

ANN ARBOR PLANNING DEPARTMENT STAFF REPORT

For Planning Commission Meeting of February 7, 2023

**SUBJECT: 415 West Washington PUD Zoning and Concept Plan (415 West Washington)
File No. REZ22-0001**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 415 West Washington PUD (Planned Unit Development District) Zoning with Supplemental Regulations.

STAFF RECOMMENDATION

Staff recommends that the 415 West Washington 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, could not be achieved under any other zoning classification, will not have a detrimental effect on public utilities or surrounding properties, provides sufficient analysis and justification in the supplemental regulations, and provide acceptable vehicular and pedestrian circulation

PROJECT LOCATION

This site is located on the south side of West Washington, east of Street and west of the Huron River. This site is located in the Central Area and located in the Huron River Watershed.

REZONING ANALYSIS

Changes to the text or map of the Unified Development Code (Chapter 55 of the Ann Arbor City Code) may be made pursuant to Sections 5.29.9 and 5.29.10. To assist the Planning Commission and City Council with their decision, applicants provide a petition with justifications in support of the request. The petition addresses:

- The current zoning and history of the site.
- The objective, purpose, and beneficial effect of the PUD for the city.
- Why this beneficial effect cannot be achieved under any other zoning.
- Why the uses proposed will not have a detrimental effect on public utilities and surrounding properties.
- How the proposed PUD is consistent with the Master Plan Land Use Element recommendation.
- Vehicular and pedestrian circulation.
- Disturbances to natural or historical features and why this disturbance is necessary.
- Proposed modifications to the City Code.

As condensed into the Supplemental Regulations, the PUD zoning petition says the district provides:

- Remediation of an environmentally contaminated site in accordance with an State of Michigan Environment, Great Lakes, and Energy (EGLE) approved response activity plan and in full accordance with an Approved Brownfield Plan.
- Walkable residential units adjacent to downtown Ann Arbor.
- Increased pedestrian convenience and publicly accessible recreation opportunities by constructing a segment of the Treeline trail.
- Economical land use by reducing unnecessary impervious parking surfaces and increasing the usable open space on the site.
- Supports improvements to existing public infrastructure.

The petitioner seeks to rezone this 2.5-acre parcel from PL (Public Land) to PUD (Planned Unit Development District) to allow the development of a residential or mixed-use project. The associated PUD Concept plan indicates a total of 157 units. Per PUD regulations a Minimum of 15% of all units provided on site (but no less than 15) would be required to be designated as affordable housing. While the Concept plan does not indicate mixed uses, the PUD regulations permit all of the D2 Primary and Special Exception Uses (subject to SEU standards) with the exclusion of Fueling Stations, Vehicle repair and Vehicles washes. It is possible a future project could propose mixed uses for the site.

Construction of a 15-foot-wide extension of the Treeline trail through the site with corresponding lighting and amenities shall be constructed as required in the PUD regulations.

Affordable housing is required as part of this PUD zoning district. The PUD Supplemental Regulations require a minimum of 15 units of affordable housing or 15% of the total units be dedicated as affordable or a contribution in lieu of units, whichever number is greater. The final amount will be determined at site plan stage based upon the total number of residential units proposed.

Community engagement for this site was ongoing over a two year period, several public engagement meetings were held. Summaries from May 2020 and September 2021 public meetings are attached.

CONCEPT PLAN

A concept plan, or site plan is required when an amendment to the City Zoning Map is proposed [Chapter 55 5.29.7]. In this case, the petitioner has proposed amending the City Zoning Map from R1C to PUD, Planned Unit Development District with the proposed Concept Plan. The purpose of an concept plan is to demonstrate that the property could be developed consistent with the requested zoning classification. Concept plans are required to provide a brief description of the development program, a community analysis, a site analysis, general information, and a schematic design for the entire development site. Concept plans are not required to include the number and type of dwelling units proposed; placement of proposed structures; front, side and rear open space and setback lines; number and dimensions of parking spaces; landscaping; soil erosion and sedimentation control plans; storm water management plans; utilities; the accurate location and description of all natural features; the location and extent of natural features open space; or a natural features protection plan, mitigation plan and alternative analyses. These are, however, requirements of site plans.

The concept plan illustrates a 134,180 square foot three-story building equaling 123% Floor Area Ratio (FAR) for the site with understructure parking and 69% open space. Residential units will have a maximum of three bedrooms and two bathrooms per unit. There is a maximum of 200% Floor Area Ratio (FAR) which is equal to the D2 Zoning standards. The existing chimney on site was noted as a historical feature of the site as well as providing habitat for Chimney Swifts. The PUD Regulations state that all efforts shall be made to preserve the existing chimney on site for value as chimney swift habitat. The chimney can be removed if the City Administrator or designee determines that preservation is not possible or prudent, based on the structure being determined unsafe by a third-party engineer, or that the measures to preserve habitat are unlikely to be successful.

Natural features are composed of 4 landmark trees and a floodway/floodplain. The majority of the vegetation and landmark trees on the site are in an unmaintained area along the western and southern edge of the property and adjacent to the neighborhood residential uses. The floodway and flood fringe comprise a significant portion of the site. There is no proposed building in the floodway. The development shall be constructed on piers, with the first floor of residential at least 1 foot above the 0.2% annual chance flood elevation. The portions of the development at ground level, which includes stairs, elevators, trash storage, and bicycle storage, shall be flood proofed.

Parking will be provided under the building with no minimum parking and a maximum parking ratio of one space per residential unit.

The site is in the Old West Side Historic District. Any new site plan will need to be approved by the Historic District Commission prior to any recommendation by Planning Commission and final action by City Council.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	YMCA	PUD (Planned Unit Development)
WEST	Residential	R4C (Multiple-Family Residential)
SOUTH	Residential and Office	D2 (Downtown Interface)
EAST	Railroad	D2 (Downtown Interface)

HISTORY

The main two-story brick industrial building with limestone façade treatment, including piers dividing the building into multiple bays, is articulated with a regular fenestration pattern of multi-light steel sash industrial window units. An operable awning window is centered in each unit. Built for the Michigan Milling Company Cooperage in 1907, the building served the Washtenaw County Road Commission for many years before becoming the operations center for the City’s Parks and Recreation Department. The City vacated the buildings and they were boarded in 2007. Interior spaces have been used for storage on a limited basis since then.

On May 12, 2005 a Certificate of Appropriateness was granted to replace three front-façade steel windows with steel window units equivalent to the existing.

On October 4, 2007 a Certificate of Appropriateness was granted to board the building's windows, install a 10-foot tall chain link fence, and install a curb cut on West Liberty Street and a parking lot.

In September 2018, The Historic District Commission(HDC) approved a Notice to Proceed with demolition for all buildings on site. In May 2021, this approval was extended to 2024.

In July 2021, the project background, site details and project goals were presented to the HDC in order to gain feedback on design considerations for the Concept plan. In September 2021, the petitioner presented a concept plan to the Commission based on the input from the previous HDC meeting. Based on the plans presented, the HDC did support the project moving forward acknowledging that final design will need to be approved by the HDC at site plan stage.

PLANNING BACKGROUND

The 2009 Downtown Plan designates this site as an Interface zone between Downtown and the residential neighborhood to the west. The final design of any buildings on the site should follow the Development Character guidelines noted the Downtown Plan.

DEPARTMENT COMMENTS

Planning – The concept plan presented is the result of years of ongoing public participation and discussions with City Staff and consultants. This site is challenging from a development perspective due to contamination, natural features(floodplain) Historic District application, cost feasibility and community expectations. The PUD Concept plan represents a good compromise between all conflicting goals and the need for maximizing a City resource to accomplish a public benefit such as residential uses including designated affordable units.

While the exact details of the site layout and design will be presented at site plan stage, a minimum of 60% of the site will be preserved as open space no matter what the final layout is. The open space requirement is written into the supplemental regulations as part of the zoning district. The construction of the 15-foot-wide extension of the Treeline trail is also required in the PUD regulations.

It should be noted this Concept Plan may not exactly resemble the future Site Plan submission as review of the site plan will be in much greater detail, with the benefit of additional information. An alternatives analysis showing different layouts of the site showing impacts on natural features will be required at this submission. At the site plan stage, alterations to the site design could result in a different density on the site, but still withing the parameters written into the supplemental regulations.

Stormwater and Floodplain Programs Coordinator

The impact of this proposal on the floodplain is reviewed by the Michigan Department of Environmental Quality (MDEQ) during the permitting process. The feasibility of this proposed major development in the floodplain is heavily dependent on the ability of obtaining a floodplain permit from the MDEQ.

Prepared by Matt Kowalski
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Attachment: Zoning and Aerial Map
PUD Supplemental Regulations
[Concept Plan](#)
[City Council Resolution and Authorization](#)
[Citizen's Participation Report May 2020](#)
[Citizen Participation Report September 2021](#)

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Engineering - Private Development
File Nos. REZ22-0001