

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of November 7, 2012**

**SUBJECT: The Shoppes at 3600 Rezoning and Site Plan for City Council Approval  
(3600 Plymouth Road)  
File Nos. Z12-008 & SP12- 024**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Shoppes at 3600 rezoning from R5 (Motel-Hotel District) to C3 (Fringe Commercial District).

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Shoppes at 3600 Site Plan, subject to completion of the following prior to issuance of any permits for construction of the new building: 1) approval of a land division, 2) approval of an administrative amendment to the parent site plan, 3) recording of an ingress/egress easement along the existing drive from Plymouth Road, and 4) recording of storm water and cross parking easements.

**STAFF RECOMMENDATION**

Staff recommends that the zoning be **approved** because the proposed uses permitted under the C3 zoning district are consistent with the recommendations of the Master Plan: Land Use Element and would be compatible with the City's adopted plans and policies and with the surrounding properties.

Staff recommends that the site plan be **approved** because, if the stated conditions are satisfied, it would comply with all local, state and federal laws and regulations; the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and the development would not cause a public or private nuisance and would not have a detrimental effect on public health, safety or welfare.

**STAFF REPORT**

This petition originally was scheduled for the October 16, 2012 City Planning Commission meeting, which was subsequently cancelled due to a lack of a quorum. Since that time, additional comments were received from the public. These comments are discussed below.

Traffic -Concerns were received from the public regarding the traffic flow from this site (staff's comments are in *italics*):

There are a perceived high number of traffic accidents.

*The Traffic Engineer looked at the recent crash history of Plymouth / Green Road. The intersection has one of the highest crash frequencies (i.e., number of crashes) in the City. Staff examined this with MDOT for a local safety audit in years past. Out of that review, overhead lane use signage was recommended for southbound Green, but Project Management staff determined the change would provide minimal benefit and would not justify the cost.*

*It should be noted, however, that the crash occurrence is not one which is out of the ordinary for an intersection carrying this volume of traffic. Over the past five years, an average of 18 crashes occurred per year. Comparing the crash frequency with SEMCOG information for a signalized intersection with this volume of traffic, the frequency is not unusual. Based on the volume of this intersection, the critical crash frequency would be 26 crashes; the average is 18 crashes per year.*

Turning lanes from southbound Green to eastbound Plymouth and lanes on Plymouth are often backed up.

*The intersection of Plymouth / Green currently experiences a poor level of service due to the high volume of traffic. Level of service is E in the AM peak and F in the PM peak. The LOS will remain the same post construction. A large number of vehicles accessing this development will be vehicles that are already passing through the intersection. Due to this pass-by traffic nature, any new traffic added to the street network from this development would have a minimal effect on the intersection.*

There is confusing traffic flow at the intersection of the proposed development. How would access be managed when current conditions have traffic backed up and access in/out of the gas station is restricted?

*The illegal left turns onto Plymouth were noted by the traffic consultant. The petitioner proposes improved guide signs internal to the site to mitigate this problem.*

Rezoning – Concerns were received from the public regarding the rezoning (staff's comments are in *italics*):

Rezoning does not require the proposed uses/size of the building to be the actual uses as C3 allows 200% FAR. Future expansion to the building could be greater than 87,000 sq. ft.

*The proposed 9,450-square foot retail building has approximately 19% floor area on a 1.15 acre site. This size retail building requires a range of parking spaces from 33-36 spaces. This proposal shows 33 parking spaces taking up the majority of surface space on site. Any future building expansion requires additional parking; thus limiting the possibility of this site reaching the maximum 200% floor area in the C3 zoning district.*

The removal of 51 spaces from the hotel to allow this to be built could have unintended consequences.

*This site plan is recommended for approval contingent upon approval of an administrative amendment to the hotel site plan. The hotel site is required to show it has sufficient parking spaces by meeting the standards of the city's parking ordinance. The parking lot for this project will be connected to the hotel parking lot with cross-parking easements, allowing for shared parking between uses, which have different peak hour needs.*

Citizen Notification – Staff received an inquiry about whether proper notification of the citizen participation meeting was provided. The petitioner sent out notices for the citizen participation meeting to owners and occupants within 1000 feet of the property based on a list provided by Planning Services. The Orchard Hills/Maplewood neighborhood is located beyond 1000 feet and therefore this address was not included on the mailing list. Planning Services sent the site plan notice to owners and occupants within 500 feet (which is the requirement for the land division), which again, did not touch on the Orchard Hills/Maplewood neighborhood. Notice of the project did go out to citizens subscribed to our “Petitions under Review” RSS feed on August 28, 2012.

The Citizen Participation Report and sign-in sheet are attached to the original report.

Prepared by: Chris Cheng  
Reviewed by: Wendy Rampson

Attachment: 10/16/12 Staff Report

c: Project Management  
Systems Planning

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of October 16, 2012**

**SUBJECT: The Shoppes at 3600 Rezoning and Site Plan for City Council Approval  
(3600 Plymouth Road)  
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**LOCATION**

The site is located on the south side of Plymouth Road, west of US-23 Highway (Northeast Area, Millers Creek Watershed).

### DESCRIPTION OF PETITION

The petitioner proposes dividing off a 1.15-acre parcel from the parking lot and front yard of this 10.85-acre hotel site and rezoning it from R5 (Motel-Hotel District) to C3 (Fringe Commercial). The petitioners propose to construct a 9,490-square foot, one-story retail building, to be built in one phase. The total construction cost is estimated to be \$1,000,000.

The site will be accessed from an existing shared driveway off Plymouth Road. The new retail building includes a restaurant with a one-lane drive-thru facility, which is permitted per the C3 zoning district requirements. The drive-thru window will be located on the north side of the building, and stacking of vehicles occurs along the north and east sides of the building. The drive-thru will provide a maximum queue length of 13 vehicles.

An outdoor patio/seating area is proposed on the east side of the building. A raised pedestrian link is proposed connecting the western pedestrian entrance with the existing sidewalk along the shared entrance drive. Public sidewalk currently exists across the Plymouth Road frontage.

The retail uses will require a minimum of 31 automobile parking spaces, and this requirement is met with 33 parking spaces located on the interior of this site, along with four covered bicycle spaces near the entrance. The petitioner proposes removing 51 existing hotel parking spaces to construct the required retail spaces and connecting these spaces to the remaining hotel parking lot.

Storm water detention is required and will be provided underground on the southwestern corner of the parking lot. This system is designed to allow for infiltration into the soil. One 22-inch Pin Oak landmark tree is proposed to be removed, with five mitigation trees to be planted around the perimeter of the site.

The petitioner held a neighborhood meeting on August 27, 2012 to present the proposal. The neighborhood feedback was addressed and staff has not received concerns regarding this development at the time this report was written.

Approval of this site plan is contingent upon the successful completion of this land division and administrative amendment to the parent parcel, and is noted in the proposed Planning Commission motion.

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Education, Restaurant, Hotel	PUD (Planned Unit Development)
EAST	Highway and Park and Ride Lot	R5 (Motel-Hotel District)
SOUTH	Hotel	R5
WEST	Auto Services	C3 (Fringe Commercial)

### COMPARISON CHART

	EXISTING	REQUIRED/PERMITTED	PROPOSED	REQUIRED/PERMITTED
Zoning	R5 (Hotel-Motel District)	R5	C3 (Fringe Commercial District)	C3
Gross Lot Area	460,865 sq ft	460,865 sq ft	50,399 sq ft	6,000 sq ft MIN
Maximum Usable Floor Area in Percentage of Lot Area	Not Applicable	Not Applicable	9,490 sq ft (18.8%)	100,797 sq ft MAX (200% MAX)
Minimum Lot Area Per Room	2,066 sq ft	900 sq ft	Not Applicable	Not Applicable
Setback – Front	300 ft – Plymouth Rd 169 ft – US 23	15 ft MIN 50 ft MAX*	25 feet	10 ft MIN 25 ft MAX
Setback – Side(s)	42.3 ft	25 ft	37 feet	0 ft MIN
Setback – Rear	211 ft	15 ft	150 ft	0 ft MIN
Height	55 ft** (5 stories)	50 ft	20 ft	55 ft MAX
Parking – Automobile	448 spaces (56 shared with Hawthorne Suites)	448 spaces (56 shared with Hawthorne Suites)	33 spaces	31 spaces MIN 36 spaces MAX
Parking – Bicycle	8 spaces – Class A 5 spaces – Class B 14 spaces- Class C	11 spaces – Class A 6 spaces – Class B 22 spaces – Class C	Class B – 4 spaces	Class B – 2 spaces MIN Class C – 2 spaces MIN

\*For new freestanding buildings constructed or site planned after 2010, otherwise none

\*\*Planned project modification granted from the R5 district maximum height of 40 ft

### HISTORY

This site was annexed and zoned R5 in 1966, and a site plan for a hotel building, which was never built, was approved in 1967. The site plan was superseded by a revised site plan and planned project approved in 1971. The planned project, which was approved by the Zoning Board of Appeals, allowed the height of the hotel to exceed the maximum of 40 feet. The existing Holiday Inn North building was constructed in 1972. A three-story guest room addition and several smaller additions were approved and constructed between 1974 and 1975.

A revised planned project site plan for a new hotel wing and a ballroom/meeting room addition was approved in December 1988. A site plan for minor modifications for a new hotel wing and a ballroom/meeting room/restaurant addition was approved in February 1990. The 1988 and 1990 plans were never implemented and have expired. A revised site plan was approved in December 1996 for the addition of a 82-room extended stay hotel on the site southeast of the existing hotel, which was never implemented and has expired.

A revised planned project site plan was approved in 1997 for a redesign of the southern parking lot to allow shared parking with the extended stay hotel south of this site. A land division was approved in 2005 splitting 1.75 acres of the southwest portion of this site to construct an 83-unit Microtel hotel.

## PLANNING BACKGROUND

The Master Plan: Land Use Element supports commercial uses for this site. The Plan recommends that retail centers be designed with pedestrian access as a primary goal. It also helps encourage mass transit and reduce the demand for parking. Surface parking should be placed at the rear of the building and should not be a dominant element along public streets.

The Non-Motorized Plan recommends bicycle lanes and sidewalks on both sides of the street for Plymouth Road.

The Transportation Plan Short-term Recommendations identifies Plymouth Road as a signature transportation corridor. Plymouth Road is currently contemplated as part of the Ann Arbor Connector Study, which establishes high capacity service from the Plymouth corridor through downtown and the southern part of the City.

## ZONING/REZONING JUSTIFICATION

Per Chapter 55 Section 5:107(1), the Zoning Ordinance and Zoning Map shall not be amended except “because of changed or changing conditions in a particular area or in the municipality generally, to rezone an area, extend the boundary of an existing Zoning District or to change the regulations and restrictions thereof.”

The petitioner’s Petition For Changes In Or Additions To The Zoning Chapter, a form provided by the Planning Department to assist petitioners in providing the required information per Chapter 55 Section 5:108(2)(a)-(g), is reprinted below. The questions are not standards for approval, rather guides to providing sufficient evidence of changed or changing conditions.

- **The extent to which the zoning/rezoning requested is necessary:**

The proposed use allows commercial businesses to be constructed along Plymouth Road consistent with what is developed west of this parcel.

- **This zoning/rezoning will affect the public welfare and property right of persons located in the vicinity in the following ways:**

The rezoning will provide additional retail and restaurants that will be used by surrounding neighbors and businesses on Plymouth Road.

- **This zoning/rezoning will be advantageous to the City of Ann Arbor in the following ways:**

The requested rezoning is consistent with the uses in the surrounding area. Additional infrastructure improvement are not required, while jobs and property taxes will be added due to this development.

- **This particular location will meet the convenience and service requirements of potential users or occupants in the following ways:**

All access and utilities will be from inside the development. Access to this development will be via internal roadways and will not create any adverse conditions on public roadways.

- **Any changed or changing conditions in any particular area, or in the municipality generally which may have bearing on the proposed zoning/rezoning are:**

No changes are known that would have a bearing on this development.

- **Other circumstances which will further justify the requested zoning/rezoning are:**

This multi-use retail/restaurant development is consistent with the surrounding area. It will not adversely impact the existing utilities and traffic.

### STAFF COMMENTS

Systems Planning – Two footing drain disconnections are required to mitigate sanitary flow as part of this development.

An ingress/egress easement must be provided along the existing drive from the Plymouth Road right of way to the proposed parking lot before issuance of any permits. All proposed off-site utility easements must be conveyed to the city prior to the issuance of the first permit, including the private storm water easement.

Traffic – Per the conclusions of The Shoppes at 3600 Traffic Impact Study, the following recommendations are offered to manage traffic in and around the site:

- Retain current access to Plymouth Road and Green Road via common access drives.
- Retain existing stop control at current access points on Plymouth and Green Roads.
- Retain existing land configuration on Plymouth and Green Road at access locations.
- Improve access management signing present on the Plymouth Road Access Drive adjacent to the site in an effort to eliminate the prohibited left turn movements which are currently being made.

Planning – Staff supports the the C3 zoning for this site as it is surrounded by similar zoning and uses with US-23 highway located directly to the east. The Master Plan: Land Use Element recommends commercial uses along this stretch of Plymouth Road. The rezoning will provide retail services closer to Plymouth Road and provide a transition of fringe commercial zoning to local business zoning moving westward. Additional retail services will be provided to the hotel and surrounding neighborhood.

A proposed raised 5-foot wide sidewalk linking the service drive sidewalk to the retail center is provided. The petitioner is proposing bollards at each corner to alert drivers of this pedestrian crossing along with reducing the drive-thru width to comply with the recently adopted changes to Chapter 59 (Off-Street Parking).

Prepared by Christopher Cheng

Reviewed by Wendy Rampson

10/12/12

Attachments: 8/27/12 Citizens Participation Report  
Zoning/Parcel Maps  
Aerial Photo  
Site Plan  
Landscape Plan  
Elevations

c: Petitioner: Ken Hicks  
Diverse Development  
1428 Albon Road  
Holland, OH 43528

Petitioners Agent: Dan Stone  
Van Horn Hoover & Associates Inc.  
P.O. Box 612  
Findlay, OH 45839

Owner: Ann Arbor Farms Hotel Corporation  
3600 Plymouth Road  
Ann Arbor, MI 48105

Systems Planning  
File Nos. Z12-008 & SP12-024

Final Citizen Participation Report for:

New Neighborhood Strip Center

3600 Plymouth Road

Ann Arbor, MI

August 27, 2012

Prepared by:



1428 Albon Road, Holland, Ohio 43528

419-297-7070

## **Citizen Notification Meeting General Information**

**Date of Meeting:** Thursday, August 16, 2012, 6:00 pm

**Location of Meeting:** Holiday Inn, 3600 Plymouth Road, Ann Arbor, MI

**Written Material Provided:** refer to attached notification postcard and attachments

**Number of Citizens sent notices:** 113

**Number of Citizens attending:** 3

**Sign in Sheets:** see attached

**Summary of comments and concerns:** refer to attached Meeting Report

# This Report is a Record of the Meeting Held:

**Date:** 08-16-12    **Time:** 6:00 pm- 6:45 pm    **Location:** Holiday Inn, 3600 Plymouth Road, Ann Arbor

## Presentation- Diverse Development Participants:

<u>Name</u>	<u>Company</u>	<u>Phone</u>	<u>Email</u>
Kenneth A. Hicks Jr.	Diverse Development	419-297-7070	<a href="mailto:hicks656@gmail.com">hicks656@gmail.com</a>

## Citizen Participants/Attendees-

<u>Name</u>	<u>Address</u>	<u>Phone</u>
Gary Bachman	3601 Plymouth Road, Ann Arbor	Cleary University
Lisa Loesel	2000 Town Centre, Ann Arbor	248-669-6219
Linda Patterson	2133 Old Earhart Rd, Ann Arbor	

## Meeting Minutes-

Ken Hicks from Diverse Development welcomed the group to the meeting and informed everyone this meeting was part of the process for Diverse Development to obtain zoning and site plan approval for the proposed neighborhood retail strip and the subject site. Ken also described the proposed project and their intention to develop, own and manage this upscale project and the timing of construction and tenant turnover.

Formal presentation for concluded and questions were invited

## Citizen Discussion:

1. Linda Patterson and her husband- How can Plymouth Road handle any more development or traffic...already too much along Plymouth Road?  
*Ken Hicks from Diverse responded: We are required to complete and submit a formal Traffic Study that would address this issue with our petition*
2. Gary Backman- What will the center look like along Plymouth Road and if there are any good restaurants or sandwich shops that would help service Cleary Universities students and staff he would welcome the project?

*Ken Hicks from Diverse responded:* All of our projects have an upscale look and feel. Due to the building being so close to the road, this building will have a look along the roadside that would look similar to the front with materials, awnings and signage.

3. Linda Patterson and Gary Backman- The public doesn't know or it's clearly not identified that traffic exiting current site and whole development do not know that there are two lanes that allow for right turns only onto Plymouth Road.

*Ken Hicks from Diverse responded:* We will work with the owners to help increase the identification that there are two exiting lanes on Plymouth east of BP Gas.

Ken concluded the meeting and asked if they had any more question or comments and feel free to contact him with any more questions and that he looks forward to developing this project in Ann Arbor and being a part of this community.

Prepared By:  
Diverse Development

A handwritten signature in blue ink, appearing to read 'Ken Hicks Jr.', is written over the printed name.

Kenneth A. Hicks Jr  
Authorized agent

# Proposed Neighborhood Center

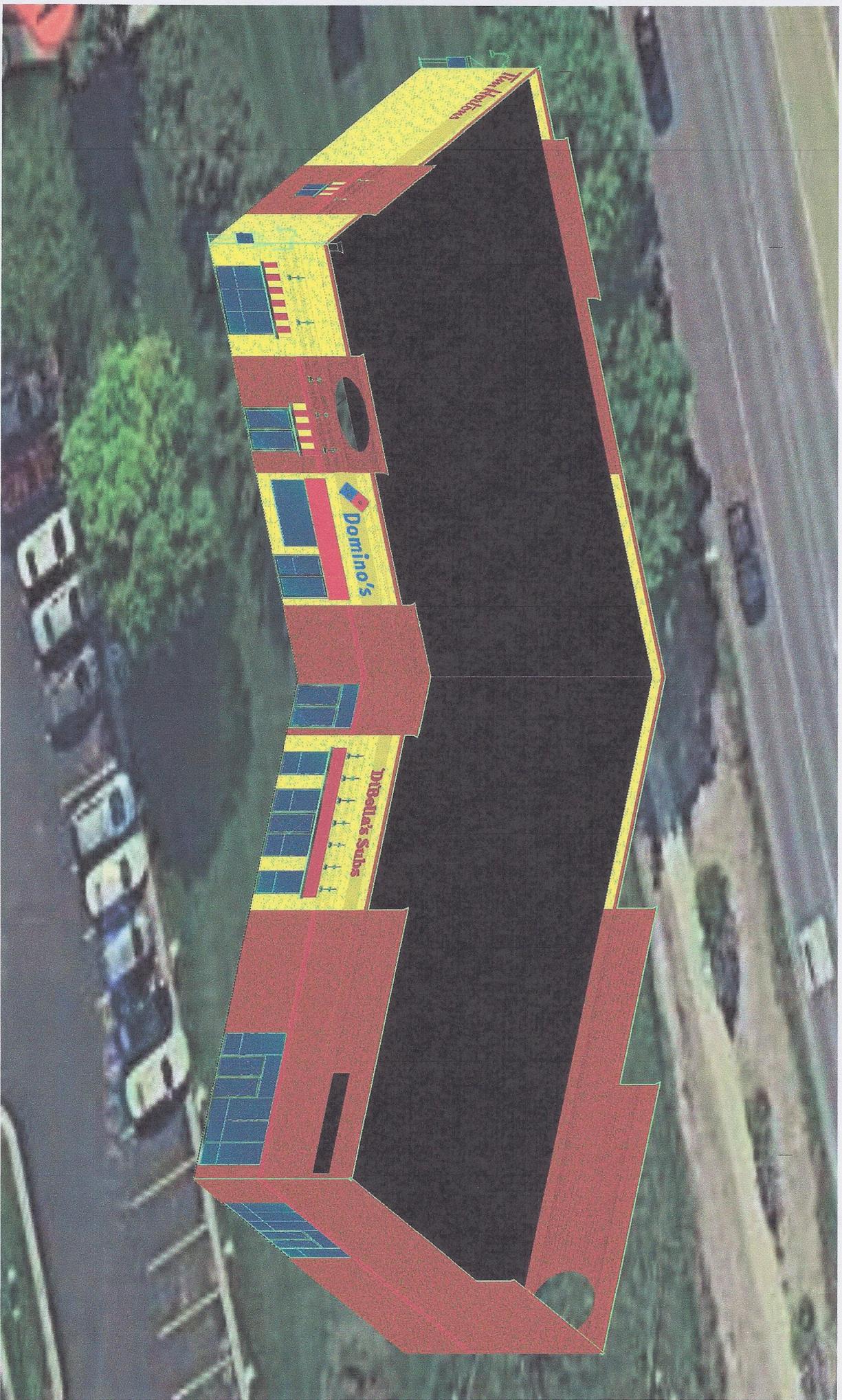
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- Notice of public meeting to discuss the proposed zoning change, lot split and development of a 9500 square foot neighborhood center to be located in front of the Holiday Inn Ann Arbor located at 3600 Plymouth Road just west of SR 23.
  - Petition and site plans will be submitted to the City of Ann Arbor before August 27<sup>th</sup>, 2012. Anticipated meeting for Planning Commission review to be held on October 16<sup>th</sup>, 2012. Anticipated meeting for City Council to review the plans is November 19<sup>th</sup>, 2012. The plans will be available at the meeting for your review.
  - Meeting to be held August 16<sup>th</sup>, 2012 at 6:00 pm at the Holiday Inn Ann Arbor 3600 Plymouth Road just west of SR 23. Enter hotel lobby and signs will direct you to meeting room.
- \*\*Persons with disabilities are encouraged to participate in public meetings. Accommodations, including sign language interpreters, may be arranged by contacting Ken Hicks. Requests need to be received 24 hours in advance of the meeting.

**CONTACT:**  
Ken Hicks – Principle  
419-297-7070  
hicks656@gmail.com

**DIVERSE**  
DEVELOPMENT  
Complete Real Estate Development and Consulting









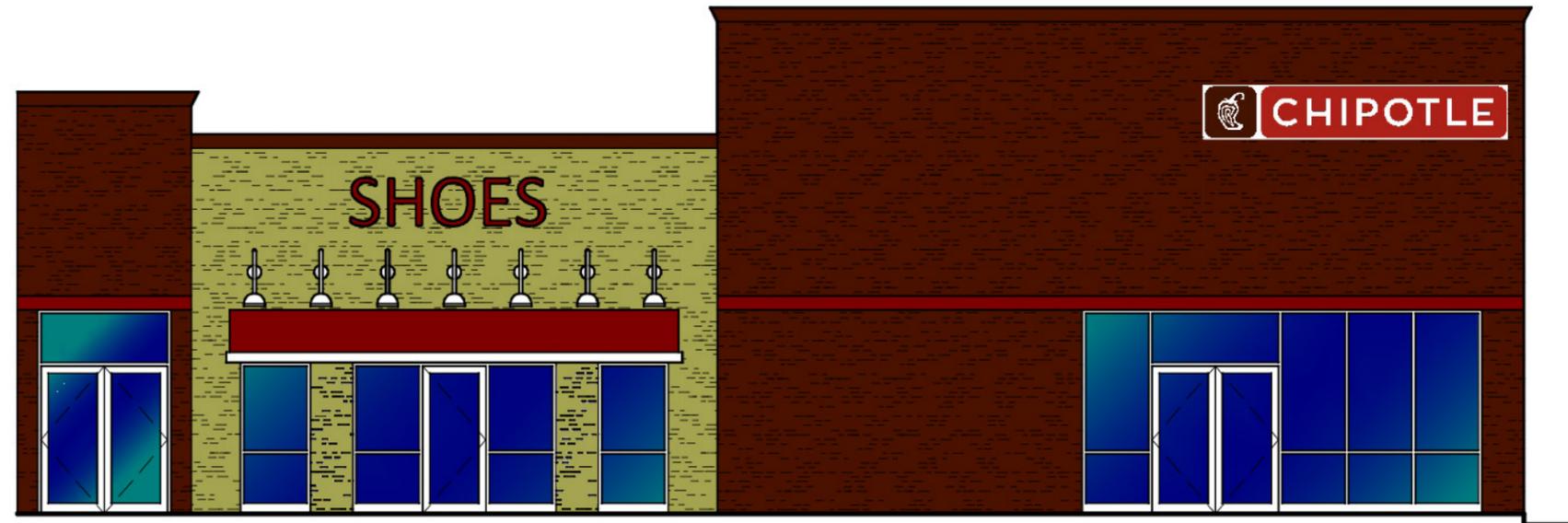
NEIGHBORHOOD  
PARTICIPATION MEETING  
PROPOSED OUTLOT  
NEIGHBORHOOD CENTER





PROPOSED FRONT ELEVATION 1

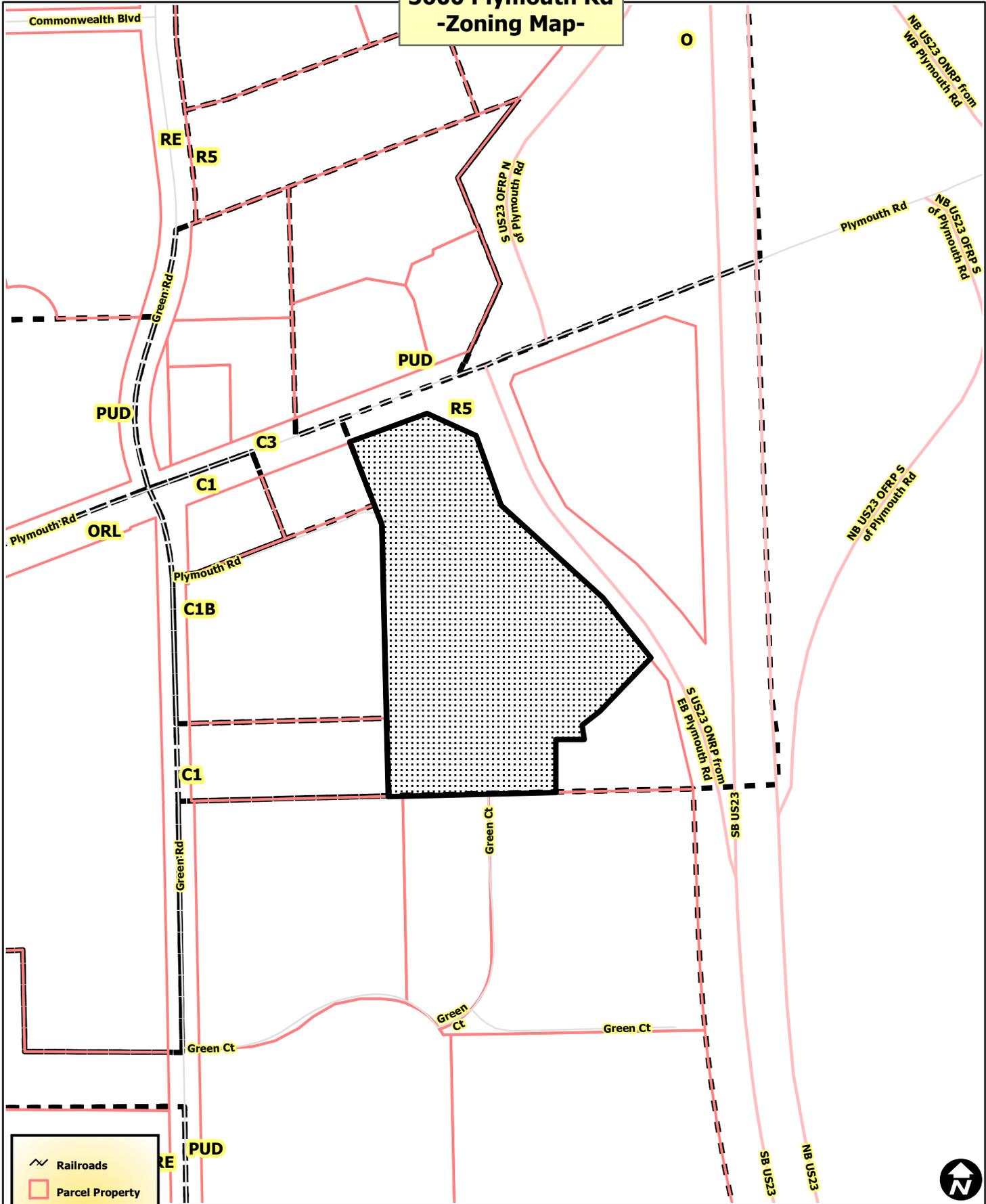
SCALE: 1/8" = 1'-0"



PROPOSED FRONT ELEVATION 2

SCALE: 1/8" = 1'-0"

# 3600 Plymouth Rd -Zoning Map-



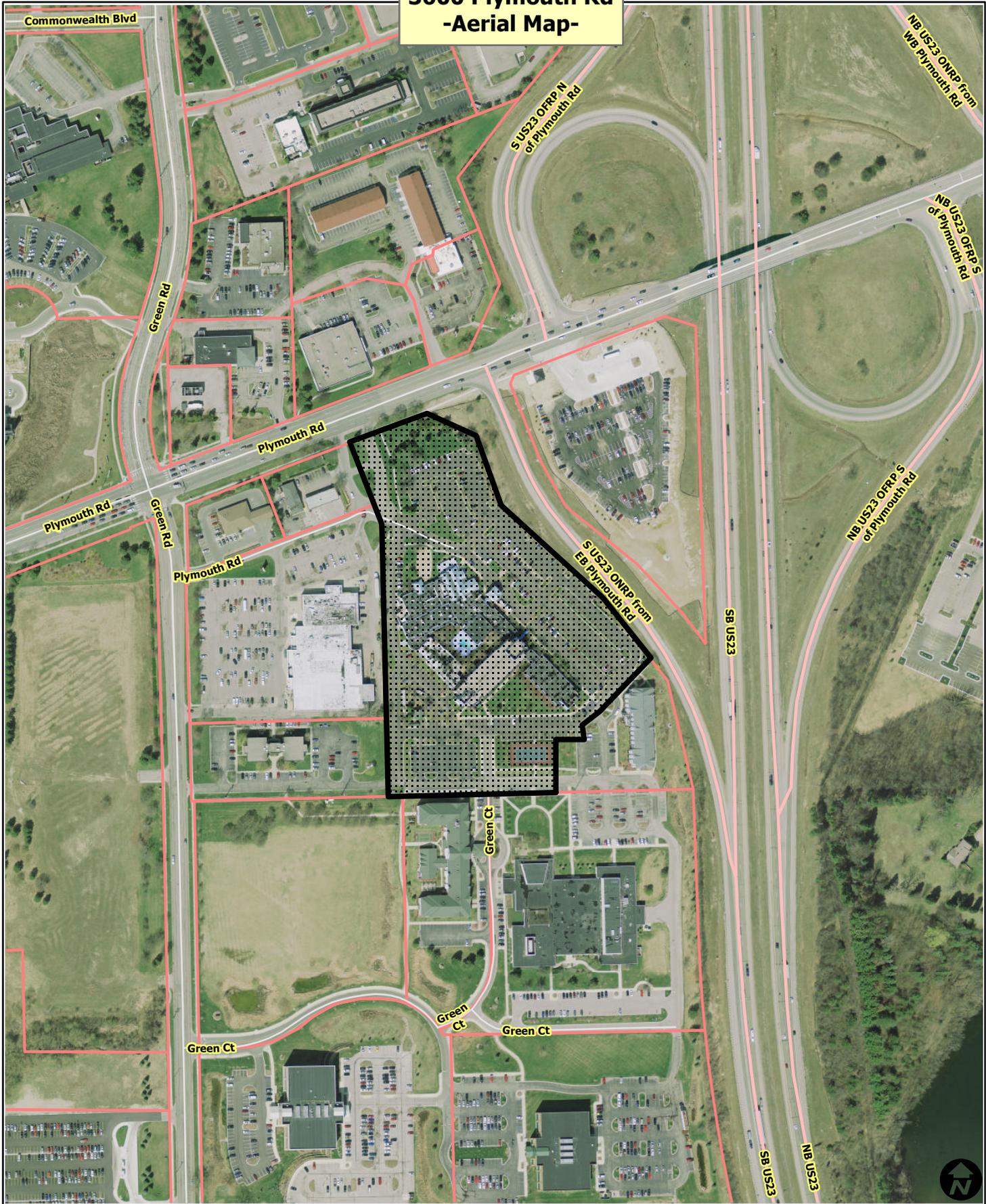
**Legend**

- Railroads
- Parcel Property
- Zoning**
- Township
- Zoning



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# 3600 Plymouth Rd -Aerial Map-



 Railroads  
 Parcel Property



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