



City of Ann Arbor
Formal Minutes - Final
Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Tuesday, April 1, 2014

7:00 PM

City Hall, 301 E. Huron Street, 2nd Flr.

10-a 14-0539

Ruth's Chris Steak House Site Plan for City Council Approval - A proposal to renovate this single-story building located on this 0.19 acre site at 314 South Fourth Avenue and construct a 1,943 square feet second-level mezzanine addition over the front portion of the existing building. (Ward 5) Staff Recommendation: Postponement

Kowalski presented the staff report.

PUBLIC HEARING

Noting no speakers, the Chair declared the public hearing closed.

Moved by Giannola, seconded by Clein, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Ruth's Chris Site Plan, subject to:

- 1) Resolution of the discrepancy in the property legal description, prior to issuance of building permits;**
- 2) An executed license agreement for emergency egress across the Fourth and William parking structure frontage prior to issuance of building permits; and**
- 3) Construction of one Class A bicycle parking space in the Fourth and William parking structure or payment of a contribution to install this space being provided to the Downtown Development Authority prior to the issuance of a certificate of occupancy.**

COMMISSION DISCUSSION:

Woods asked about the sprinkler system.

Steve Fry, architect for the project, explained that there was a question about whether the building code would require the building to provide fire suppression, since there was no change of use. He said if it is determined, then they will be required to install a new line from the street. He said there is also ongoing discussion about the possible need for an added fire hydrant in front of the building. He added that they are close to an agreement that the existing fire hydrants in the area will

cover the area.

Woods said she noticed that the petitioner went before the Design Review Board. She asked if the building, when completed, will look the same as shown in the packet.

Fry said this was their favorite design (picked from 6 renderings) which they felt looked edgy and stood out. He added that going to two stories will make this building feel more at home on this monumental street, which is a difficult area given all the bus traffic. He said it is a good transitional use because it will be a destination use that will not rely on foot traffic.

Woods asked about the bike lockers and if they were visible from the street.

Fry said yes.

Briere asked the petitioner if they were required to hold a citizen participation meeting.

Fry said they had to mail out postcard notices.

Briere asked about the emergency egress.

Fry pointed out the location at the corner of the building where the second floor could exit, explaining that they felt it would help make the storefront look better without an opening there, so they are proposing a revocable easement from the city to exit onto this area. If the area was to become unavailable, they would have to modify the front structure of the building.

Bona asked how an infiltration system would be added to an existing building location.

Fry said the building is in a state of disrepair, and he will end up moving 50-60% of the existing flooring of the building as well as having to replace back doors, so the concrete tanks will be added at that time. He said roof water would be fed to tanks buried below the floor, which is allowed to settle and its flow rate is restricted in moving further into the system. He showed the drain in the back corner, which is connected to the catch basin in the alley.

Bona asked about the potential for infiltration.

Fry said he is concerned about introducing infiltration of water to the

foundations of a 60 year old building, and they will be looking closely at the situation and might be able to come up with a solution for minor infiltration of water.

Bona asked if the tanks would be below the footings.

Fry said yes, noting that one of first things they will do is excavate to see what's there. He stated their commitment is to detention, and they will try for infiltration.

Bona noted that the zoning doesn't allow for single story buildings and asked if there is any potential for additions on top of this existing building.

Fry said the current structure will not hold a second floor, and the floor area is close to the maximum allowable without providing an elevator and the single floor roof allows for economical kitchen venting.

Bona said the second floor adds a lot to the street presence. She asked what the petitioner would like to see on the sidewalk.

Fry said they are in discussion with the DDA, and that they already some brick treatment out front and there is some broken concrete that needs to be repaired. He said he believes there will be seasonal changes out front and that they plan on activating the sidewalk with humans. He said they are serious about a valet service. He said that given that the sidewalk is only 12 foot wide and that they do not plan on being open for lunch, they will have to focus on evening activity, and the lighting will be a critical selection.

Adenekan asked if they had received any comments from the postcards that were mailed out.

Fry said no.

Peters asked about the discrepancy regarding the west property line.

Kowalski explained that the deed contained, what they believe, to be a clerical error, resulting that the building was over the described property line by 8 feet, when in reality the property line ends at the back of the building. He said there is no question about who owns it, but in order to clarify the matter the only way was to file suit for adverse possession, since the property owner has been paying taxes on it for 66 years.

Fry said it is likely confusion about the width of the alley, which is 16 feet.

Parekh asked about outdoor seating.

Fry said they do not think it's appropriate for this location, since the sun doesn't hit this location. Ruth Chris is a known and controlled dining experience and they don't feel they could control it outside. He said once they put valet out, there won't be much remaining room. He said they are not trying to compete with Main Street.

Westphal asked if there was anything that would preclude adding dining outdoors.

Fry said there is nothing that would preclude it, and they will evaluate it in the future. He said the biggest concern is continuation of bus traffic noise and lacking views around them.

Giannola asked about the possibility of a roof top deck.

Fry said they started with that idea, but felt they have to control the environment, and given the noise and kitchen exhausts up there it wasn't possible.

Clein said he felt the petitioner did a reasonable job in reusing the site and agreed with the petitioner that it's probably not the best location for outdoor dining. He said hopefully the DDA will be able to bring activity to the area that will work well with the restaurant. He appreciated that the design is out to the street, which is a good thing.

Fry clarified façade materials as being metal panels, not ephes, adding that they will continue to fine tune the materials to reflect quality throughout. He explained that Ruth's Chris does not dictate architecture; just the service and food.

Westphal said he is used to seeing this restaurant in non-downtown settings, and asked if there is a different feel to the Grand Rapids location.

Fry said yes, with the Grand Rapids location being in a 1913 Amway Grand Hotel. He explained that this design is site specific with each Ruth's Chris style varying by site.

Westphal asked about comparable noise levels from mechanical equipment at second floor apartments on Main Street and this location. He asked if there would be any noise shielding provided.

Kowalski said he would assume the noise levels to be more.

Fry said they would be about the same, and that they will be buying all new high energy efficient units.

Rampson said the challenge is that the City does not currently have any standards requiring shielding of mechanical equipment, similar to what exists for shielding generators.

Fry said the mechanical equipment is pretty well shielded, with the neighbors around.

Westphal said the neighbors would certainly appreciate quieter equipment and Council would approve of reduced noise.

Clein said he agreed with the petitioner that the noise would be shielded with the second story being added and the neighboring garage structure. He said the City did have a noise ordinance that enforces excessive noise. He said there are acoustic screening materials that work, noting that is what they did with Zingerman's project.

On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 9 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Sabra Briere, Paras Parekh, and Jeremy Peters

Nays: 0