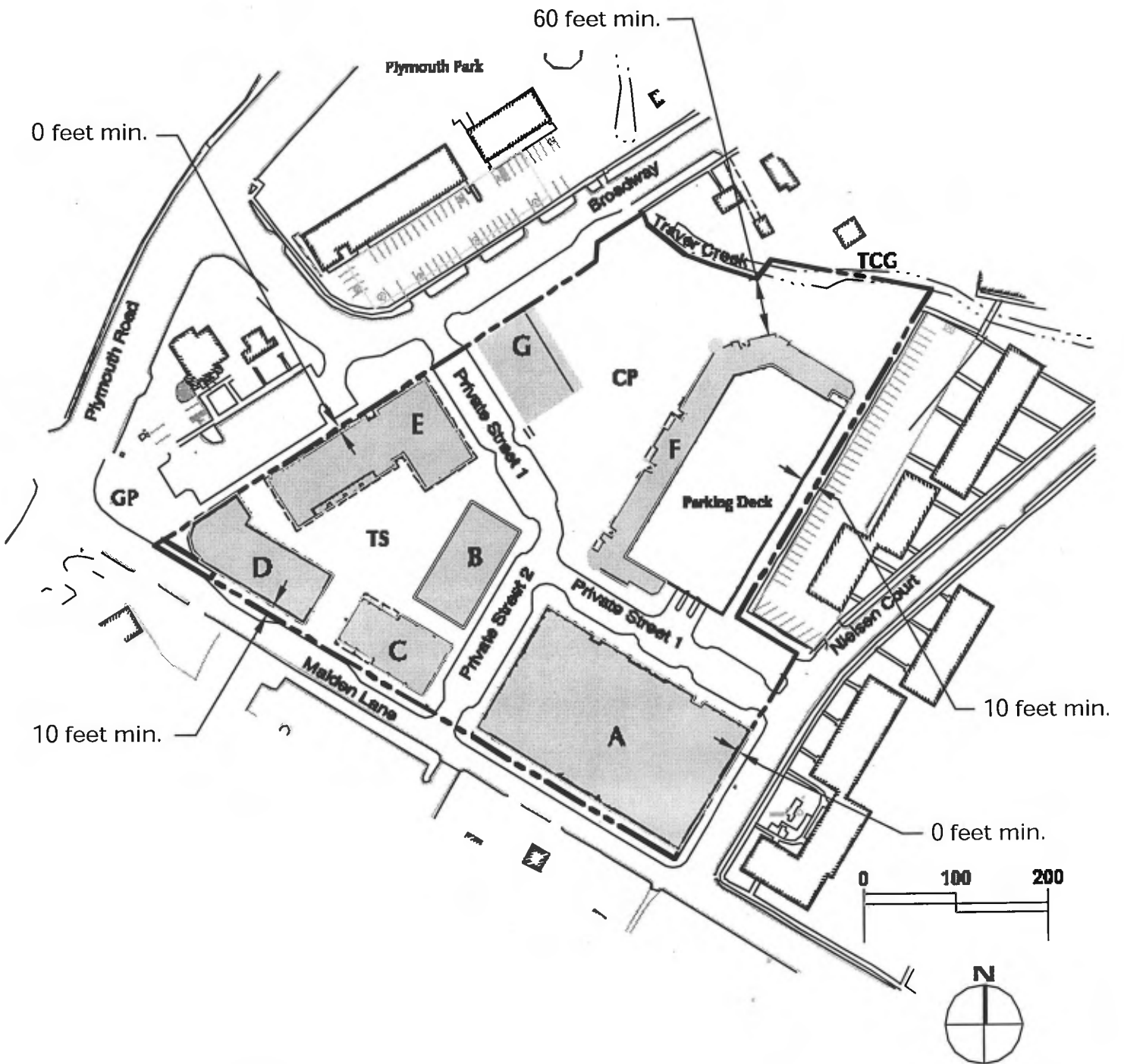
Prepared by Donna Johnson

Reviewed by Coy Vaughn and Karen Popek Hart *KPH*
jsj/3/27/03

Attachments: 3/18/03 Conceptual Plan
4/1/03 Revised Draft Supplemental Regulations
4/1/03 Revised Draft Development Agreement
3/26/03 Memorandum from Chris White, AATA

c: Petitioner/Owner: Lower Town Development Group LLC
314 M.A.C. Avenue, Suite 100
East Lansing, MI 48823

Building
Engineering - Private Development
File Nos. 9213K12.03 and .05



CONCEPTUAL PLAN
 Broadway Village PUD Zoning District

Exhibit A

Broadway Village PUD

For Planning Commission Meeting of March 18, 2003

**Broadway Village PUD Zoning District
Supplemental Regulations**

Section 1: Purpose

It is the purpose of the City Council in adopting these regulations to provide for the coordinated and unified re-development of 10 parcels of land, which currently contain a variety of land uses in multiple zoning districts. These regulations seek to promote development of a complex of multiple-story, mixed-use buildings and a predominance of structured parking within a pedestrian-oriented neighborhood center, which will provide services to and be compatible with surrounding single- and multi-family residential neighborhoods, a historic commercial district, and a major medical center. Brownfield funding is sought to clean up ground water and soil contamination and to provide public infrastructure.

Section 2: Applicability.

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

Beginning at the intersection of the Northeast line of Maiden Lane (50.00 feet wide) and the Southeast line of Broadway Street (82.50 feet wide), said point being the West corner of Lot 78 of Assessor's Plat No. 33, City of Ann Arbor, Washtenaw County, Michigan; thence along the Southeast line of Broadway Street (82.50 feet wide) N57°48'00"E 564.41 feet; thence N01°46'04"E 20.70 feet (recorded as N01°46'00"E 20.54 feet) along a line coincident between said Assessor's Plat No. 33 and Assessor's Plat No. 32, City of Ann Arbor, Washtenaw County, Michigan; thence along the Southeasterly line of Broadway Street (66.00 feet wide) N58°18'00"E 59.38 feet; thence S22°42'30"E 13.78; thence S52°08'30"E 51.77 feet; thence S65°44'00"E 29.31 feet; thence S73°06'00"E 50.81 feet; thence N37°31'00"E 25.40 feet; thence S79°25'00"E 177.07 feet along the Northeasterly line of Lot 25 of said Assessor's Plat No. 32; thence S31°16'00"W 410.29 feet along the Northwesterly line of Ross-Maiden Lane Apartments property; thence S58°44'00"E 75.00 feet; thence S31°16'00"W 255.50 feet; thence N58°44'00"W 653.23 feet along the Northeasterly line of Maiden Lane (50.00 feet wide) to the Place of Beginning, being all of Lots 73 through 87 of said Assessor's Plat 33, and all of Lots 26, 27, 28, 29 and part of Lots 25 and 30 of said Assessor's Plat 32, City of Ann Arbor, Washtenaw County, Michigan, including those portions of the vacated alleys adjacent thereto. Containing 6.41 acres of land, more or less. Also being subject to easements and restrictions of record, if any.

Further, the provisions of these regulations shall be adopted and incorporated into the Broadway Village Planned Unit Development zoning district. These regulations, however, are intended to supplement only those provisions in the City Codes 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 Codes.

Section 3: Findings

During the public hearings on this Planned Unit Development, the Planning Commission and City Council determined that:

- (A) It is desirable to develop the parcel described above with a mixture of residential, retail, office, research and development, and indoor recreational uses.
- (B) The surrounding neighborhoods contain the historic Lower Town commercial district, single-family residential areas, multi-family residential areas, and the existing facilities and a future sub-campus of The University of Michigan Medical Center.
- (C) Elimination of existing soil and ground water contamination will provide a benefit to the surrounding properties, the City of Ann Arbor, Traver Creek, and the Huron River.
- (D) Traver Creek and the Huron River and their associated watersheds will be protected and enhanced by the reduction of impervious coverage of the land, which results from mandatory structured parking, a limit on the number of parking spaces, the establishment of a unified storm water management system, and landscape restoration and a connecting greenway along Traver Creek.
- (E) A compact, pedestrian-oriented development with mixed land uses and a variety of public spaces will provide the amenity of a neighborhood center and services for the on-site inhabitants, employees and visitors, for the surrounding single-family and multi-family residential areas, and for the employees and clients of nearby existing and proposed facilities of The University of Michigan Medical Center.
- (F) Additional job opportunities within the City limits will result from the development of related medical and non-medical office spaces together with a health-related recreation center and research and development facilities in close proximity to an existing hospital complex.
- (G) The development and availability of 29 units of housing for lower income persons in the City of Ann Arbor will have a beneficial effect for public welfare and will help offset the increased demands on such housing linked to the generation of jobs.
- (H) Negative impacts of the development on the surrounding public street system and adjacent intersections will be mitigated by the Petitioner's contribution to

appropriate remedial measures, which are an outcome of a comprehensive traffic study, and by the reduction in vehicle trips, which result from the close proximity of mixed land uses including housing, services, and job opportunities. Enhanced streets and sidewalks around and through the site will facilitate easy pedestrian accessibility by surrounding land users.

- (I) The quality of the visual environment will be improved by the relocation underground of overhead utilities on Broadway and Maiden Lane within and immediately adjacent to the project.
- (J) Pedestrian linkages through and to the site will be improved by the donation of an improved Traver Creek greenway to the City of Ann Arbor Parks and Recreation Department with native plantings and lighted walkway, and will be an initial step in pursuing the goal of creating a greenway link to the Huron River.
- (K) The parcel described above meets the standards for approval as a Planned Unit Development, and the regulations contained herein constitute neither the granting of special privilege nor deprivation of property rights.

Section 4: PUD Regulations

- (A) Permitted principal uses of the components of the development (as diagrammed in Exhibit A, Conceptual Plan, attached) shall be:

| | |
|-----------------------------|---|
| Building A | Athletic/health/recreational club; medical and general office; research and development; and retail, but retail uses shall not exceed 20 percent of the building's gross floor area |
| Buildings B, C, D, E, and G | Retail; medical and general office; residential |
| Building F | Residential, general office, and retail (restricted to south side, facing Building A, only) |
| Parking Deck | Vehicular and bicycle parking |

Residential uses shall constitute not less than 35 percent of the aggregate gross floor area of Buildings B through G.

General office may include, but is not limited to:

- Executive or administrative offices;
- Business offices of a public utility, real estate, insurance, commercial, or industrial establishment,
- Offices of legal, engineering, architectural and surveying services, accounting, auditing and bookkeeping services;
- Finance, insurance and real estate offices; travel bureaus; and banks;
- Government offices;

- Business services such as advertising, consumer credit reporting agencies, mailing list and stenographic services, business and management consulting services;
- Offices of non-profit organizations such as professional membership organizations; labor unions; civic, social and fraternal associations; political organizations; and religious organizations.

Medical office may include, but is not limited to, offices of physicians, dentists and other health care practitioners.

Retail may include, but is not limited to:

- Sales of apparel and accessories, variety and general merchandise, groceries, miscellaneous retail such as drugs, alcoholic beverages, antiques, art (including artists' studios), flowers, jewelry, gifts and novelties, books, cameras, bicycles (and bicycle repair), office supplies or restaurants;
- Retail services and personal services including, but not limited to, a management and leasing office, bank, hairdressing, dry cleaning and laundry pick up or travel agencies.
- Family, group day care, child care centers and nursery schools, only if licensed by the State of Michigan Department of Social Services

Drive-through facilities are prohibited.

Research and development may include:

- Offices of physicians, dentists and other health care practitioners;
- Laboratories for the design, development, and testing of medical and wellness products and procedures;
- Technical training and related activities.

All research and development uses are subject to required conditions for research provided under the City of Ann Arbor Code of Ordinances.

Indoor recreational uses, including, but not limited to, swimming, exercise classes, court activities, the use of exercise equipment, counseling, and physical therapy.

(B) Permitted accessory uses shall be:

Outdoor seating, merchandise display areas, vendor carts, temporary open-air markets, art displays, and performance areas provided they are located so as to maintain a six foot minimum width clear path and do not interfere with pedestrian movement on private sidewalks and comply with Chapter 47 of the City of Ann Code of Ordinances in public rights-of-way.

Temporary structures such as, but not limited to, tents, performance stages, or projection screens. Such accessory structures shall be in conformance with the regulation of and shall obtain occupancy permits from the City within public rights-of-way or as applicable.

Home occupations, subject to all the performance standards provided under the City of Ann Arbor Code of Ordinances.

Maintenance and management areas and storage and utility structures. Such areas and structures shall have a hedge, berm, wall, fence, or combination thereof, forming a continuous screen at least four feet high, from any internal or external residential environment, from pedestrian ways, and from the public rights-of-way or Traver Creek.

Parking

Wireless communication antennas, if affixed to buildings, or bell towers, carillons, and flagpoles.

(C) Setbacks: (see Exhibit A)

Front: SW (Maiden Lane) – 10 feet minimum
SE (Nielsen Court) – No required minimum
(Broadway) – No required minimum
(Private Streets) – 10 feet minimum (from edge of pavement)

Side: SE 10 feet minimum

Rear: NE 60 feet minimum

Internal: In order to maintain the unified nature of the PUD zoning district, there shall be no required building separation, except as required by Fire Codes, as illustrated in the conceptual plan, (Exhibit A, attached), described in this document under Site Access, and by the maximum floor area in percentage of lot area established by these supplemental regulations.

(D) Height: All heights shall be not less than 35 feet and 3 stories in height, except as noted below for Buildings A and G. Maximum heights shall be restricted, as shown below (refer to Exhibit A, attached for building location):

Building A: 90 feet and 6 stories, maximum, with two elements not less than 20 feet in height located in the Maiden Lane façade and comprising not less than 75 percent of the length of the façade.

Building B: 85 feet and 6 stories, maximum

Building C: 65 feet and 5 stories, maximum

Building D: 40 feet and 3 stories, maximum, on the Maiden Lane façade; 55 feet and 4 stories, maximum, on the Broadway façade; with an element between the two facades not less than 30 feet and 2 stories. The Maiden Lane façade shall comprise not less than 65 percent of the building area; and the 2-story element shall comprise not less than 10 percent of the building area.

Building E: 55 feet and 4 stories, maximum, with one element of 65 feet and 5 stories, maximum, located in the façade facing Private Street 1. This element shall not exceed 55 percent of the total building floor area and shall not exceed 33 percent of the length of the northeast façade.

Building F: 85 feet and 6 stories maximum.

Building G: 60 feet and 4 stories, maximum, with one element of 32 feet and 2 stories, maximum, which shall extend the length of the northeast façade, facing Landscape Area CP.

Parking Deck: 6 stories, maximum, but not including uncovered vehicle parking on the roof of the structure, which shall be allowed. Height of the parapet wall shall not exceed 80 feet.

Heights shall not be applicable to roof-mounted mechanical equipment.

(E) Lot Size: The size of the PUD zoning district shall be 6.41 acres, more or less.

The PUD may be further subdivided into no more than four lots, in accordance with the laws of the State of Michigan; provided, however, that easements shall be recorded, conveying to each owner the right of shared parking and vehicular and pedestrian access between any and all lots and addressing the ownership and obligation of maintenance and liability for those elements of the site, including, but not limited to, private streets and sidewalks, utilities, storm water management system, assignment of floor area in percentage of lot area within the PUD, and architectural review.

The PUD may be developed as condominiums, in accordance with the laws of the State of Michigan; provided, however, that the Condominium Master Deed shall address ownership and mutual obligations of maintenance and liability, including but not limited to, shared landscaping, utilities, storm water management system, and architectural review. Prior to any filing of the Condominium Master Deed, access easements shall be recorded, conveying to each owner the right of shared parking and vehicular and pedestrian access.

(F) Floor Area Ratio: Floor area in percentage of lot area for the PUD shall be determined for the entire 6.41-acre zoning district and shall not exceed 235 per cent based on gross building square footage, including basement space occupied by a principal or accessory use or structured parking, but not including roof-level, uncovered parking.

(G) Parking:

Vehicular: No fewer than 647 vehicle parking spaces and no more than 790 vehicle parking spaces shall be provided on site and in the public right-of-way of Broadway Street. No fewer than 80 per cent of these parking spaces shall be provided in a parking structure.

Parking spaces within parking structures shall be 8.5 feet by 17 feet in dimension with 22-foot aisles. Surface parking spaces shall conform to City standards and shall not exceed 9 feet by 18 feet for 90 degree parking or 9 feet by 20 feet for parking parallel to a curb.

No more than 150 monthly or annual parking permits for structured parking spaces may be made available to on-site residents and retail tenants. On-site resident permits may be restricted for evening, weekend and holiday hours, and use of such permits outside of the designated restricted hours charged on an hourly or other short-term basis.

No more than 190 deck parking spaces may be reserved for tenants and visitors of Building A.

No permits or reserved spaces shall may be made available for long-term parking for the general public in any lot or deck, but shall be charged on an hourly basis or other short-term basis.

Bicycle: No fewer than 180 bicycle parking spaces shall be located throughout the site and in the public right of way of Broadway Street to provide service near building entrances and dwelling units. These spaces shall consist of 25 percent Class A, 35 percent Class B, and 40 percent Class C, as defined in City Code.

(H) Screening and Buffers:

A vehicular use area right-of-way screen, consisting of plant materials only, shall be provided off-site in the public right-of-way, at the north and south ends of the vehicular use area within the Broadway right-of-way. Such landscaping shall meet the materials standards in the City of Ann Arbor Code of Ordinances and be subject to review and approval of the Parks and Recreation Department before issuance of a certificate of occupancy for Phase 1.

A conflicting land use buffer shall be provided on the east side of the site. The buffer adjacent to the parking deck, approximately 280 feet in length, shall be not less than 14 feet in width and shall contain evergreen trees, which shall meet the materials standards in the City of Ann Arbor Code of Ordinances. The buffer adjacent to the trash compaction area shall be not less than 4 feet in width, approximately 75 feet in length, and include a screen wall, not less than six feet in height and evergreen shrubs, shall meet the materials standards in the City of Ann Arbor Code of Ordinances.

(I) Landscaping and Site Amenities

Landscape design and installation shall be coordinated through out the PUD zoning district, as referenced in Exhibit A. All paved surface materials and walls

shall meet performance standards of the City of Ann Arbor Public Services Department Standard specifications. All landscaping shall meet the materials standards established in Chapter 62, Landscape and Screening of the City Code and in these supplemental regulations.

Plaza Area TS shall be not less than 16,000 square feet in area and shall contain paving on not less than 90% of its surface with decorative block or brick covering not less than 75 percent of the paved surface. Plaza Area TS shall include deciduous trees with protective tree grates (or where subsurface construction precludes tree growth, planters); benches or seating walls; screening walls; post-mounted and wall-mounted, down-directed exterior lights; decorative trash receptacles; and not less than one central, decorative, surface-mounted focal point such as a fountain, sculpture or mural.

Plaza Area GP, in the public right of way, shall contain paving on not less than 20 percent of its surface, with decorative block or brick covering not less than 45 percent of its paved surface; deciduous trees within islands of vegetation or organic, biodegradable mulch; and decorative trash receptacles

Landscape Area CP shall be not less than 22,000 square feet in area and shall contain lawn or ground cover or other organic, biodegradable surface suitable for pedestrian foot traffic, on not less than 80 percent of its surface; deciduous trees; and decorative trash receptacles.

Landscape Area TCG shall be not less than 30 feet to 60 feet in width along the northeast property boundary. It shall include a hard-surfaced, barrier-free walkway, subject to review and approval of the Parks and Recreation Department. The walkway shall have connections to existing sidewalks on Broadway, to Private Street 1 and within the PUD. The walkway shall have decorative-type, pedestrian-scale lighting not greater than 14 feet from ground surface to light source. The plants utilized within this landscape area shall be Michigan native species, which enhance habitat diversity for and restore the soil and wetland environment of Traver Creek; and shall not include invasive plant species.

Public and private street and sidewalk areas (Broadway, Maiden Lane, and Nielsen Court; Private Streets designated 1 and 2) shall contain elements of an urban character, including, but not limited to: decorative block or brick paving, covering not less than 65 percent of the sidewalk surface; deciduous trees with protective tree grates (or where subsurface construction precludes tree growth, planters); post-mounted and wall-mounted, down-directed exterior lights; and decorative trash receptacles.

(J) Site Access

Vehicular:

Access shall be limited to the following (refer to Exhibit A, Conceptual Plan):

Nielsen Court – one curb cut on the southeast side of the property, providing access to Private Street 1 and the solid waste compaction area.

Broadway – one curb cut on the northwest side of the property, for two-way traffic on Private Street 1. Mountable curb shall be provided for a pedestrian walkway, which shall be not less than 14 feet wide, along the designated Open Space TCG for emergency vehicle access to the north and west portions of Building F.

Maiden Lane- one curb cut on the south side of the property, for two-way traffic on Private Street 2.

Mountable curb shall be provided at the intersection of Private Streets 1 and 2 for the pedestrian walkway, which shall be not less than 14 feet wide, for emergency vehicle access to the west portion of Building H.

Pedestrian:

Barrier-free public access shall be provided to and within the site by sidewalks, not less than five feet in width, bordering all public and private streets. A public pedestrian walkway, not less than 8 feet in width, shall be provided adjacent to Open Space TCG, connecting public and private walkways east and west of the site.

Barrier-free public access shall be maintained to the Plaza Area TS from all surrounding public and private streets and rights-of-way. Inter-building separation shall be not less than 20 feet in width and walkways shall be unobstructed and not less than 14 feet in width.

Buses: Ann Arbor Transportation Authority and University of Michigan transportation vehicles buses shall be permitted full access to private streets internal to the site.

(K) Architectural Design:

General: Principal exterior materials of all buildings shall be brick, masonry, and pre-cast concrete with accent materials including rough face concrete block, stucco, wood, and metal panels. Roof areas visible from ground level shall be surfaced with standing seam metal or asphalt shingles.

Transformers, meters, roof mounted equipment, loading, and service areas shall be screened using materials consistent with buildings' principal and accent materials. The roof surfaces of the two-story components of Building A shall include a decorative pattern of materials.

Facades: Building façades shall be detailed to provide architectural relief, accent materials, fenestration, upper story balconies and varied rooflines.
Ground level facades of each of Buildings A, B, C, D, E, and G, up to a minimum height of 10 feet, shall contain an average of 50 percent of clear glass per building, including entries, storefront display, or windows.

- Entrances: Public entrances to buildings shall be provided in no fewer locations than the following:
- Building A: one each facing Private Street 1 and Maiden Lane
 - Building B: one each facing Plaza TS and Private Street 1; two facing Private Street 2
 - Building C: two facing Maiden Lane; one facing Plaza TS
 - Building D: one each facing Maiden Lane and the Plaza TS; one facing the junction of Broadway/Plaza GP or Building E
 - Building E: three facing Broadway; two facing Plaza TS; one facing Private Street 1
 - Building F: one each facing Area TCG, Private Street 1 or the intersection of Private Streets 1 and 2; and three facing Area CP.
 - Building G: one facing Broadway; one facing Area CP; two facing Private Street 1

Parking deck: Not less than 25 percent of the parking deck façades facing Nielsen Court shall be finished with masonry, pre-cast concrete or rough face concrete block with no more than 75 percent in exposed ramped segments.

The location and height of Building F shall screen not less than 90 percent of the northeast and northwest facades and not less than 40 percent of the southwest façade of the parking deck.

The location and height of Building A shall screen not less than 95 percent of the south façade of the parking deck from the Maiden Lane public right of way.

Interior lighting of the parking deck shall be down-directed and shielded to prevent light spillover and to minimize impact on neighboring properties.

(L) Phasing

The PUD shall be constructed in at least two phases.

Phase 1 shall generally include site utilities, brownfield clean-up infrastructure, portions of the storm water management system, improvements in the Broadway right of way and Building E as shown in Exhibit B, attached.

Phase 2 shall generally include Buildings A, B, C, D, F G, the Parking Deck, the private streets and sidewalks, the remaining storm water management system,

traffic management infrastructure, and remaining site improvements, as shown in Exhibit C, attached.

The phasing and sequencing plans may be amended administratively, following review and approval by staff and in accordance with environmental clean-up and remediation, City Code, fire safety, utility infrastructure, requirements of existing lease holders and tenants, and requirements for access and parking for existing and future buildings.

(M) Affordable Housing

Twenty percent of the residential units, but not less than 29 units, shall be affordable on a long-term basis to lower income households, as defined in Chapter 55 of the Ann Arbor City Code, and shall be made available for lease or sale to eligible households under such negotiated terms reasonably acceptable to the City and the Petitioner.

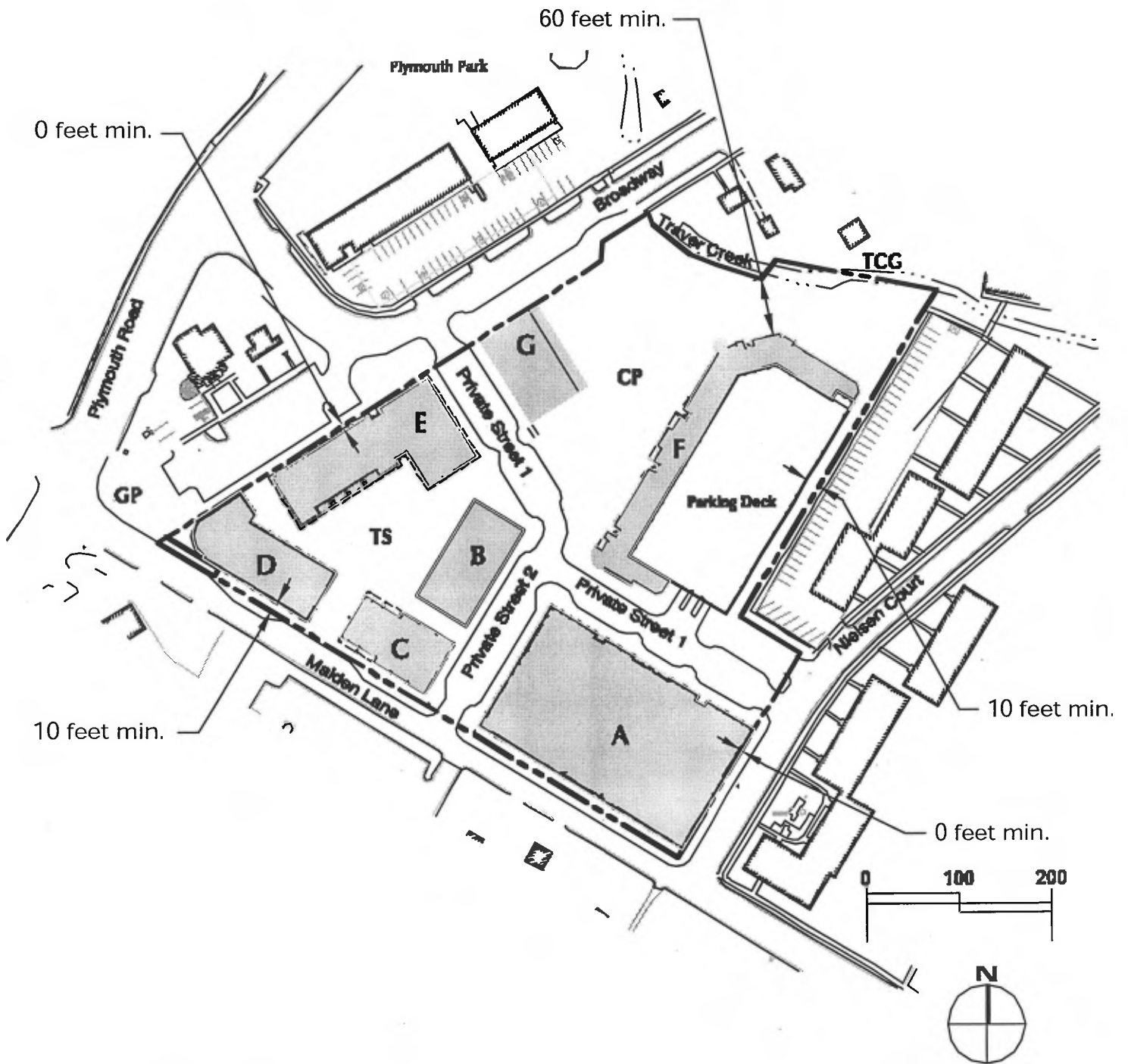
The mixture of affordable units shall be in equal proportion to the mixture of unit sizes in the complete development and within each structure, and shall be physically indistinguishable from any other unit in the development.

Leaseholders shall be entitled to access to each and every amenity available to market-rate units, including the provision of off-street parking.

Attachments:

- Exhibit A – Conceptual Plan
- Exhibit B – Phase 1
- Exhibit C – Phase 2

Prepared by Donna Franklin Johnson
DJ/lf



CONCEPTUAL PLAN
 Broadway Village PUD Zoning District

Exhibit A

Broadway Village PUD

For Planning Commission Meeting of March 18, 2003