



Community and Economic Development – Staff Report

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| REQUEST | Planned Unit Development |
| APPLICANT | Full Circle Communities 310 S. Peoria St., Ste. 500, Chicago, IL 60607 |
| OWNER | Same as above |
| LOCATION | E. Nine Mile, includes corner of Paxton and Vester |
| PARCEL NUMBER | 25-27-490-019; 25-27-490-001; 25-27-490-002 |
| ZONING | C-2 (General Commercial) & R-3 (Single/Multiple-Family Residential) |
| STAFF | Erin Quetell, Environmental Sustainability Planner Justin Lyons, Planning Manager |
| ATTACHMENTS | Site Plan Review Response Letter – January 13, 2021 Site Plan Application Site Plan – January 13, 2021 |

Summary

The proposed Planned Unit Development (PUD) project includes three properties: 503 E 9 Mile Rd which is zoned C-2 Commercial, 410 Vester St. and 414 Vester St. which are zoned R-3 Residential. This project is seeking State and local incentives through the Payment in Lieu of Taxes (PILOT) program and will be reviewed and voted on separately from the site plan and PUD review.

The project team is Full Circle Communities based out of Chicago, IL. This organization focuses on affordable housing developments, with an interest in supporting the LGBTQ+ community in Ferndale for this project. Full Circle Communities met with the Planning Commission at the December 2, 2020 meeting and presented their Preliminary PUD application for discussion. The Planning Commission, staff, and community members provided feedback and the project was given direction to proceed with a formal PUD application. The project team has since reached out to several community organizations and held at least two (2) community meetings to gather feedback on the plans.

The overall development meets a number of goals and recommendations in the 2017 Ferndale Master Plan, including diversification of housing types, long term affordable housing, pedestrian and transit-oriented development and sustainable building design. The development proposes a mix of one- and two-bedroom units for a total of 53 units. The maximum height of the building is 47 feet with a 52' parapet, and the gross square footage is 50,104 GSF.

Below is a detailed review of the site plan and planned unit development application. The draft Planned Unit Development agreement has been reviewed by staff and the City Attorney.

Aerial Photo of Site & Surroundings



Image of parcel from Oakland County Property Gateway (2017)

Parcels and Legal Descriptions

- 503 E 9 Mile Rd (25-27-490-019) - T1N, R11E, SEC 27 URBANREST SUB LOTS 19 TO 24 INCL EXC S 20 FT OF EACH TAKEN FOR RD, ALSO S 1/2 OF VAC ALLEY ADJ TO LOTS 19 TO 23, ALSO LOTS 25 & 26 EXC S 7 FT TAKEN FOR RD, ALSO ALL OF VAC ALLEY ADJ TO LOTS 24, 25 & 26 BLK 25 10-2-91 FR 003, 009 & 011
- 410 Vester St. (25-27-490-001) - T1N, R11E, SEC 27 URBANREST SUB LOTS 17 & 18, ALSO N 1/2 OF VAC ALLEY ADJ TO SAME BLK 25
- 414 Vester St. (25-27-490-002) - T1N, R11E, SEC 27 URBANREST SUB LOTS 14, 15 & 16, ALSO N 1/2 OF VAC ALLEY ADJ TO SAME BLK 25

Adjacent Land Uses and Zoning

The subject site includes three (3) parcels, two (410 Vester and 414 Vester St) zoned R-3 (Single/Multiple-Family Residential) and one (503 E. 9 Mile Rd) zoned C-2 (General Commercial).

Adjacent zoning districts include CBD (Central Business District; Urban Flex subdistrict) to the west, R-3 to the northwest and north, and C-2 to the east. The Downtown Development Authority boundary is just west of the subject site. The 2017 Future Land Use Map denotes “Commercial/Office” as the recommend future land use.

Planned Unit Development (PUD) Considerations

The applicant provided a Planned Unit Development (PUD) application and site plan application. The applicant previously completed the preliminary PUD worksheet and presented to the Planning Commission prior to the official PUD submittal on December 2, 2020. Below is an excerpt of the PUD ordinance (Article XIII – Section 24-303) and a list of deviations from the R-3 and C-2 zoning districts as requested by the applicant (also noted in the draft agreement).

The applicant provided exhibits that detail Master Plan Compatibility and Community Benefits, which detail the project’s intent to meet eight (8) of the 12 “recognizable substantial benefits” a PUD application shall provide by ordinance.

1.Planned Unit Development Qualifying Conditions (Article XIII - Section 24-303)

The planning commission shall and the city council may consider the following criteria in making its findings, recommendations and decision regarding planned unit development applications:

- (a) The PUD shall be planned and developed as a as a cohesive project.
- (b) The PUD shall be compatible with the overall goals and recommendations in the City of Ferndale Master Plan.
- (c) The PUD shall result in recognizable and substantial benefits to the city overall that would not be available under the existing, underlying zoning classification. The protection of the environment, general compatibility with adjacent land uses, availability of public facilities and services and the protection of the public health, safety and welfare. Benefits beyond those otherwise required by this Ordinance may include, but are not limited to:

- (1) Preservation of significant natural features.
- (2) A complementary mixture of uses.
- (3) Sustainable building and site design.
- (4) Open space greenways to link to adjacent greenway corridors.
- (5) Transition areas from adjacent land uses.
- (6) Provision of affordable housing units.
- (7) Diversification of housing types provided in the city.
- (8) Preservation of historical buildings or site features.
- (9) Improvements to the public street system to mitigate traffic impacts or other public facility improvements to mitigate impacts of development.
- (10) Pedestrian and transit oriented development.
- (11) Coordinated development of multiple assembled small parcels.
- (12) Removal or renovation of blighted buildings or sites or clean-up of site contamination.

2.Proposed Planned Unit Development Deviations

The applicant provided a draft planned unit development agreement, which has been reviewed by the City Attorney and is included in the packet. The final draft of the PUD agreement would include an accompanying Amenity Zone Maintenance Agreement to determine future maintenance of the proposed public space to be improved by the applicant at the southeast corner of E. 9 Mile frontage in the City’s right-of-way. Any recommended revisions by the Planning Commission would be reviewed again by the City Attorney and considered by City Council during their consideration.

| Proposed Use | Requirement | Proposed (Deviation) |
|----------------|---|---|
| Senior Housing | Vehicle Parking – 53 | <u>26 spaces</u> |
| | EV Stations – 5 | <u>3 spaces</u> |
| | Bike Parking – 65 | <u>32 spaces</u> |
| | Units per Acre – 35 ft (R-3) | <u>75 unit per acre density</u> |
| | Parking Setbacks – 30 ft | <u>21 ft at 9 Mile; 12 ft at Vester</u> |
| | Setbacks – Maximum 10 ft (R-3) | <u>14 ft at 9 Mile; 2 ft 4 in at Paxton</u> |
| | Maximum Height – 45 ft (R-3) and 50 ft (C-2) | <u>47 ft (R-3; meets C-2 requirement)</u> |
| | Building base materials: primary materials >75%; secondary materials <25% | <u>West Elevation: Primary material 63% (fiber cement siding); secondary material 37% (brick)</u> |

Site Plan Considerations

1. Access and Circulation

The property would be redeveloped to include an off-street parking facility with 26 parking spaces, including three (3) accessible parking spaces. The applicant has provided letters of intent for shared parking agreements with adjacent properties, including Blumz Florists, CVS Pharmacy, and Incubizo. If shared parking agreements are required by the Planning Commission or City Council, then the agreements would be filed with the City and Oakland County Register of Deeds. The subject site is located on a major SMART transit route, as well as a regional bicycle route and bicycle lanes on E. 9 Mile Road. The applicant has been working with staff from SMART and the City to provide an improved transit experience near the corner of E. 9 Mile and Paxton.

The three parcels previously had two (2) residential driveways and one (1) non-conforming driveway on the E. Nine Mile frontage. Based on feedback at prior meetings, the off-street parking area would be consolidated and accessed entirely from E. Nine Mile, with a two-way maneuvering lane and circulation. The proposed parking design meets parking dimension and design standards for parking spaces, curb, maneuvering lanes, access management, and general circulation. Required internal sidewalks are denoted on the plan and the existing public sidewalk along each street frontage will remain.

PUD Deviations

The proposed development is deficient in the required electric vehicle charging stations with three (3) provided and five (5) required and 26 total off-street parking spaces with 53 spaces required. The development meets the requirement for one (1) accessible electric vehicle charging station. The site plan provides 32 bicycle parking spaces (16 interior, 16 exterior) with internal bicycle parking, plus “post and ring” style racks located on the E. Nine Mile frontage and in the private open area at the northwest corner of the site. However, the site plan is deficient in bicycle parking with 65 spaces required overall.

| Proposed Use | Off-Street Parking Standard | Net Square Footage/Occupancy | Parking Required | Parking Provided | EV Parking Required | EV Parking Provided |
|----------------|-----------------------------|------------------------------|------------------|------------------|---------------------|---------------------|
| Senior Housing | 1 per dwelling unit | 53 units | 53 spaces | <u>26 spaces</u> | 10% or 5 spaces | <u>3 spaces</u> |

| Proposed Use | Bicycle Parking Standard | % Enclosed/Fixed Bicycle Parking | Net Square Footage/Occupancy | Parking Required | Parking Provided* |
|--------------|--------------------------|----------------------------------|------------------------------|------------------|-------------------|
| Residential | 1 per bedroom | 60%/40% | 65 bedrooms | 65 spaces | <u>32 spaces</u> |

2. Building Design and Siting

As stated in the deviations section, the PUD agreement and site plan include a comparison of the project to the R-3 and C-2 zoning districts. The project was designed to closely align with the zoning district to the west, Central Business District – Urban Flex subdistrict to provide continuity with other E. Nine Mile developments and the most recent City Master Plan. Due to the character of the proposal and adjacent zoning district, staff recommended the applicant provide a comparison of the development with adjacent zoning district. Below is a comparison of the proposed PUD and the CBD – Urban Flex zoning requirements:

| Maximum Height | CBD- Urban Flex | Proposed |
|---|-------------------------------------|---|
| Building Height (ft) | 55 | 47 ft (52 ft with parapet) |
| Lot Size (minimum unless otherwise noted) | CBD- Urban Flex | Proposed |
| Area (sq ft) | - | 31,851 |
| Lot Width (ft) | - | - |
| Maximum Lot Coverage | | |
| Buildings | - | 39.3% |
| Impervious Surfaces | - | 0.66 acres |
| Maximum Density | CBD- Urban Flex | Proposed |
| Units per Acre | - | 73 units per acre density |
| Setbacks (minimum unless otherwise noted) | CBD- Urban Flex | Proposed |
| Build To | 80% primary frontage; 60% secondary | 73% primary (9 Mile); 72% secondary (Paxton St) |
| Front (ft) | 15' storefront; 0' stoop | 15' (9 Mile); 2.5' (Paxton) |
| Side (least)(ft) | - | - |
| Side (total)(ft) | 10' adjacent to residential | - |
| Rear (ft) | 20 (no alley) | 36 |
| Parking Setback | 30 | 15' (9 Mile); 3' (Vester St) |

The proposed building elevations for the development are noted on pages A-201 and A-202 of the site plan. The entirely new structure includes a combination of fiber cement siding (four colors), modular face brick, aluminum storefront systems, fiberglass windows, and ground level glazed walls. The majority of ground level windows face the E. 9 Mile frontage, including a corner entry with steel trellis. The building design includes a five (5) foot parapet, which meets the height exceptions requirements listed in Sec. 24-190. The applicant is also proposing a sign above the primary entry, which has not been formally reviewed and will require a separate sign permit.

Sustainable building elements have been included in the plan, such as a solar ready roof structure, LEED Silver or equivalent certified design, native plantings, and electric vehicle charging stations.

Below is a building materials chart that denotes primary and secondary materials and percentages for the building base and upper floors:

| Building Base | | | | | | |
|---------------|---------------------|------------|---------|---------------------|------------|---------|
| Elevation | Primary Material | Percentage | | Secondary Material | Percentage | |
| | | Proposed | Allowed | | Proposed | Allowed |
| % | | | >75% | | | <25% |
| North | Fiber Cement Siding | 100 | >75% | N/A | 0 | <25% |
| South | Brick | 81 | >75% | Fiber Cement Siding | 19 | <25% |
| East | Fiber Cement Siding | 82 | >75% | Brick | 18 | <25% |
| West | Fiber Cement Siding | 63 | >75% | Brick | 37 | <25% |
| Upper Floors | | | | | | |
| Elevation | Primary Material | Percentage | | Secondary Material | Percentage | |
| | | Proposed | Allowed | | Proposed | Allowed |
| North | Fiber Cement Siding | 100 | >50% | N/A | 0 | <50% |
| South | Fiber Cement Siding | 84 | >50% | Brick | 15 | <50% |
| East | Fiber Cement Siding | 100 | >50% | N/A | 0 | <50% |
| West | Fiber Cement Siding | 62 | >50% | Brick | 38 | <50% |

PUD Deviations

The applicant is requesting a deviation on the west elevation to permit 63% fiber cement siding (greater than 75% required) and 37% brick (less than 25% required). The applicant is also requesting a deviation from the R-3 maximum building height standards. The building height is proposed at 47 feet (52 feet with parapet), which meets the requirement for C-2 maximum building height but is slightly taller than R-3 requirements.

3. Landscaping

The proposed landscaping plan (noted on L-1.0) includes a tree, shrub, and perennial plan list, 10 total trees and new open space. Tree types, including Serviceberry, River Birch, Skyline Honeylocust, Tuplittree and Bur Oak meet the City's approved tree list. The following table provides a review of the requirements of the plan in accordance with the standards of Section 24-191 and the Vegetation Ordinance:

| Type | Ordinance | Requirement | Proposed |
|-----------------------------------|--|--|---|
| Greenbelt | 1 deciduous tree for every 30' of road frontage (553'/30') | 18 deciduous trees | 0 trees |
| Parking Lot Screening Wall (East) | Screening wall where off-street parking abuts residential | Hedge row, 3' brick wall, or 3' wrought iron fence with hedge | Existing, non-conforming screening wall between 36" and 48" |
| Parking | 3 trees for every 25 parking spaces; Hedge row, 3' brick wall, or 3' wrought iron fence with hedge | 3 trees and either a hedge row, 3' brick wall, or 3' wrought iron fence with hedge | 3 trees and a 2-foot hedge row |
| Replacement | Replacement of existing square inches of trunk area | 8" caliper of existing dbh on-site to be removed | 4 trees (4" caliper for total trunk area of 50.26") |

One (1) eight caliper tree for a total trunk area of 50.26" is proposed to be removed on-site and replaced with four (4) four-inch caliper trees to meet the replacement requirement.

Sec. 24-191 (c) (2) requires off-street parking areas that abut a public right-of-way provide a hedge row, a three-foot tall brick wall or a three-foot tall wrought iron fence with a continuous evergreen hedge row shall be provided between the parking spaces and the street. Three (3) parking lot trees are proposed throughout the site, and a three-foot hedgerow is provided on the north side (Vester Street) of the off-street parking area and an existing parking lot screening wall is provided on the east property line.

Based on building frontage (E. 9 Mile, Paxton, and Vester) and parking tree requirements, there are 18 greenbelt trees required and 3 parking lot trees required. The plan is deficient by 18 greenbelt trees (36 caliper inches) due to narrow public greenbelt and site development. If there are not suitable places on-site for the total number of trees, the Planning Commission may waive this requirement in favor of funds to be place in the City's tree fund. The applicant would like to request to pay into the City tree fund for the deficiency.

Open space with native plantings is planned for the northwest corner of the site along Vester and Paxton Streets, as well as improvements to the public right-of-way on E. 9 Mile. The previously mentioned amenity zone maintenance agreement would be considered by City Council at an upcoming meeting.

4. Lighting

Manufacturer cut sheets and a photometric plan measured in footcandles are provided in the submission and meet ordinance requirements. There are four (4) LED parking lot lights indicated on the site mounted 18' off of the ground via lighting poles, and one (1) mounted LED wall light on the east of the building. The units appear to be shielded and directed downward.

5. Waste Management

The waste receptacle adheres to ordinance (Sec. 24-198) as it would be located in the rear yard at the far east corner of the site, includes a concrete pad, and screened with masonry and wood gate. There appears to be a clear path for waste pickup and recycling.

6. Engineering and Stormwater Management

Based on the review by City engineers, the preliminary engineering plan is recommended as noted. The required 10-year underground storm detention system to be located under the off-street parking area appears to meet ordinance requirements and a stormwater maintenance agreement would be considered by City Council at a later date. Final items including traffic control plans during construction, water pump, and storm detention details in the engineering submittal.

7. Fire Department

The Fire Department reviewed the plan for emergency access, fire department connections and existing infrastructure. Knox Box and shut off is indicated on architectural elevation (A-201) adjacent to the main building entry.

Planned Unit Development and Site Plan Recommendation

Staff recommends the application for Planned Unit Development and Site Plan approval due to alignment with the Master Plan and feedback to date. Should the Planning Commission deem the proposed application satisfactory and recommend approval, the property owners, architects, and designers will present their application to City Council for consideration at the January 25, 2021 meeting.

Example Planned Unit Development (PUD) Approval Motion

MOTION by _____, seconded by _____, in the matter of 503 E. 9 Mile Road, the Planning Commission RECOMMEND APPROVAL of the Planned Unit Development application and agreement to the City Council, based on plans dated January 13, 2021, with the following findings and subject to the following conditions:

Findings

1. The PUD is planned and developed as a cohesive project.
2. The PUD is compatible with the overall goals and recommendations in the City of Ferndale Master Plan.
3. The PUD will result in recognizable and substantial benefits to the city overall that would not be available under the existing, underlying zoning classification. The PUD will include substantial benefits, such as
4. The Planning Commission recommends approval of the following deviations:
 - a. 26 off-street parking spaces.
 - b. Three (3) electric vehicle charging stations, including one (1) accessible charging station.
 - c. 32 bicycle parking spaces (16 interior, 16 exterior).
 - d. The development will provide 53 units, which exceeds the R-3 maximum units per acre.
 - e. The parking setbacks for the E. 9 Mile frontage (21 feet) and Vester Street (12 feet).
 - f. The front setbacks for the E. 9 Mile frontage (14 feet) and Paxton Street (2 feet 4 inches).
 - g. The maximum building height of 47 feet.
 - h. Building materials on the west elevation include primary materials at 63% (fiber cement siding) and secondary materials at 37% (brick).

Conditions

1. The PUD agreement shall include an amenity zone maintenance agreement for the proposed improvements to the public right-of-way on E. 9 Mile as denoted on the landscape plan.

Example Site Plan Approval Motion

MOTION by _____, seconded by _____, in the matter of 503 E. 9 Mile, the Planning Commission RECOMMEND APPROVAL of the Site Plan to the City Council, based on plans dated received by the Planning Department on January 13, 2021, with the following findings and subject to the following conditions:

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed improvements should have a satisfactory and harmonious relationship with the redevelopment on-site as well as existing land uses in the adjacent vicinity.
3. The proposed redevelopment will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
4. The Planning Commission waived the requirement for the 18 greenbelt trees to be planted on site and accepted the applicant's request to pay into the City tree fund for the deficiency. The applicant will file a tree permit with the City.

Conditions

1. All site signage that requires a sign permit will be submit through the City's sign permit process.
2. A stormwater maintenance agreement shall be submit to staff during the engineering review and submit City Council for consideration.