

TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Derek Delacourt Community Services Area Administrator

Craig Hupy, Public Services Area Administrator

Nick Hutchinson, City Engineer Brett Lenart, Planning Manager

Cresson Slotten, Systems Planning Manager

SUBJECT: Council Agenda Responses

DATE: October 2, 2017

CA - 2 - Resolution to Accept a Sanitary Sewer Easement at 4090 Geddes Road from Concordia University, Inc. (8 Votes Required)

CA - 3 - Resolution to Accept a Sanitary Sewer Easement at 4090 Geddes Road from Concordia University, Inc. (8 Votes Required)

Question: Regarding CA-2 and CA-3, are these the same easements or are there two sewer easements to approve? (Councilmember Lumm)

Response: These are two separate easements.

<u>CA-12</u> - Resolution to Appropriate Funding (\$327,000.00) and Approve a Construction Contract with Anlaan Corporation for the Watershed Drive Retaining Wall, ITB No. 4510 (\$241,875.10) (8 Votes Required)

Question: Regarding CA-12, it's good to see this project moving forward, but I'm a bit confused as to what the impact will be on the adjacent property owners. The cover memo seems to have somewhat contradictory language related to the impacts -- it states the anchor tie backs will "greatly reduce" the need for the removal of vegetation

and trees, but also states the tiebacks "will not" impact the surface use of the property, Can you please clarify what the impacts will be? (Councilmember Lumm)

Response: Some vegetation, within a few feet of the top of the existing wall will be cleared to provide a working area for the construction of the new wall. The vegetation that will be impacted is mostly scrub, and three street trees at the bottom of the wall. The large, mature trees at the top of the existing slope, above the wall, are to remain undisturbed. This has been coordinated with the adjacent property owners.

<u>C-1</u> - An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning, (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

<u>Question</u>: Are the exterior materials proposed in the site plan ones that would be acceptable in the downtown area under the recently-passed building materials standard? (Councilmember Warpehoski)

<u>Response</u>: The proposed exterior materials include fiber cement panels, metal, and brick. With the possible exception of fiber cement panels, these materials could be acceptable in the downtown area depending on the manufacturer and specific product selected. Staff will follow up with the developer for more details and request a material sample board be provided should the first reading be passed and the site plan is scheduled for City Council action.

Question: Is it possible for a conditional zoning to include requirements about building materials? (Councilmember Warpehoski)

Response: Yes. Under the Michigan Zoning Enabling Act, the owner may offer such a condition, and City Council may accept such an condition as part of a rezoning.

Question: Under the master plan, would C1A/R zoning be appropriate for other sites on the Broadway, Plymouth or Maiden Lane corridors? (Councilmember Warpehoski)

Response: The C1A/R (Campus Business Residential) district is "designed to encourage the orderly clustering and placement of high-density residential and complementary commercial development near the campus business district." Staff's analysis concluded the C1A/R district can fulfill a recommendation for a mixed-use urban village as it has a relatively high floor area ratio, unlimited height, and shallow front setbacks (side and rear setbacks must match the adjacent zoning district if not the same). It would be appropriate to consider for other sites in the Lower Town area that also have a recommendation for mixed uses or an urban village.

Question: Q1. In the statement of conditions document on page 2 (2. Site Plan), the language seems to indicate the conditional zoning is predicated on the site plan that has been submitted. Is that accurate, and can you please elaborate on what latitude the developer has to change the site plan on file without violating this conditional zoning agreement? (Councilmember Lumm)

Response: Paragraph 2 (Site Plan) of the Conditional Zoning Statement of Conditions, establishes the rational for accepting an offer of conditions, but does not provide a specific condition regarding the site plan. The only conditions that have been offered are in Paragraph 3, and limit the height within the district. Chapter 57, Section 5:122 will continue to regulate when a site plan is required and specifies the approving body for the various levels of improvements and changes. In general, very minor additions and corrections can be done with administrative (staff) approval, changes to the parking lot and landscape plan can be approved by Planning Commission, and all others require City Council approval.

Question: Q2. If the conditional zoning is approved, but for whatever reason the development doesn't happen, could another proposal come along with a completely different site plan/project and claim "by right" as long as they met these specific height conditions? If so, why wouldn't a PUD be better for the City? (Councilmember Lumm)

Response: Yes. Zoning, including any approved conditions, runs with the land. Any site plan that meets all of the zoning requirements, including these conditions, would be allowable. It is possible that a PUD designation would meet numerous City goals, however, this petitioner was not seeking this designation, and accordingly, it has not been reviewed as a PUD. Staff raised the potential of a PUD designation to the petitioner during the review process, who chose to proceed with the C1A/R application. Planning Commission and staff concluded that this designation meets the intent of the master plan.

Question: Q3. Can you please provide an update on the status of the related brownfield plan approval and a summary of the major financial/tax incentive numbers? (Councilmember Lumm)

Response: A Brownfield Plan has been recommended for approval by the Brownfield Review Committee. The plan recommended by the Committee includes \$5.7M in Environmental Activities, \$4.9 M in Non-Environmental Activities, with an estimated capture period of 8 years. The petitioner is seeking additional TIF support for solar array installation and traffic system improvements recently identified by the City, which were not included on the original brownfield plan. The Brownfield Plan will come to City Council on November 9^{th.} If City Council approval is granted, the plan will be forwarded to the Washtenaw County Brownfield Redevelopment Authority, and ultimately, the Washtenaw County Board of Commissioners.

Question: Q4. The staff report indicates the minimum parking requirement is 635 spaces and 573 are proposed so a ZBA-approved variance is necessary. Did the

developer provide an analysis showing that 573 on-site spaces would meet the demand of the development and if so, could you please share it? (Councilmember Lumm)

Response: The analysis provided is attached.

Question: Q5. I can't recall considering any other proposals with this C1A/R zoning. Can you please provide a map, chart or something that shows where the C1A/R parcels are located? Also, it would seem to me that zoning would be for parcels very close to campus and while the hospital is not all that far, the property is not next to campus so can you please explain why this zoning is appropriate? (Councilmember Lumm)

Response: A map is attached that shows other C1A/R parcels in the City. The Planning Commission recommended approval as the FAR requirements and mixed-use nature of the C1A/R are compatible with creating a mixed-use urban village form of development.

Question: Q6. I understand the C1A/R zoning does not have a height limit, but I'm wondering how the proposed 8 story maximum (4 if within 70 feet of Traver Creek) was decided upon and the basis/rationale behind staff and the CPC considering it appropriate? (Councilmember Lumm)

Response: The Master Plan recommends heights of up to eight stories on the site generally, and up to four stories adjacent to the surrounding historic residential. The petitioner was responding to this language in proposing the zoning condition. The Planning Commission considered that the maximum heights proposed were consistent with the master plan recommendation.

<u>Question</u>: Q7. Assuming this passes first reading tonight, when is second reading and approvals of the site plan and brownfield plans expected (or is the timing contingent on the brownfield approvals?) (Councilmember Lumm)

Response: It is anticipated that these will be presented to City Council on November 9th.

$\underline{DC-3}$ - Resolution to Extend the Temporary Moratorium on Ground Mounted Solar Panels and Arrays in the Front Open Space in Residential and Parking Zoning Districts

Question: Regarding DC-3, has the city received any permit requests/applications for solar panels during the moratorium period? (Councilmember Lumm)

Response: Since the moratorium went into effect on 4/17/17 there were 9 solar permit applications received, but none are ground-mounted arrays that were the intended type spelled-out in the moratorium.

EXHIBIT B

1140 BROADWAY STREET – PARKING VARIANCE JUSTIFICATION

The requested parking reduction is in harmony with the general purpose and intent of the requirements of chapter 59 of the City Code for the following reasons:

1. WALKABILITY – the site is located in close proximity to:

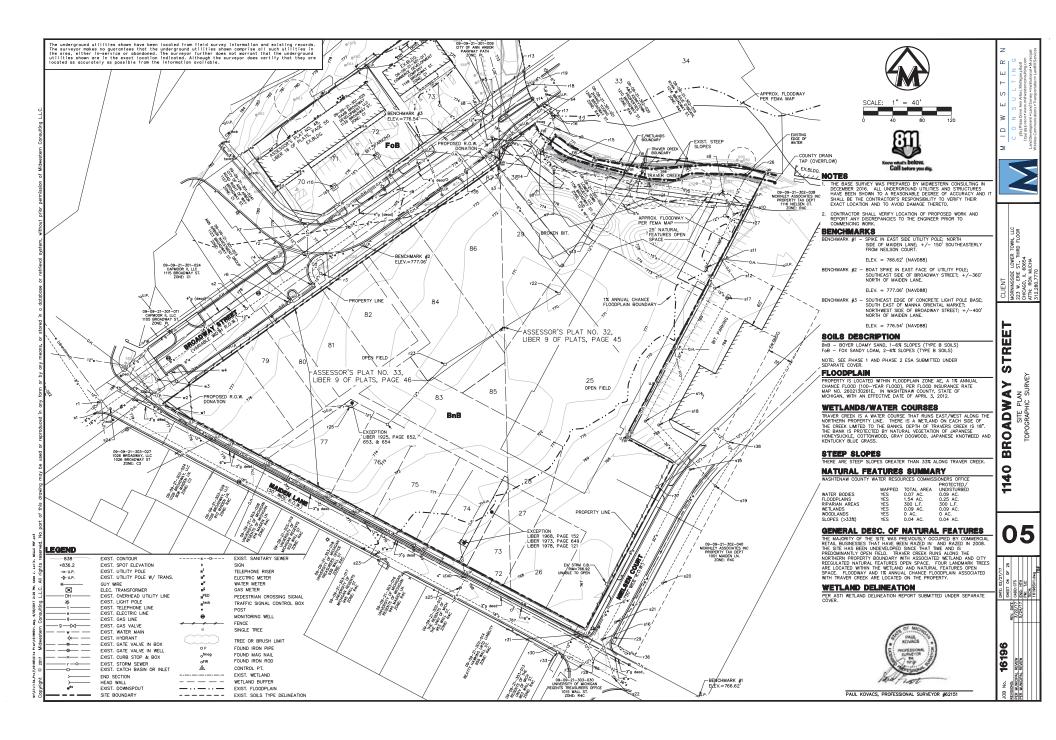
- Employment
 - o UM Health System and Central Business District
- Commerce
 - Kerry Town and Central Business District
- Recreation
 - Riverside Park, Broadway Park (including the newly constructed dog run), Fuller Park, Island Park, Plymouth Parkway Park, Beckley Park, Longshore Park, Argo Park, Argo Nature Area, Cedar Bend Nature Area, Traver Creek, Huron River, Argo Pond, and the Cascades.

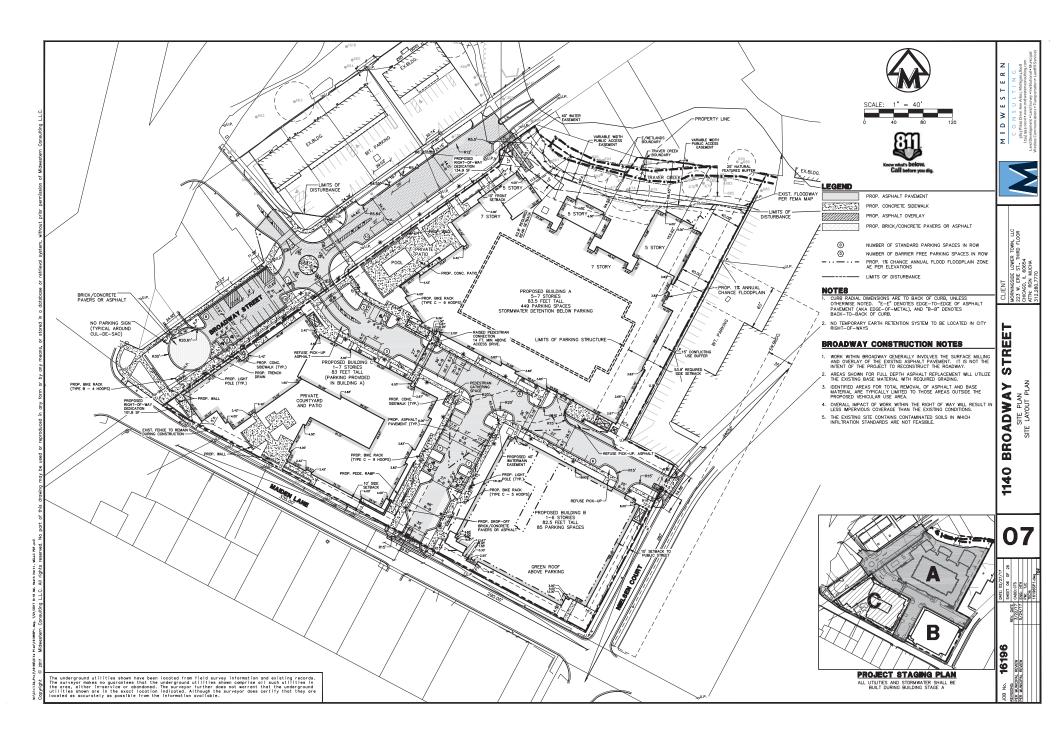
2. TRANSIT ORIENTATION – the site benefits from readily accessible vehicular alternatives:

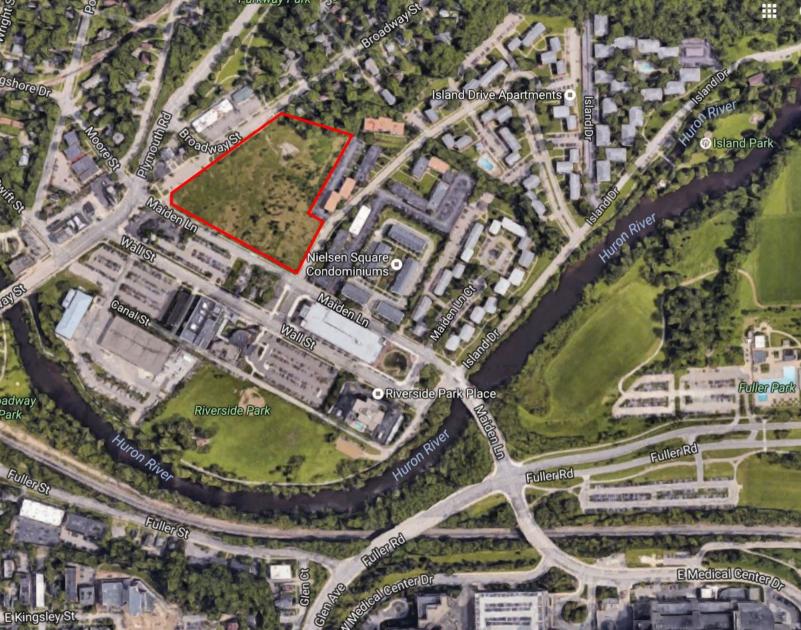
- Bicycling
 - o 1 space / DU (Providing 5-times the code requirement of 1 space / 5 DU)
 - o Indoor, secure spaces with ease of access and repair facilities
- Bus
 - o AATA (routes 22, 23, 63, 65, 91, 92)
 - UM Transit Services (Wall Street routes with campus-wide transfers)
- Commuter Rail
 - Amtrak (regardless of Depot Street or Fuller Road location)
- Ride Sharing
 - Maven and Zipcar (stationed along Maiden Lane, possibility to locate on site)
- Bike Sharing
 - Potential for ArborBike station
- Multi-modal Transportation Impacts (see attached Fleis & Vandenbrink Parking Study)
 - Ann Arbor Downtown Development Authority, Parking & TDM Study (2015)
 - Non-Motorized Transportation Program, Progress Report (2014)

3. MASTER PLAN – 2009 Land Use Element: objectives

- Concentrated activity centers (p.18)
 - Encourage pedestrian and transit travel by creating nodes of high density, mixeduse development that can be more easily linked by a transit network
- Mixed-use development (p. 18)
 - Encourage pedestrian and transit travel by locating a variety of compatible land uses within walking distance from each other
- Infill and Destination (p. 18)
 - Encourage pedestrian and transit travel by locating new development in already developed areas
- Increased Density Near Transit Corridors (p. 18)
 - Encourage transit travel by increasing development density within walking distance of a high capacity transit corridor
- Pedestrian, bicycle and transit connections and amenities (p. 33)
 - O Providing pedestrian, bicycle and transit connections and amenities encourages alternatives to vehicular access by increasing travel choices. They include but are not limited to: a) providing safe, well lighted and convenient pedestrian and bicycle paths between development projects, along major and minor streets and to transit stops, b) providing secure bicycle storage facilities such as covered parking and lockers close to building entrances, c) providing conveniently located bus shelters that are close to stores and street crossings, and d) designing sites with an emphasis on pedestrians, bicyclists and transit riders.
- Support mixed-use, "village" centers in existing commercial areas that are designed to provide new residential opportunities, increase pedestrian activity and reduce the total number of vehicular trips. (p. 37)









Мемо

VIA EMAIL

To: Mr. Ronald S. Mucha

1140 Broadway Street, LLC

From: Julie M. Kroll, PE, PTOE

Fleis & VandenBrink

Date: July 26, 2017

1140 Broadway Street

Re: City of Ann Arbor, Michigan

Parking Study to Support Request for Variance

Introduction

This memorandum presents the results of a parking study for the proposed multi-family residential and retail development in Ann Arbor, Michigan. The project site is located in the east/northeast quadrant of the Broadway Street/Plymouth Road & Maiden Lane intersection in Ann Arbor, Michigan. The proposed development includes 616 residential units (545 apartments/71 condominiums) and 4,900 square feet of retail space.

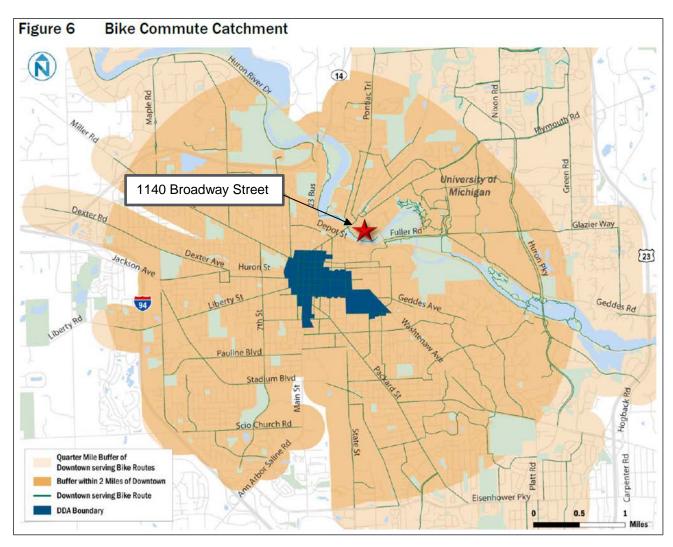
The purpose of this study is to evaluate the adequacy of the proposed parking supply to service all site uses. The study analyses were completed based on building and proposed parking supply information provided by Morningside Lower Town, LLC and parking requirements published in the City of Ann Arbor. The ordinance requirements and the proposed parking for the 1140 Broadway Street development are summarized in Table 1.

Land Use **Ordinance Proposed Difference** Retail: 4,900 SF 1.0 spaces/310 SF 1.0 spaces/310 SF 1.0 space/310 SF Parking Supply 16 +0 16 Residential: 616 Units 1.0 space/DU 0.9 space/DU 0.1 spaces/DU 616 555 -61 Parking Supply 632 **TOTAL** 571 -61

Table 1: 1140 Broadway Street Parking Summary

Multi-Modal Transportation-Parking Impacts

The City of Ann Arbor has made multi-modal transportation a priority in an effort to "facility more growth with less parking" as noted in the *Ann Arbor Downtown Development Authority, Parking & TDM Study (December 2015)*. This study identified an area of the City as the Bike Commute Catchment area and the 1140 Broadway Street development is located within the catchment area, as shown in Figure 6 from the DDA Study.



According to the DDA study, the targets for bicycle and transit mode sharing in 2019 are 8.16% and 18.6% respectively for downtown employees. In addition, the DDA study also concluded that, "the sourced-ride services like Uber and Lyft were noted by several walk, bike, and transit commuters as their "rainy day" option for getting to and from work.". Therefore, owning a personal vehicle in Ann Arbor is not always necessitated by commuting to work or school, thus reducing parking supply requirements on area developments.

The City of Ann Arbor has also published Modal Splits factors for commuters in the City's *Non-Motorized Transportation Program, Progress Report (2014)*. Although these reductions are applied to person-trips, this data shows that only about 70% of trips are by passenger vehicle, with the remaining trips occurring via other modes of transportation. This reinforces the conclusions from the DDA study – owning a vehicle is not a necessity in the City of Ann Arbor when 30% of the trips are performed via other modes of transportation.

Table 2: City of Ann Arbor Commuting Modal Splits

Person Trip	Modal Split Factor
Vehicle	0.701
Walk	0.144
Bike	0.051
Transit	0.104
Total	1.000

Projected Parking Demand

The modal split assumptions from both the DDA Study and the Non-Motorized Transportation Plan were applied to the ordinance parking supply. As summarized in Table 3 below, the DDA Study and the Non-Motorized Plan



both have multi-modal trip use at around 30%, whereas the proposed parking reduction for the 1140 Broadway Street development is only an 10% reduction to the required residential parking.

Table 3: 1140 Broadway Street Parking Demand Comparison

Land Use	AA Parking Ordinance	DDA Study Multi-Modal Use	AA Non-Motorized Plan Multi-Modal Use	Proposed 1140 Broadway Street
Multi-Modal Trip Reduction	n/a	27%	30%	10%
Retail: 4,900 SF	16	12	11	16
Residential: 616 Units Apartments	616	451	432	555
TOTAL	632	463	443	571

Conclusions

- The proposed 1140 Broadway Street development is located within the Bike Commute Catchment area, as shown in Figure 6 from DDA Study. To help achieve the goal of an 8% bike commuting, the 1140 Broadway Street development is proposing 661 spaces for bikes, provided at no additional cost to residents.
- To further emphasize the multi-modal aspect of this site, the residential parking spaces will be fee based. All residents that wish to park a vehicle will be responsible for paying for their parking space(s). Charging for parking has shown to decrease demand, especially in areas such as Ann Arbor, where other modes of transportation (transit, bike, walk, ride-share) are low cost, easily accessible, and efficient. In addition, the sourced-ride services (Uber and Lyft) provide commuters with "rainy day" options.
- There are 571 parking spaces proposed for this site and the City ordinance requires 632 spaces. Based
 on the additional information regarding multi-modal transportation usage throughout the City and the
 immediate access for the 1140 Broadway Street residents to multi-modal transportation alternatives it is
 recommended that a parking variance of 61 spaces is granted for this site.

Any questions related to this memorandum, study, analyses, and results should be addressed to Fleis & VandenBrink.

JMK:bmh



