

## **PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of June 6, 2017**

**SUBJECT: The Gallery Condominiums Planned Project Site Plan for City Council Approval  
(441 S. Ashley & 112-118 W. Jefferson Street)  
File No. SP17-011**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Gallery Condominiums Planned Project Site Plan and Development Agreement, subject to providing a minimum use of open space of 22 percent and combining the four parcels.

### **STAFF RECOMMENDATION**

Staff recommends that the planned project site plan be **approved** because it would comply with 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; would not cause a public or private nuisance; and would not have a detrimental effect on public health, safety or welfare. The requested planned project modification of the front setback is consistent with the standards of Section 5:70 and is a benefit because this proposal is in excess of the minimum amount of required open space, reduced impervious surface with a green roof and the building location takes advantage of public transit by fronting numerous transit stops.

### **LOCATION**

The site is on the north side of West Jefferson Street, east of South Ashley Street. This site is in the Downtown Planning Area, and the Allen Creek sub-watershed.

### **DESCRIPTION OF PROJECT**

The petitioner is proposing to demolish the four existing structures and will combine four lots totaling 17,449 square feet and construct a 34,810 square foot condominium building of 23 units. Each unit has its own parking space located below the building, though no parking is required as this site is located in the Downtown Development Area. The estimated construction cost is \$4,000,000.

Two of the structures to be removed are located in the Allen Creek Floodplain and drain easement. The site will be redeveloped with the proposed building constructed outside the floodplain. The improvements will result in the removal of 73 cubic yards of building space and earthwork from the floodplain with first floor residential units approximately 12 feet above the floodplain elevation. 100-year storm water detention is located under the

parking garage. The site's storm water management proposes to utilize the infiltration capacity of the soils to treat run-off from the site.

One landmark tree, a 28-inch Black Walnut, is located in the center of the site and proposed for removal with mitigation trees planted near the entry plaza.

The main access to the site will be from a curb cut off S. Ashley leading to the parking garage. An existing curb cut off W. Jefferson is to remain as a one-way drive leading to the building entrance and solid waste enclosure and exit off the S. Ashley curb cut. The petitioner designed this drive as a woonerf, a road in which devices for reducing or slowing the flow of traffic are installed. Two existing curb cuts off W. Jefferson are proposed to be closed.

Planned project modifications are requested to exceed the maximum 10-foot front setback off S. Ashley St by approximately 12 feet to keep the proposed building out of the floodplain and to exceed the 3-story street wall height by two stories on the west side and one story on the east side due to the sloping nature of the site. Additional Planned Project Modification justification is listed below in the Standards and Analysis section of this report along with the attached application.

The petitioners held a citizen participation meeting on February 9, 2017. Questions were answered regarding the location of the building, Old West side review of the project, floodplain issues, and site design. A report is attached.

### **SITE HISTORY**

The site was rezoned as part of the Ann Arbor Discovering Downtown (A2D2) zoning initiative. The current base and character overlay zoning districts and building frontage standards became effective in December 2009.

441 S. Ashley – The existing house was built in 1901 and is currently used as a rental unit.

112 W. Jefferson – The existing house was built in 1900 and is currently used as a multiple-family rental housing.

116 W. Jefferson – The existing house was built in 1910 and is currently used as a rental duplex.

118 W. Jefferson – The existing office building was built in 1952 and replaced a single-family home that occupied the site per the 1925 Sanborn Map and 1925 Polk Directory.

### **SURROUNDING LAND USES AND ZONING**

	<b>LAND USE</b>	<b>ZONING</b>
<b>NORTH</b>	Mixed Uses	PUD (Planned Unit Development)
<b>EAST</b>	Offices	D2 (Downtown Interface District)

<b>SOUTH</b>	Vacant Auto Repair/Office	D2 (Downtown Interface District)
<b>WEST</b>	Residential	R4C (Multi-Family Residential District)

**ZONING COMPARISON CHART**

	<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED BY CURRENT ZONING</b>
Zoning	D2 (Downtown Interface District); First Street character area; Secondary street frontage	D2 (Downtown Interface District); First Street character area; Secondary street frontage	D2 (Downtown Interface District); First Street character area; Secondary street frontage
Gross Lot Area	441 S. Ashley – 3,746 Sq Ft 112 W. Jefferson – 6,141 Sq Ft 116 W. Jefferson- 3,615 Sq Ft. 118 W. Jefferson – 3,528 Sq Ft	17,449 Sq Ft	No minimum
Floor Area	441 S. Ashley – 1,084 Sq Ft 112 W. Jefferson – 1,855 Sq Ft 116 W. Jefferson – 1,260 Sq Ft 118 W. Jefferson – 1,936 Sq Ft	34,810 Sq Ft	
Floor Area Ratio	35%	199.5%	200% MAX (no premiums allowed in floodplain districts)
Building Height	2 Stories	52 ft (avg)/5 stories	24 ft/2 stories MIN 60 ft MAX
Streetwall Height	2 stories	4 stories*	2 stories MIN 3 stories MAX
Massing Articulation	NA	66 ft	66 ft MAX
Front Setback	0 ft – S. Ashley 10 ft – W. Jefferson	21.7 ft – S. Ashley* 3 ft – W. Jefferson	0 ft MIN 10 ft MAX
Side Setback - north	NA	0 ft	0 ft
Rear Setback	NA	.6 ft	0 ft
Parking – Automobiles	25 spaces	23 (in parking garage)	0 (special parking district)
Parking – Bicycles	0	16 class A (in garage) 19 class B (in front of parking spaces) 4 class C	3 Class A MIN 2 Class C MIN

\*Planned Project Modifications Requested

### **PLANNED PROJECT STANDARDS AND ANALYSIS**

The Planning Commission may recommend, and City Council may approve, modifications to the area, height and placement regulations of the Zoning Ordinance in the form of a planned project site plan, as set forth in Article V, Sections 5:68 to 5:72 of the Zoning Ordinance.

As set forth in Section 5:70 Standards for Approval, planned projects must:

- (1) meet the lot size requirement of their zoning district,
- (2) provide one or more of certain features,
- (3) not create hazardous traffic to adjacent properties,
- (4) be consistent with proper development,
- (5) provide required off-street parking and landscaping and screening,
- (6) meet the density or floor area ratio and open space requirements of their zoning district, and
- (7) have only permitted uses of their zoning district.

The petitioner requests a modification to allow an increase in the west setback (facing S. Ashley St.) requirement from a maximum of 10 feet to approximately 22 feet due to the location of the floodplain.

As stated by the applicant in their petition, the requested modifications “by allowing for an upper story offset as designed, the building has a form more consistent with the existing low to mid-rise buildings in the character area. The proposed building will replace blighted structures, an increase in downtown housing supply, reduce the need for on-site storm water detention, increase the amount of open space on site and reduce the need for individual vehicles by residents.”

Staff finds the requested planned project modifications meet the standards for approval provided in Section 5:70, and in particular, the proposed modifications will provide open space in excess of the minimum requirement of the D2 district (Section 5:70(1)(b)(1)), preservation of natural features that exceeds ordinance requirements for storm water detention and a green roof (Section 5:70(1)(b)(3), the project is pedestrian oriented with close proximity to bus stops and transit centers Section 5:70(1)(b)(5), and an easement over the southwest portion of the site for future connectivity to a greenway 5:70(1)(b)(6) Any one of these features is sufficient per Section 5:70(1)(b).

The complete planned project modification petition is attached.

### **DESIGN REVIEW BOARD REVIEW**

The petitioner presented The Gallery to the Design Review Board on January 18, 2017 and March 15, 2017.

At its first meeting, the Board discussed the details of the development and how the design team arrived at the proposed design. The Board’s discussion focused on building massing and elements rather than site context. The overall tone of the first meeting was general agreement that the design was in keeping with the basic design

guidelines but many improvements and refinements were suggested for design excellence.

At its second meeting, the Board expressed appreciation for the design team's efforts to address its previous suggestions while noting many of the original comments remained. The petitioner redesigned the plaza and landscaping areas, and clarified they would seek planned project modifications.

The Design Review Board's minutes and recommendation letters, and the petitioner's responses, are attached.

### **STAFF COMMENTS**

Floodplain Coordinator - As the building is currently planned, the City could not issue any building permits for the building until a Letter of Map Revision based on Fill (LOMR-F) is received from the Federal Emergency Management Agency (FEMA). To obtain a LOMR-F the site would have to be filled, compacted and stabilized, then surveyed to complete the LOMR-F application. The City has to review and sign off on the application before it can be submitted to FEMA. The development would then have to wait until FEMA issues the LOMR-F beginning any building construction. The LOMR-F process can take several weeks or several months, or longer. The building pad area would have to be removed from the floodplain by FEMA before the City can issue building or foundation permits.

Systems Planning, Engineering – The drive approach on W Jefferson Street does not comply with City Code requirements. The drive approach shall be located such that the entire approach is within the parcel's frontage along W Jefferson Street, and meet the dimensional requirements of Chapter 47, Section 4:20. Impacts to the sanitary sewer system are being modeled. Further information will be forthcoming.

Downtown Development Authority – Per City of Ann Arbor and DDA policy, there is a charge of \$45,000 plus ten years of revenue for removal of a public parking space. If on-street metered parking is impacted during construction, a meter bag rental agreement must be entered with Republic Parking is required.

Parks – A parks contribution of \$13,500 has been requested.

Planning - Multiple-family residential uses are appropriate for this site. The petitioner generally followed the recommendations of the Design Review Committee with site improvements and this proposal follows the Master Plan: Land Use Element Central Area Plan for this site to be used as a downtown interface district.

The proposed building and density of this proposal complies with all applicable D2 requirements with planned project modifications.

Attachments: Zoning and Parcel Map  
Aerial Photos  
[The Gallery Site Plan & Elevations](#)  
[Planned Project Application](#)  
[Citizen's Participation Report](#)  
[Design Review Board Minutes](#)  
[Design Review Board Response](#)  
[Design Review Board Response #2](#)

c: Owners: Li Zhong Pei & Zheng Young Hui  
441 S. Ashley & 116 W. Jefferson  
Ann Arbor, MI 48104

ZBGK Partnership  
118 W. Jefferson  
Ann Arbor, MI 48104

Silvennoinen Tapu  
112 W. Jefferson  
Ann Arbor, MI 48104

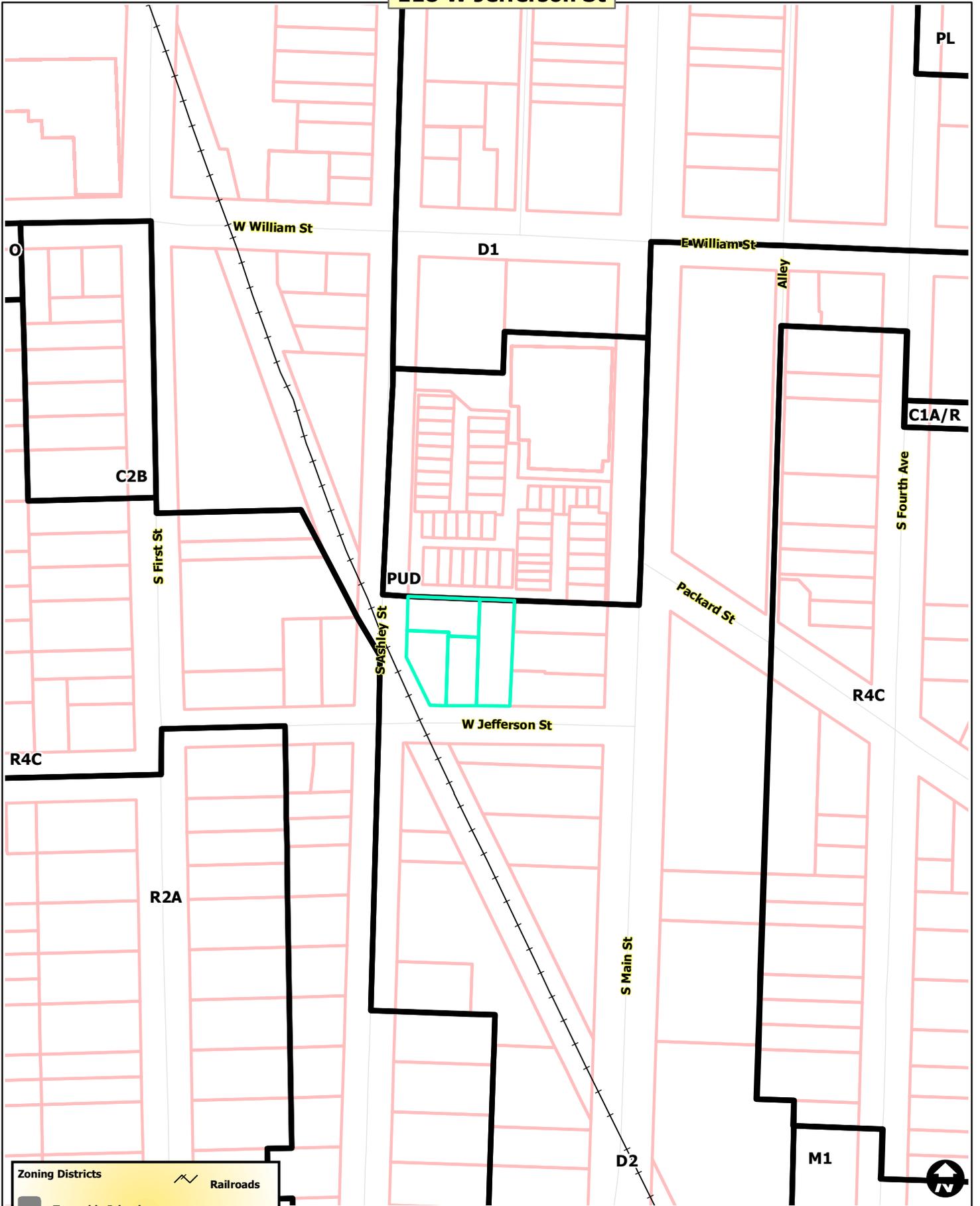
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P.O. Box 314  
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City Attorney  
Systems Planning

# 118 W Jefferson St



	Zoning Districts		Railroads
	Township Islands		Tax Parcels
	City Zoning Districts		Huron River



Map date 12/22/2016  
Any aerial imagery is circa 2015 unless otherwise noted  
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# 118 W Jefferson St



-  Railroads
-  Tax Parcels
-  Huron River



Map date 12/22/2016  
Any aerial imagery is circa 2015  
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118 W Jefferson St



-  Railroads
-  Tax Parcels
-  Huron River



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