

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of August 18, 2015

**SUBJECT: 410 First Site Plan for City Council Approval
(408 and 412 North First Street)
File No. SP14-058**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 410 First Site Plan, subject to obtaining a floodplain permit from the Michigan Department of Environmental Quality and combining the parcels prior to the issuance of any grading or construction permits.

STAFF RECOMMENDATION

Staff recommends that this petition be **approved** because, if the proposed conditions are met, the development would comply with local, state and federal laws and regulations; would not cause a public or private nuisance; would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and would not have a detrimental effect on public health, safety or welfare.

STAFF REPORT

This site plan was postponed by the Planning Commission on May 19, 2015 to allow the petitioner additional time for staff reviews to be completed and to allow the architect to consider options for use of the roof area. The petitioner has responded to these issues, as described below.

Stormwater Design – The Washtenaw County Water Resources Commissioner’s office completed and approved their technical review of this petition on July 28, 2015. This allowed city staff to complete and approve their stormwater and floodplain review of the site.

Floodplain Encroachment – The petitioner has demonstrated to Systems Planning staff that any encroachments into floodplain areas will be mitigated to provide no net loss of flood storage capacity.

Roof Use – The City Planning Commission expressed a desire to better utilize the roof surface of the building for green features or increased energy efficiency. The petitioner has revised the roof plan to include planting areas and a raised tree planter, in addition to common roof deck areas for use by residents. The roof now has 1805 square feet of vegetated area, and 1428 square feet of common roof deck and 1845 square feet of private roof deck. The vegetated areas will be planted with trees, container shrubs or decorative grasses, and modular trays of sedum and succulents. The vegetated areas are not included in stormwater calculations.

Development Agreement – A development agreement (attached) has been drafted to include construction of water main and a fire hydrant, sanitary sewer offsets, and a parkland contribution of \$15,500 toward improvements at West Park, Farmer’s Market or Sculpture Plaza.

UPDATED ZONING COMPARISON CHART

The open space percentage (which is shown below with the terraces and balconies removed from the calculation) and the average offset at the top of the streetwall have been updated on the chart below.

	EXISTING	PROPOSED	REQUIRED BY CURRENT ZONING
Base Zoning	D2 (Downtown Interface)	D2 (Downtown Interface)	D2 (Downtown Interface)
Gross Lot Area	19,007 Sq Ft	19,007 Sq Ft	No minimum
Floor Area in % of Lot Area	16.5%	199%	200% MAX (premiums are not allowed in floodplains)
Building Coverage	8%	53%	80% MAX
Open Space	92%	25% (4,742 sf/19,007 sf)	10% MIN
Character Overlay District	Kerrytown	Kerrytown	Kerrytown
Streetwall Height	2 stories	3 stories	2 stories MIN 3 stories MAX
Offset at Top of Streetwall	Not applicable	6.3 ft average	5 ft average MIN
Building Height	20 ft	54.6 ft	60 ft MAX
Building Frontage	Front Yard	Front Yard	Front Yard
North First	16.5 ft	15.4 ft	15 ft MIN
Parking	Special Parking District	Special Parking District	Special Parking District
Parking – Automobiles	Approximately 17 spaces	36 spaces	None
Parking – Bicycles	None	19 Class A spaces	14 Class A MIN

STAFF COMMENTS

Planning – A triangular portion of a city-owned easement lies at the rear of 412 N First. Planning staff will coordinate with Public Services to do a staff-initiated street vacation for the entire easement.

Prepared by Jill Thacher
Reviewed by Wendy Rampson
08/14/15

Attachments: 8/14/15 Draft Development Agreement
Roof Plan - New
Revised Building Cross-Section
Revised West Elevation
5/19/15 Staff Report
5/19/15 Planning Commission Minutes

c: Owners: Huron Development Associates, LLC
408 N First St
Ann Arbor, MI 48103

Karl and K.C. Lopata
412 N. First St.
Ann Arbor, MI 48013

Petitioner's Agent: Perimeter Engineering
11245 Boyce Road
Chelsea, MI 48118

City Attorney
Systems Planning

410 FIRST DEVELOPMENT AGREEMENT

THIS AGREEMENT, made this ____ day of ____, 20__, by and between the City of Ann Arbor, a Michigan Municipal Corporation, with principal address at 301 East Huron Street, Ann Arbor, Michigan 48107, hereinafter called the CITY; and Huron Development Associates, a Limited Liability Corporation, with principal address at 408 North First Street, Ann Arbor, MI 48103, hereinafter called the PROPRIETOR, witnesses that:

WHEREAS, the PROPRIETOR owns certain land in the City of Ann Arbor, described below and site planned as 410 First Site Plan and

WHEREAS, the PROPRIETOR has caused certain land in the City of Ann Arbor, described below to be surveyed, mapped and site planned as 410 First Site Plan, and desires site plan and development agreement approval thereof, and

WHEREAS, the PROPRIETOR desires to build or use certain improvements with and without the necessity of special assessments by the CITY, and

WHEREAS, the CITY desires to insure that all of the improvements required by pertinent CITY ordinances and regulations be properly made, and that the PROPRIETOR will install these improvements prior to any permits being issued.

THE PROPRIETOR(S) HEREBY AGREE(S):

(P-1) To prepare and submit to the CITY for approval plans and specifications ("the Plans") prepared by a registered professional engineer for construction of public water mains, a fire hydrant, public and private storm water management systems, sidewalks and streetlights ("the Improvements") provided that no work on said Improvements shall be commenced until the Plans have been approved by the City Administrator or designee, and until such other relevant information to CITY service areas as shall be reasonably required has been provided.

(P-2) To construct all improvements set forth in Paragraph P-1 of this Agreement in accordance with the approved Plans and to repair all defects in the improvements that occur within one year from the date of acceptance of the Improvements by the CITY, commencing on the latest date of the acceptance of any Improvements by the CITY. If the PROPRIETOR fails to construct the improvements, the CITY may send notice via first class mail to the PROPRIETOR at the address listed above requiring it to commence and complete the improvements in the notice within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the PROPRIETOR, if the PROPRIETOR does not complete the work within the time set forth in the notice. Every owner of a portion of the property, including co-owners of condominium units, shall pay a pro-rata share of the cost of the work. That portion of the cost of the work attributable to each condominium unit shall be a lien on that Property and may be collected as a single tax parcel assessment as provided in Chapter 13 of the Ann Arbor City Code.

(P-3) To furnish, within 30 days of completion, an engineer's certificate that the construction of the public improvements set forth in Paragraph P-1 above have been completed in accordance with the specifications of the CITY in accordance with the approved plans. The engineer's certificate will cover only those items the PROPRIETOR'S engineer inspects.

(P-4) Prior to the issuance of building permits, to deposit with a mutually acceptable escrow agent fully executed documents in a form acceptable to the CITY, which will convey, upon delivery to the CITY, easements for the construction and maintenance of public utilities and public streets. The escrow agreement shall provide for delivery of the documents to the CITY solely upon the condition that the CITY has accepted the public Improvement to be conveyed by the easement.

(P-5) To install all water mains, storm sewers, sanitary sewers and public streets, through the first course of asphalt, pursuant to CITY approved plans and specifications, necessary to connect the site with existing CITY systems adjacent to the site prior to the issuance of any building permits.

(P-6) To maintain the streets, including snow and ice removal, if certificates of occupancy are finalized before the street improvements have been accepted for maintenance by the CITY.

(P-7) To be included in a future special assessment district, along with other benefiting property, for the construction of additional improvements to North First Street, such as street widening, storm sewers, curb and gutter, sidewalks, bike paths, street lights, and the planting of trees along North First Street frontage when such improvements are determined by the CITY to be necessary. A provision shall be included in the master deed of the project stating that if the CITY undertakes to establish a special assessment district to improve North First Street, each unit shall be assessed its pro rata share of the cost of improvements allocable to the Property.

(P-8) To indemnify and hold the CITY harmless from any claims, losses, liabilities, damages or expenses (including reasonable attorney fees) suffered or incurred by the CITY based upon or resulting from any acts or omissions of the PROPRIETOR, its employees, agents, subcontractors, invitees, or licensees in the design, construction, maintenance or repair of any of the Improvements required under this Agreement and the approved site plan.

(P-9) To cause to be maintained General Liability Insurance and Property Damage Insurance in the minimum amount of \$1,000,000 per occurrence and naming the CITY as named insured to protect and indemnify the CITY against any claims for damage due to public use of the public improvement(s) in the development prior to final written acceptance of the public improvement(s) by the CITY. Evidence of such insurance shall be produced prior to any construction of improvement and a copy filed with the City Clerk's Office and shall remain in full force and effect during construction of the public improvement(s) and until notice of acceptance by the CITY of the Improvements.

(P-10) Existing street trees shown on the site plan as trees to be saved shall be maintained by the PROPRIETOR in good condition for a minimum of three years after acceptance of the public improvements by the CITY or granting of Certificate of Occupancy. Existing street trees that are determined by the CITY to be dead, dying or severely damaged due to construction activity within three years after acceptance of the public improvements or granting of Certificate of Occupancy shall be replaced by the PROPRIETOR as provided by Chapter 57 of the Ann Arbor City Code.

(P-11) For the benefit of the residents of the PROPRIETOR'S development, to make a park contribution of \$15,500 to the CITY Parks and Recreation Services Unit prior to the issuance of certificates of occupancy for improvements to West Park, Farmers Market or Sculpture Plaza.

(P-12) To deposit, prior to any building permits being issued, a street tree planting escrow account with the Parks and Recreation Services Unit in the form of a check payable to the City of Ann Arbor. The escrow amount shall be based on the CITY policy in effect at that time and is to include all on-site public streets. The City Administrator may authorize the PROPRIETOR to install the street trees if planted in accordance with CITY standards and specifications. If the street trees are found to be acceptable by the CITY, the escrow amount will be returned to the PROPRIETOR one year after the date of acceptance by the CITY.

(P-13) To create an association composed of all owners of 410 First condominium, hereinafter called the "Association", in which membership shall be required by covenants and restrictions recorded as part of the master deed for 410 First. The association(s) shall be responsible for and shall execute the appropriate documents insuring perpetual maintenance and ownership of the landscape materials, exterior lighting, driveways, on-site storm water management system, and all other common elements.

(P-14) To prepare and submit to the Planning and Development Services Unit one copy of the Master Deed, along with the required review fee, prior to issuance of building permits.

(P-15) To construct, repair and/or adequately maintain on-site storm water management systems. If the PROPRIETOR fails to construct, repair and/or maintain the private storm water management system, the CITY may send notice via first class mail to the PROPRIETOR at the address listed above, requiring it to commence and complete the items stated in the notice within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the PROPRIETOR if the PROPRIETOR does not complete the work within the time set forth in the notice.

(P-16) After construction of the private on-site storm water management system, to maintain it until non-developer co-owners elect one or more directors to the Association's board of directors. Thereafter, by provision in the master deed, the Association shall own and maintain the storm water management system. Any proposed changes to the system must be approved by the City of Ann Arbor Systems Planning and Planning and Development Services Units. If the PROPRIETOR or Association, as appropriate, fails to maintain any portion of the system, the CITY may send notice via first class mail to the PROPRIETOR, or Association, at the address listed above, requiring it to commence and complete the maintenance stated in the notice within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the PROPRIETOR or Association if the PROPRIETOR or Association does not complete the work, as appropriate, within the time set forth in the notice. If the CITY completes the work, and the costs remain unpaid by the Association for 60 days after notice via first class mail, the CITY may bill each condominium unit for the pro rata share of the total cost, or assess the pro rata share of those costs to each condominium unit as a single tax parcel assessment as provided in Chapter 13 of Ann Arbor City Code. Provisions for maintenance and responsibility for the storm water management system, as well as the pro rata share of each condominium unit shall be included by the PROPRIETOR in the master deed.

(P-17) After construction of the private on-site storm water management system, to commission an annual inspection of the system by a registered professional engineer evaluating

its operation and stating required maintenance or repairs, and to provide a written copy of this evaluation to the CITY Public Services Area.

(P-18) To design, construct, repair and maintain this development in accordance with the provisions of Chapter 119 (Noise Control) to ensure that any noise emanating from said development will not impact nearby residents or businesses. In addition, PROPRIETOR shall review existing noise sources surrounding said development and incorporate necessary design and construction techniques to ensure that future tenants will not be exposed to noise sources in violation of Chapter 119.

(P-19) To submit signed and sealed drawings to the CITY reflecting the building elevations, setbacks, aesthetics, and materials approved by City Council and to construct all buildings consistent with said elevation drawings. If the PROPRIETOR proposes any substantive changes to the approved building elevations, setbacks, aesthetics, or materials, that those changes be submitted to the Design Review Board for approval.

(P-20) To remove all discarded building materials and rubbish from the development at least once each month during construction of the development improvements, and within one month after completion or abandonment of construction.

(P-21) To apply for and obtain, prior to issuance of any Certificates of Occupancy, Letters of Map Revision (LOMAR) from the Federal Emergency Management Agency for modifications in the floodplain elevations on the site, and to furnish to the CITY copies of the LOMAR and an Elevation Certificate for each building.

(P-22) Prior to application for and issuance of certificates of occupancy, to disconnect seven footing drains, which is based upon the uses currently existing on the Property and those currently contemplated by the Site Plan in accordance with the Guidelines for Completion of Footing Drain Disconnections, Table A, and adopted by City Council, August 18, 2003 and revised November 30, 2005 (the "Guidelines"), or to provide an alternative method of mitigation that results in an equivalent amount of sanitary flow removal, in accordance with the Guidelines. In the event the actual intensity of uses contemplated by the Site Plan are either increased or decreased, City and PROPRIETOR agree to adjust the number of footing drains to be disconnected, or the amount of alternative mitigation to be provided, in accordance with the Guidelines. PROPRIETOR may be allowed to obtain partial certificates of occupancy for the development prior to the completion of all of the required footing drain disconnects on a prorated basis at the Discretion of the CITY Public Services Area.

(P-23) PROPRIETOR is the sole title holder in fee simple of the land described below except for any mortgage, easements and deed restrictions of record and that the person(s) signing below on behalf of PROPRIETOR has (have) legal authority and capacity to enter into this agreement for PROPRIETOR.

(P-24) Failure to construct, repair and/or maintain the site pursuant to the approved site plan and/or failure to comply with any of this approved development agreement's terms and conditions shall constitute a material breach of the Agreement and the CITY shall have all remedies in law and/or in equity necessary to ensure that the PROPRIETOR complies with the approved site plan and/or the terms and conditions of the approved development agreement. The PROPRIETOR shall be responsible for all costs and expenses including reasonable

attorney fees incurred by the CITY in enforcing the terms and conditions of the approved site plan and/or development agreement.

(P-25) In addition to any other remedy set forth in this Agreement or in law or equity, if PROPRIETOR fails to make a timely or full payments to the CITY as set forth elsewhere in the Agreement to the CITY in the agreed upon manner, any unpaid amount(s) shall become a lien, as provided under Ann Arbor City Code and recorded with the Washtenaw County Register of Deeds, against the land described below and may be placed on the CITY tax roll as a single lot assessment, or if the development is converted to condominium ownership, every owner of a portion of the property shall pay a pro-rata share of the amount of the payments attributable to each condominium unit. If the unpaid amount(s), in whole or in part, has been recorded as a lien on the CITY'S tax roll and with the Washtenaw County Register of Deeds, upon payment of the amount in full along with any penalties and interest, the CITY, upon request, will execute an instrument in recordable form acknowledging full satisfaction of this condition.

(P-26) To pay for the cost of recording this Agreement with the Washtenaw County Register of Deeds, and to pay for the cost of recording all documents granting easements to the CITY.

THE CITY HEREBY AGREES:

(C-1) In consideration of the above undertakings, to approve the 410 First Site Plan.

(C-2) To use the park contribution described above for improvements to West Park, Farmers Market or Sculpture Plaza.

(C-3) To provide timely and reasonable CITY inspections as may be required during construction.

(C-4) To record this agreement with the Washtenaw County Register of Deeds.

(C-5) Other items as needed.

GENERAL TERMS

Both the PROPRIETOR and the CITY agree as follows:

(T-1) This agreement is not intended to create a contractual right for third parties.

(T-2) This Agreement and any of its terms, conditions, or provisions cannot be modified, amended, or waived unless in writing and unless executed by both parties to this Agreement. Any representations or statements, whether oral or in writing, not contained in this Agreement shall not be binding on either party.

(T-3) This Agreement and any of its terms or conditions shall not be assigned or transferred to any other individual or entity unless prior approval of the CITY is received. Such approval shall not be withheld unreasonably.

(T-4) The obligations and conditions on the PROPRIETOR, as set forth above in this Agreement and in the approved site plan, shall be binding on any successors and assigns in ownership of the following described parcel:

LEGAL DESCRIPTION

TAX ID 09-09-29-150-032 408 N FIRST
09-09-29-150-028 412 N FIRST

LAND SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW, STATE OF MICHIGAN IS DESCRIBED AS FOLLOWS:

PARCEL A:

LOT 7, BLOCK 3 NORTH, RANGE 2 EAST, ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF ANN ARBOR, AS RECORDED IN TRANSCRIPTS, PAGES 152 AND 153, WASHTENAW COUNTY RECORDS.

PARCEL B:

LOT 6, AND THE NORTH 11 FEET OF LOT 5, BLOCK 3 NORTH OF HURON STREET, RANGE 2 EAST, ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF ANN ARBOR, AS RECORDED IN TRANSCRIPTS, PAGES 152 AND 153, WASHTENAW COUNTY RECORDS. WASHTENAW COUNTY, MICHIGAN, AND THAT PORTION OF THE WEST 1/2 OF THE ABANDONED ALLEY WHICH LIES ADJACENT THERETO.

(T-5) In addition to any other remedy in law or in equity failure to comply with all of the above paragraphs on the part of the PROPRIETOR, or any part of the approved site plan, in part or in whole, shall give the CITY adequate basis and cause to issue a stop work order for any previously-issued building permits and shall be an adequate basis and cause for the CITY to deny the issuance of any building permits, certificates of occupancy, or any other permits unless and until the CITY has notified the PROPRIETOR in writing that the PROPRIETOR has satisfactorily corrected the item(s) the PROPRIETOR has failed to perform.

(T-6) This agreement shall be interpreted, enforced and governed under the laws of the State of Michigan and Ann Arbor City Code.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day first above written.

Witnesses:

CITY OF ANN ARBOR, MICHIGAN
301 East Huron Street
Ann Arbor, Michigan 48107

By: _____
Christopher Taylor, Mayor

By: _____
Jacqueline Beaudry, City Clerk

Approved as to Substance:

Steven D. Powers, City Administrator

Approved as to Form:

Stephen K. Postema, City Attorney

Witness:

By: _____
Name, Title

STATE OF MICHIGAN)
) ss:
County of Washtenaw)

On this _____ day of _____, 20___, before me personally appeared Christopher Taylor, Mayor, and Jacqueline Beaudry, Clerk of the City of Ann Arbor, a Michigan Municipal Corporation, to me known to be the persons who executed this foregoing instrument, and to me known to be such Mayor and Clerk of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said Corporation by its authority.

NOTARY PUBLIC
County of Washtenaw, State of Michigan
My Commission Expires: _____
Acting in the County of Washtenaw

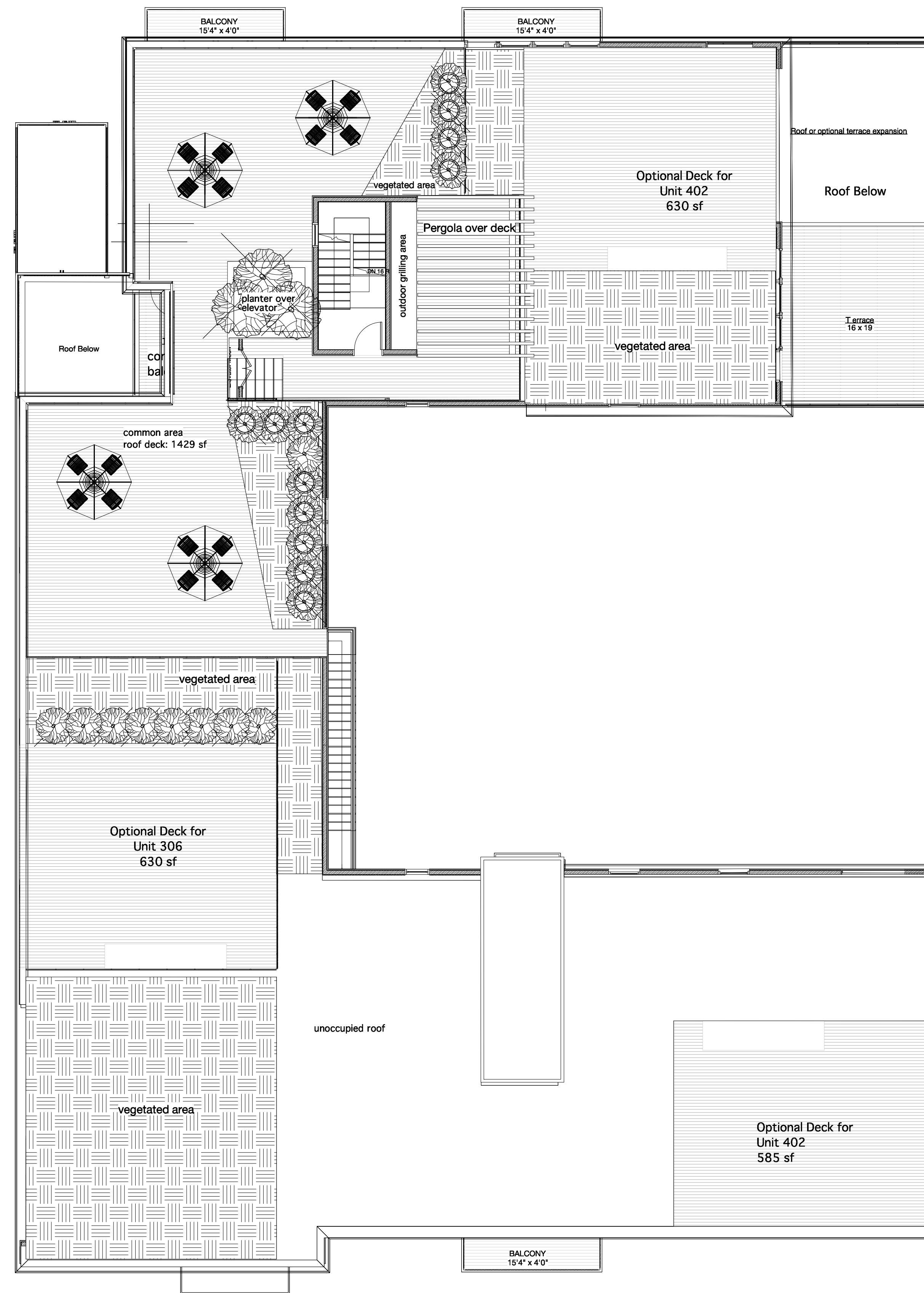
STATE OF MICHIGAN)
) ss:
County of Washtenaw)

On this _____ day of _____, 20___, before me personally appeared _____, to me known to be the person who executed the foregoing instrument, and acknowledged that he executed the foregoing instrument as his free act and deed.

NOTARY PUBLIC
County of Washtenaw, State of Michigan
My Commission Expires: _____
Acting in the County of Washtenaw

DRAFTED BY AND AFTER RECORDING RETURN TO:
Ann Arbor Planning & Development Services
Post Office Box 8647
Ann Arbor, Michigan 48107
(734) 794-6265

1 Roof Plan
 Scale: 1/8" = 1'-0" on 24" x 36"

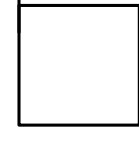


PRELIMINARY 07 23 15

■ RUETER ASSOCIATES
 ■ A R C H I T E C T S
 515 Fifth Street, Ann Arbor, Michigan 48103
 phone: (734) 768-0070, fax: (734) 768-0167

410 FIRST STREET
 408 - 412 North First Street Ann Arbor, Michigan 48104
 RAA: 14-019

SHEET TITLE: 00.00.15
 REVIEW SET: 00.00.15
 BID & PERMIT SET: 00.00.15





1 BUILDING SECTION
 Scale: 3/16" = 1'-0" on 24" x 36"

PRELIMINARY 07 23 15

410 FIRST STREET
 408 - 412 North First Street Ann Arbor, Michigan 48104

RUETER ASSOCIATES
 ARCHITECTS
 515 Fifth Street, Ann Arbor, Michigan 48103
 phone: (734) 769-0070, fax: (734) 769-0167

SHEET TITLE: 00.00.15
 REVIEW SET: 00.00.15
 BID & PERMIT SET: 00.00.15

RAA: 14-019



2 WEST ELEVATION

Scale: 3/32" = 1'-0" on 24"x 36" sheet

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 19, 2015

**SUBJECT: 410 First Site Plan for City Council Approval
(408 and 412 North First Street)
File No. SP14-058**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 410 First Site Plan, subject to obtaining an MDEQ floodplain permit and combining the parcels prior to the issuance of any grading or construction permits.

STAFF RECOMMENDATION

Staff recommends that the site plan be **postponed**, because preliminary plan approval has not been granted by the Washtenaw County Water Resource Commissioner and it has not been demonstrated that there is no net loss in flood storage capacity as a result of this project.

LOCATION

The site consists of two parcels on North First Street that are adjacent to the "fish park" public art exhibit at the southeast corner of North First and East Kingsley Streets. The site is in the Downtown Development Authority District, and the Allen Creek floodplain and sub-watershed.

DESCRIPTION OF PROJECT

The petitioner is proposing to demolish two existing single-family homes, combine the lots to create a 19,007 square foot parcel and construct a 47,140 square foot apartment condominium building with 25 two-bedroom units. The estimated construction cost is \$5,000,000.

The five-story building will consist of four stories of residential units over a partially below-grade parking structure under the building. The streetwall is at the third floor, and the fourth and fifth floors are offset 7 feet from the North First Street façade for most of the length of the building (streetwall averaging was used). The offset area contains patios for residents.

The site is located within the Allen Creek floodplain, and the northwest corner of the site is in the floodway. Since the project is within the Allen Creek floodplain, it falls within the jurisdiction of the Washtenaw County Water Resources Commissioner (WCWRC). A rain garden is proposed in front of the northwest corner of the building. An infiltration trench wraps around the north side and rear of the building and has perforated pipe leading to a new storm sewer that the petitioner will install from the site north to East Kingsley Street.

A 233 foot long, 12" water main is proposed to be installed in North First Street to augment the existing 6" water main, which does not provide enough capacity to service the development.

There are four landmark trees on the site, two of which are in poor condition, and all of which are proposed to be removed. Six mitigation trees will be planted between the front elevation of the building and the sidewalk, and six more trees will be mitigated by a payment of \$350/tree, for a total of \$2,100. Since the site is zoned D2 (Downtown Interface), landscape screening is also provided in the 15 foot front setback between the right of way and the structured parking. Currently in the right of way, there are three street trees; two more will be added.

Access to the site will be provided by the existing southern curb cut, which will also provide access to two parking spaces on 400 N. First St. as part of an existing easement agreement. The northern curb cut will be removed, and metered street parking spaces will be added in this location. The site is in the downtown special parking district, so no vehicular parking is required. Thirty-six spaces are provided under the building. Fourteen Class A bicycle parking spaces are required, and nineteen are provided in a locked bike room, with hoops, inside the parking level.

The petitioners presented the project to the November 19, 2014 Design Review Board meeting. Minutes from that meeting are attached.

The petitioners mailed out postcards to surrounding landowners and occupants within 500 feet in compliance with Citizen Participation Ordinance requirements. As of the date of this report, no inquiries or responses have been received by the petitioners.

SITE HISTORY

The house at 26 (later 408) North First was most likely constructed in 1894 and was occupied by Bernhard and Annie Mast until at least 1920. Bernhard was a laborer. 28 (later 412) North First was first occupied in 1895 by Byron Maulbetsch, a brewer. Other members of the Maulbetsch family owned a saloon at 1 ½ (later 111) Fourth Avenue South. Both homes have cut stone foundations typical of their era, and 412 features decorative shingle work in the front gable and a wrap-around front porch.

The existing parking lot at 408 N. First Street is part of a three-parcel, 65-space parking lot that received site plan approval in 1985.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	City Park	D2 (Downtown Interface District)
EAST	Single and Multi-Family Residential	D2 (Downtown Interface District)
SOUTH	Office	D2 (Downtown Interface District)
WEST	Parking Lot/Office	D2 (Downtown Interface District)

ZONING COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED BY CURRENT ZONING
Base Zoning	D2 (Downtown Interface)	D2 (Downtown Interface)	D2 (Downtown Interface)
Gross Lot Area	19,007 Sq Ft	19,007 Sq Ft	No minimum
Floor Area in % of Lot Area	16.5%	199%	200% MAX (premiums are not allowed in floodplains)
Building Coverage	8%	53%	80% MAX
Open Space	92%	46%	10% MIN
Character Overlay District	Kerrytown	Kerrytown	Kerrytown
Streetwall Height	2 stories	3 stories	2 stories MIN 3 stories MAX
Offset at Top of Streetwall	Not applicable	5 ft average	5 ft average MIN
Building Height	20 ft	55 ft, 4 stories	60 ft MAX
Building Frontage	Front Yard	Front Yard	Front Yard
North First	16.5 ft	15.4 ft	15 ft MIN
Parking	Special Parking District	Special Parking District	Special Parking District
Parking – Automobiles	Approximately 17 spaces	36 spaces	None
Parking – Bicycles	None	19 Class A spaces	14 Class A MIN

PLANNING BACKGROUND

The *Downtown Plan* is based upon several guiding values which articulate the most fundamental elements of the downtown. These values include providing a diversity of uses and accommodating a diversity of users, providing a viable economy, a “green” and energy-efficient built environment and transportation network and social and cultural opportunities. Dense land use and development patterns which draw people downtown and foster an active street life, contribute to its function as an urban neighborhood and support a sustainable transportation system is a goal expressed in the *Plan* (page 22) as well as encouraging a diversity of new downtown housing opportunities and expansion of the downtown resident population to strengthen downtown’s role as an urban neighborhood, continuing to seek a range of age groups and income levels in the downtown (page 24).

Some of the applicable land use goals and objectives for this site from the *Downtown Plan* include:

- Goal: Encourage dense land use and development patterns which draw people downtown and foster an active street life, contribute to its function as an urban residential neighborhood and support a sustainable transportation system.
- Goal: Encourage a diversity of new downtown housing opportunities and the expansion of the downtown resident population to strengthen downtown's role as an urban neighborhood. Continue to seek a range of age groups and income levels in the downtown.
- Goal: Preserve and enhance incremental transitions in land use, density, building scale and height in the Interface areas located between downtown's neighborhood edges and Core Areas.
- Goal: Encourage new development to reinforce historic buildings' contribution to downtown's identity and pedestrian orientation.
- Goal: Encourage articulation in the massing of larger new buildings to fit sensitively into the existing development context. Encourage design approaches which minimize the extent to which high-rise buildings create negative impacts in terms of scale, shading, and blocking views.

STAFF COMMENTS

Washtenaw County Water Resource Commissioner – A May 6, 2015 letter spells out a number of requirements from the WCWRC that need to be addressed before a full review can be completed on this site plan.

Systems Planning, Floodplain – Per Chapter 57, Section 5:127(1)(c) encroachments into floodplain areas shall be mitigated to provide no net loss of flood storage capacity. The current plan does not provide a summary of the cut and fill information to verify compliance with this requirement, but does appear to have a net gain of flood storage capacity.

Systems Planning, Engineering – If footing drains are connected to the sanitary sewer system for the existing buildings, they must be disconnected. They may offset the seven footing drains, or equivalent flow, required to be removed from the sanitary sewer system. Also, the city is considering partnering with the developer to continue the proposed extension of the 12" water main south to Miller Avenue.

Downtown Development Authority – The applicants need to minimize disruption to on-street parking spaces during construction.

Parks and Recreation - A park contribution of \$15,500 is requested to provide park improvements to benefit the proposed 25 residential units and maintain existing ratio of parkland/residential unit. The contribution would be used for improvements to West Park, Farmers Market or Sculpture Plaza.

Solid Waste/Recycling – Staff has concerns about the safety of garbage trucks blocking the sidewalk and part of the street while tipping dumpsters within the front driveway.

Planning – A development agreement will be drafted to address the water main construction and parkland contribution.

Prepared by Jill Thacher
Reviewed by Wendy Rampson
05/19/15

Attachments: Design Review Board Minutes
Location Map
Zoning and Parcel Map
Aerial Photo
Site Plan
Landscape Plan
Building Cross-section
Parking Layout Plan
Floor Plans
Elevations

c: Owners: Huron Development Associates, LLC
408 N First St
Ann Arbor, MI 48103

Karl and K.C. Lopata
412 N. First St.
Ann Arbor, MI 48013

Petitioner's Agent: J. Bradley Moore & Associates
4844 Jackson Rd, Suite 150
Ann Arbor, MI 48103

City Attorney
Systems Planning



City of Ann Arbor

Formal Minutes

Design Review Board

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

Wednesday, November 19, 2014

3:00 PM

City Hall, 301 E. Huron Street,
Basement Conference Rooms

A **CALL TO ORDER**

Chair Burns called the meeting to order at 3:05 p.m.

B **ROLL CALL**

Staff Present: Alexis DiLeo

Present 7 - Chet Hill, Richard (Dick) Mitchell, Tamara Burns, Paul Fontaine, William Kinley, Geoffrey M. Perkins, and Shannan Gibb-Randall

C **APPROVAL OF AGENDA**

The agenda was unanimously approved as presented. On a voice vote, the Chair declared the motion carried.

D **INTRODUCTIONS**

Ann Arbor Downtown Street Design Manual. Amber Miller, DDA Planning & Research Specialist, will introduce this project, offering an overview including its format and function as well as provide a status update.

Connie Pulcifer, City of Ann Arbor Systems Planning Unit, Susan Pollay, DDA Executive Director and Oliver Kiley, JJR, introduced the Downtown Street Design Manual, a joint project to develop a common language to address downtown streets from building face to building face. The team discussed the goals of the project, what it will and will not address, how the document is organized and will be used, and its basic organization and contents, as well as past work and next steps.

E **APPROVAL OF MINUTES**

[14-1635](#) August 20, 2014 Design Review Board Meeting Minutes

The minutes were unanimously approved by the Board with

changes. On a voice vote, the Chair declared the motion carried.

F **UNFINISHED BUSINESS**

G **NEW BUSINESS**

14-1636

408-412 North First Street Residential Project - Design Review:- A design for a four-story, 25-unit residential building with parking underneath on two platted lots. The building is elevated above the floodplain and has a central courtyard open towards the east. Brick, metal and glass materials are proposed in a modern, industrial style to reflect the existing character of both the Kerrytown neighborhood and industrial uses along the Allen Creek and railroad corridor.

Chet Hill recused himself from discussion given his involvement on the design team.

Project Number DR14-006 (Legistar #14-1636)

The Design Review Board met on November 19, 2014 to review the proposed design for a new development at 408-412 North First Street, presently named "410 First." The following report contains a summary of priority issues the Board would like the developer to consider in finalizing the design proposal and subsequent site plan submittal.

Description of Project

The design team described the proposed project to construct a multiple-family development with up to 25 dwelling units in building elevated above the floodplain on a 19,000-square foot site in the downtown interface and Kerrytown character area. The project design includes a 4-story building with parking underneath, having a central courtyard open towards the east. Brick, metal and glass materials are proposed in a modern, industrial style to reflect the existing character of both the Kerrytown neighborhood and the industrial uses historically along the Allen Creek and railroad corridor.

Summary of Priority Issues

The Design Review Board concluded that the project generally met the intent of the Downtown Design Guidelines. Suggestions to refine the proposed design focused on clarifying proposed elements. Examples of especially applicable guidelines are noted below in parenthesis; the full text of each referenced guideline is provided at the end of the summary. Please note that the Kerrytown Character guidelines also apply.

Site Planning

1. *This corner of downtown, and this block in particular, appears to be in transition. (A.1.)*
2. *More information, and clarity, on the landscape plan is needed to better determine whether the proposed design enhances the pedestrian experience (A.1.2)*
3. *Overall, the proposed project will help this underdeveloped block. It is an inviting and interesting development that will strengthen the vibrancy of this neighborhood within downtown. (A.1.6)*
4. *How solar access is accommodated should be clarified, or should be included (A.2.2)*
5. *Tree species should be appropriate to floodplains (A.2.5)*
6. *The front yard rain garden and bridge to the main entrance are unique and attractive elements contributing to the streetscape of the block.*
7. *The entry is clearly defined and visible, facing the one way traffic on First Street (C.2)*
8. *The rear courtyard may be reconfigured to provide for even more sunlight for users (A.3.1)*

Buildings

1. *The Board strongly encouraged the designers to follow through with the contrasting materials and use of color shown on the application materials.
Using color is a wonderful, and underutilized, way to define smaller masses within a larger project. (B.1.1; B.1.2.c; B.1.4.b)*

Building Elements

1. *Several features, details and elements recommended by the Downtown Design Guidelines for Building Elements have been incorporated into the proposed design. However, the top floor lacks shading for its windows. (C.1.1; C.2; C.3; C.5)*
2. *Additional consideration could, and should, be given to sustainability in building elements. Photo voltaic panels might be included to power*

certain lighting needs. (C.6.1)

Referenced Sections of the City of Ann Arbor Downtown Design Guidelines:

A.1. When considering urban pattern and form, the petitioner should assess the character of the adjacent streetscape, open spaces, and buildings to determine how they function as places and facilities supporting human use.

A.1.2 Design sidewalk level features and facilities to provide enrichment of the pedestrian experience.

A.1.6 Where adjacent properties are underdeveloped and/or the block lacks inviting and interesting characteristics, consider a building, site and streetscape design that helps to create a vibrant pedestrian setting.

A.2.2 Site designs should accommodate solar access and minimize shading of adjacent properties and neighborhoods.

A.2.5 Plant native and non-invasive species, especially those that require low levels of water and are tolerant of urban conditions.

A.2.6 Where location and site size allow, consider use of a rain garden or vegetated roof to retain rainwater and serve as a site amenity, and employ rainwater harvesting methods for use in landscape irrigation systems.

A.3.1. Design an urban open space to maximize activity and usability for a diverse population of abilities.

B.1.1 Design a building to minimize its impact on adjacent lower-scale areas.

B.1.2 When a new building will be larger than surrounding structures, visually divide it into smaller building modules that provide a sense of scale.

Suggested strategies include: ...

B.1.2.c Change wall surface materials, colors or texture.

B.1.4 If appropriate to the context, establish a design treatment that includes a differentiated building top. Suggested strategies include: ...

B.1.4.b Change wall surface materials, colors or textures of the building top.

C.1.1 Use building elements to create a street edge that invites pedestrian activity.

C.2. The location, spacing and general pattern of building entries impact the quality of the pedestrian experience downtown. Building entries should be located to enhance the street level experience and help give a sense of scale. Entries should be clearly defined, accessible, and located to express rhythm and visual interest along a street front. Although traditional building entry designs may be appropriate, creative and contemporary interpretations are also encouraged.

C.3 Window design and placement should help establish a sense of scale and provide visual interest.

C.5 Building materials should reinforce the massing and architectural concepts and enhance the character of the building and its context.

C.6.1 Integrate solar or wind systems into the design of the top of the building.

H PLANNING COMMISSION COMMUNICATIONS - STAFF REPORTS

14-1650 Communications to the Design Review Board

Received and Filed

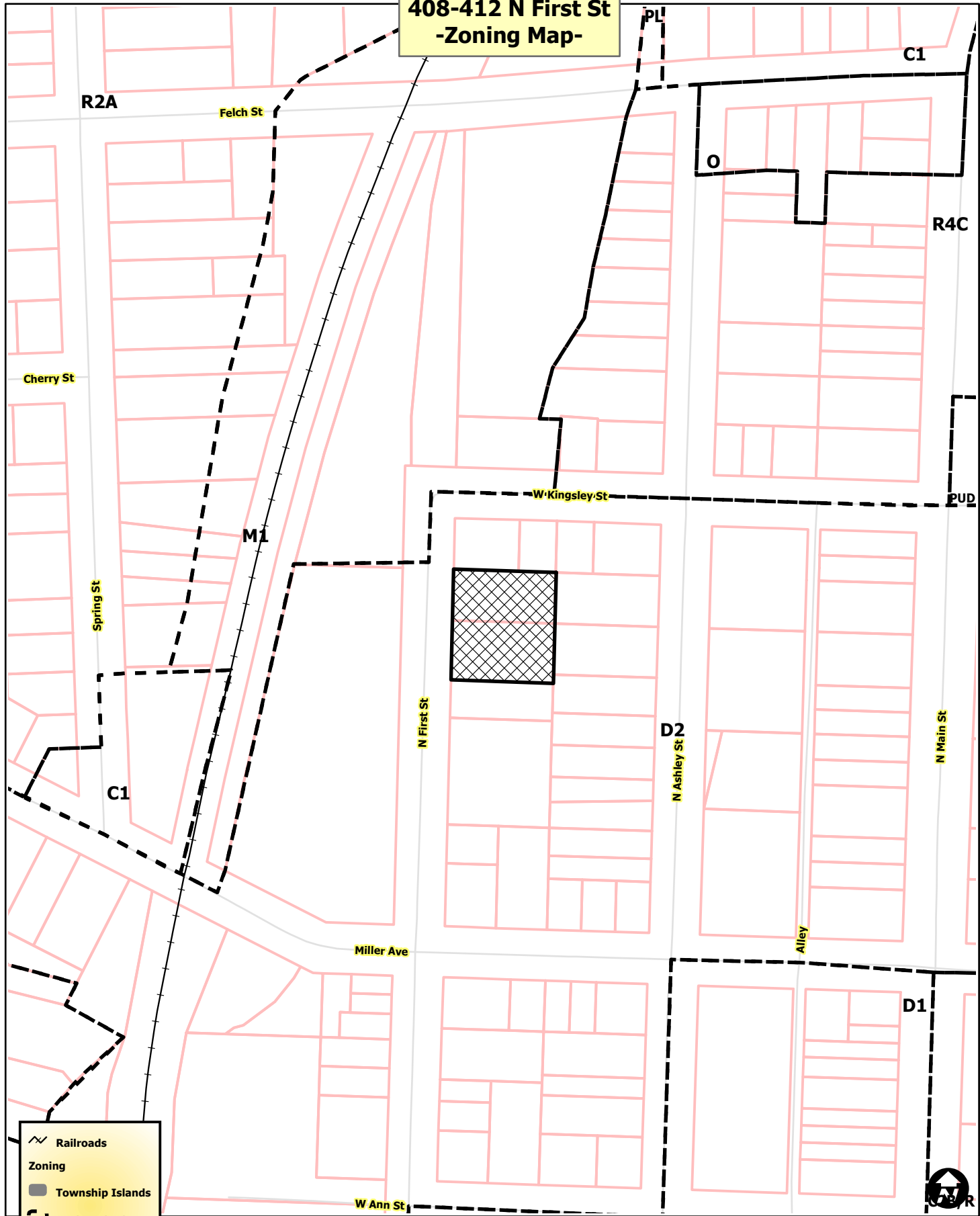
I COMMUNICATIONS

J PUBLIC COMMENTARY (3 MINUTE MAXIMUM SPEAKING TIME)

Ethel Potts, 1016 Elder Boulevard – noted she was pleased by the discussion on context and floodplain, but was not satisfied with the information provided. She stated she wanted to support the design but didn't yet know enough about the development.

Ray Detter, Downtown Citizens Advisory Council to the Downtown Development Authority – stated he liked the creation of the stormwater park at the corner of Kingsley and First, and felt this would be an appropriate next step up the street. He said the proposed project was well designed.

**408-412 N First St
-Zoning Map-**



Legend




- Railroads
- Zoning**
- Township Islands
- Zoning Districts
- Parcels
- Huron River



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408-412 N First St -Aerial Map-



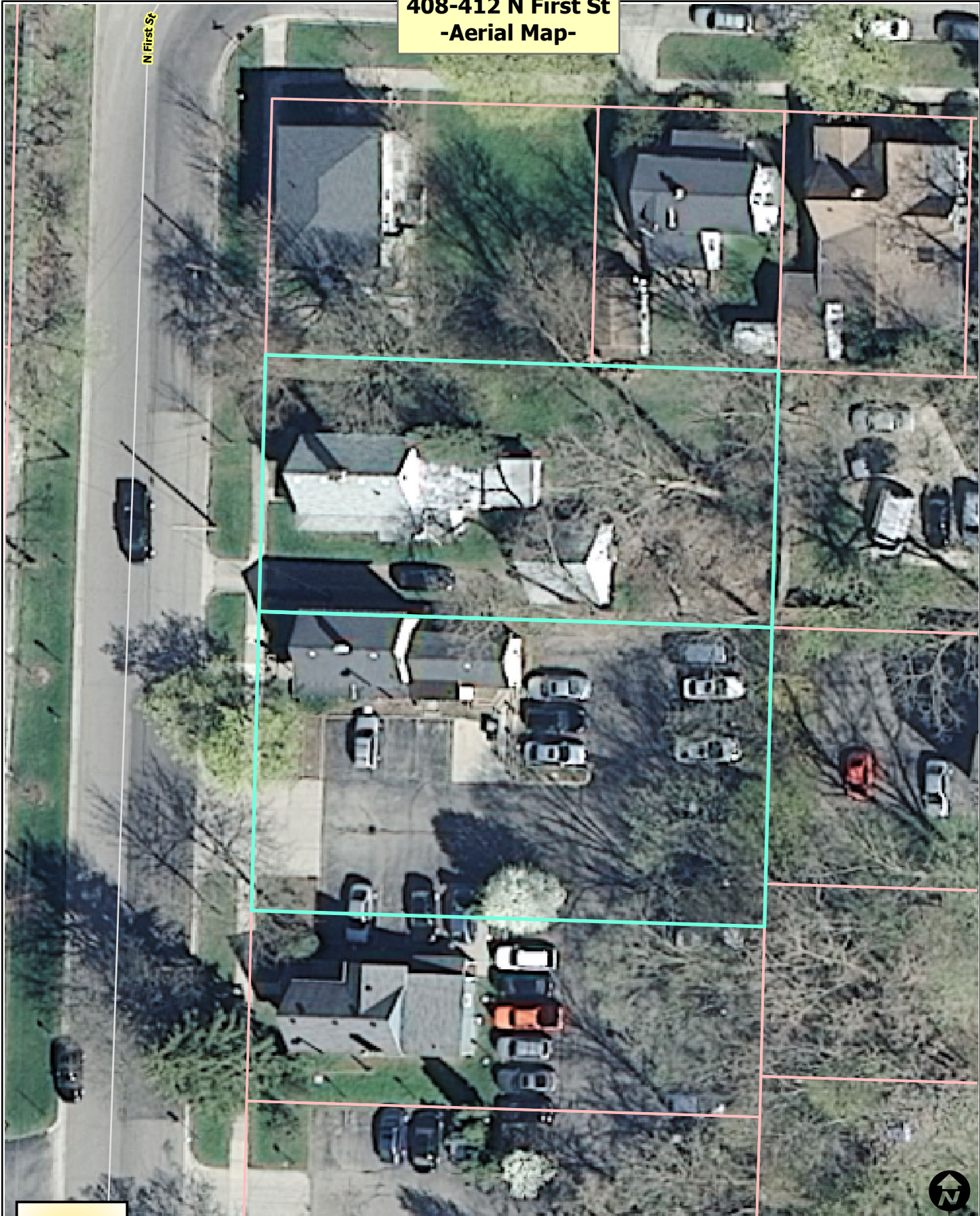
-  Railroads
-  Parcels
-  Huron River






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408-412 N First St -Aerial Map-

N First St



-  Railroads
-  Parcels
-  Huron River



City of Ann Arbor Map Disclaimer: Map Date 10/27/2014

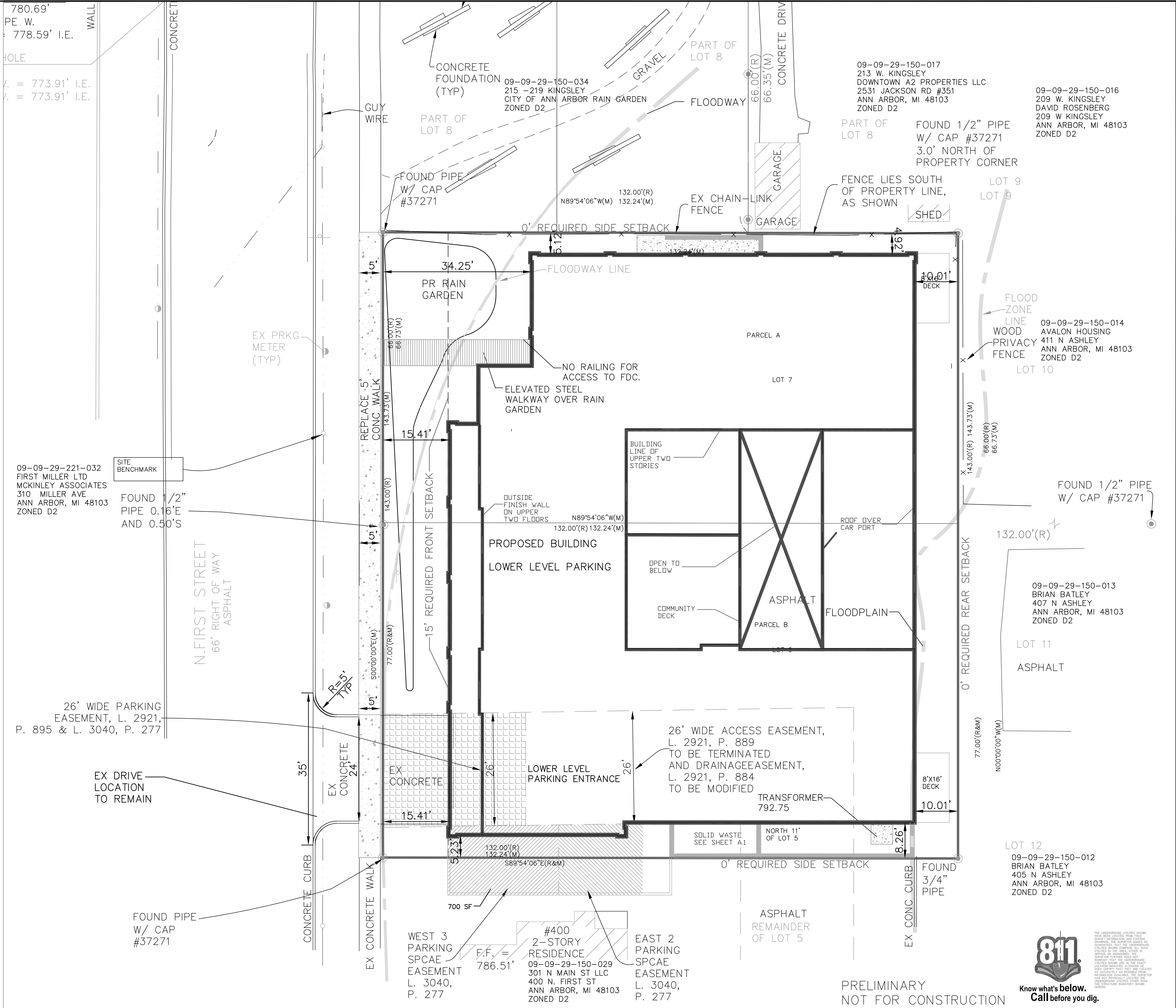
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LEGEND

- SET 1/2" REBAR WITH CAP P.S. 47976
- ⊙ FOUND MONUMENT (AS NOTED)
- (R&M) RECORD AND MEASURED DIMENSION
- (R) RECORD DIMENSION
- (M) MEASURED DIMENSION
- ⊕ GROUND POINT
- ⊕ ELECTRIC METER
- ⊕ UTILITY POLE
- ⊕ GAS METER
- ⊕ ROUND CATCH BASIN
- ⊕ WATER VALVE
- ⊕ AIR CONDITIONING UNIT
- ⊕ LIGHTPOST/LAMP POST
- ⊕ PARKING METER
- ⊕ SINGLE POST SIGN
- ⊕ TREE
- PARCEL BOUNDARY LINE
- PLATTED LOT LINE
- EASEMENT (AS NOTED)
- BUILDING
- BUILDING OVERHANG
- CONCRETE CURB
- EDGE OF CONCRETE (CONC.)
- EDGE OF ASPHALT (ASPH.)
- EDGE OF BRICK
- EDGE OF GRAVEL
- FENCE (AS NOTED)
- WALL (AS NOTED)
- OVERHEAD UTILITY LINE
- GAS LINE
- SANITARY LINE
- STORM LINE
- WATER LINE
- CONTOUR MAJOR
- CONTOUR MINOR
- PROP WATER MAIN
- PROP STORM LINE
- PROP SANITARY LINE
- PROP MANHOLE

- NOTES:**
- PER CHAPTER 49, SECTION 4:58 OF THE CITY CODE, ALL SIDEWALKS ARE TO BE KEPT AND MAINTAINED IN GOOD REPAIR BY THE OWNER OF THE LAND ADJACENT TO AND ABUTTING THE SAME. PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THIS SITE, ALL EXISTING SIDEWALKS IN NEED OF REPAIR MUST BE REPAIRED IN ACCORDANCE WITH CITY STANDARDS.
 - SEE SHEET A-1.0 FOR MECHANICAL EQUIPMENT LAYOUT.
 - SEE SHEET A-1.0 FOR DETAILED LAYOUT OF BICYCLE PARKING, ELEVATOR ACCESS, VEHICULAR PARKING AND TRASH STORAGE.
 - NO PART OF THE ELEVATED STEEL WALKWAY INCLUDING THE HANDRAILS SHALL BE LOCATED WITHIN THE RIGHT-OF-WAY.



PERIMETER ENGINEERING LLC
11245 BOYCE ROAD
CHELSEA, MI 48118
734-216-9941

PERIMETER

Notice: The contractor is the sole responsibility of the contractor. The engineer shall be responsible for the design of any structures, or of any other persons.

SECTION 29
TOWN 2 NORTH, RANGE 2 EAST
CITY OF ANN ARBOR
WASHTENAW COUNTY

CLIENT: HURON DEVELOPMENT ASSOCIATES LLC
410 FIRST STREET
SITE PLAN LAYOUT

DATE: 4-20-15
3-31-15
11-24-14
SCALE: 1"=10'
DR. K.K. CH. K.K.
SHEET NO. SP-03



PRELIMINARY
NOT FOR CONSTRUCTION

LEGEND

●	SET 1/2" REBAR WITH CAP P.S. 47976
⊙	FOUND MONUMENT (AS NOTED)
(R&M)	RECORD AND MEASURED DIMENSION
(R)	RECORD DIMENSION
(M)	MEASURED DIMENSION
⊙	GROUND POINT
⊙	ELECTRIC METER
⊙	UTILITY POLE
⊙	GAS METER
⊙	ROUND CATCH BASIN
⊙	WATER VALVE
⊙	AIR CONDITIONING UNIT
⊙	LIGHTPOST/LAMP POST
⊙	PARKING METER
⊙	SINGLE POST SIGN
⊙	TREE
---	PARCEL BOUNDARY LINE
---	PLATTED LOT LINE
---	EASEMENT (AS NOTED)
---	BUILDING
---	BUILDING OVERHANG
---	CONCRETE CURB
---	EDGE OF CONCRETE (CONC.)
---	EDGE OF ASPHALT (ASPH.)
---	EDGE OF BRICK
---	EDGE OF GRAVEL
---	FENCE (AS NOTED)
---	WALL (AS NOTED)
---	OVERHEAD UTILITY LINE
---	GAS LINE
---	SANITARY LINE
---	STORM LINE
---	WATER LINE
---	CONTOUR MAJOR
---	CONTOUR MINOR
---	PROP WATER MAIN
---	PROP STORM LINE
---	PROP SANITARY LINE
⊙	PROP MANHOLE

SANITARY MANHOLE
RIM = 781.36'
36" PIPE S. INV. = 773.91' I.E.
36" PIPE E. INV. = 773.91' I.E.

24" SANITARY LINE ABANDONED

09-09-29-221-032
FIRST MILLER LTD
MCKINLEY ASSOCIATES
310 MILLER AVE
ANN ARBOR, MI 48103
ZONED D2

LANDSCAPING NOTES:

- THIS PLAN IS FOR APPROXIMATE PLANTING LOCATIONS ONLY.
- ANY DISCREPANCY WITH THE PLAN AND PLANT LIST THE NUMBER OF SYMBOLS ON THE PLAN SHALL TAKE PRECEDENCE.
- SIZES SPECIFIED ARE MINIMUM SIZES TO WHICH THE PLANTS ARE TO BE INSTALLED.
- ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH CITY STANDARDS AND IN ACCORDANCE WITH CURRENT INDUSTRY STANDARDS IN A NEAT, HEALTHY AND WEED FREE CONDITION. ANY DEAD, DISEASED OR DAMAGED PLANT MATERIAL IS TO BE REPLACED WITHIN ONE YEAR, OR THE NEXT APPROPRIATE PLANTING PERIOD, WHICHEVER COMES FIRST.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL UNDERGROUND AND OVERHEAD UTILITIES. PLANT MATERIAL IS TO BE LOCATED SUCH THAT IT WILL NOT INTERFERE WITH ANY UNDERGROUND OR OVERHEAD UTILITIES. CANOPY AND EVERGREEN TREES SHALL NOT BE PLANTED WITHIN 10 FEET OF ANY UNDERGROUND OR OVERHEAD UTILITIES.
- PRIOR TO ANY LAND CLEARING OR CONSTRUCTION, TREE PROTECTION FENCING IS TO BE INSTALLED BY THE CONTRACTOR. THIS FENCING IS TO BE INSTALLED AT THE DRIPLINE OF ALL TREES AND SHRUBS TO BE SAVED AS SHOWN IN THE TREE PROTECTION FENCE DETAIL. SUCH FENCING SHALL BE MAINTAINED AS APPROVED FOR THE DURATION OF THE PROJECT. NO CUTTING, DUMPING, FILLING OR TRESPASSING SHALL OCCUR INSIDE THE FENCED AREA.
- NO PLANT MATERIAL IS TO BE PLANTED CLOSER THAN 4 FEET FROM ANY PROPERTY LINE.
- PLANT TREES AND SHRUBS AT THE SAME GRADE LEVEL AT WHICH THEY WERE GROWN AT THE NURSERY. IF HEAVY CLAY SOILS ARE EVIDENT, PLANT TREES AND SHRUBS HIGHER, APPROXIMATELY 1/3 OF THE ROOT BALL ABOVE THE GRADE.
- REMOVE ALL TWINE, WIRE, NURSERY TREE GUARDS, TAGS AND INORGANIC MATERIAL FROM ROOT BALLS.
- PEEL BACK THE TOP 1/3 OF BURLAP FROM EARTH BALLS AND REMOVE ANY BURLAP AROUND TREE TRUNKS.
- ALL LANDSCAPE AREAS SHALL BE EXCAVATED OF ALL BUILDING/CONSTRUCTION MATERIAL AND POOR SOILS TO A DEPTH OF 18-24" AND BACKFILLED WITH GOOD, MEDIUM TEXTURED PLANTING SOIL.
- BACKFILL DIRECTLY BEHIND ALL CURBS AND ALONG SIDEWALKS AND COMPACT TO TOP OF CURB OR WALK TO SUPPORT VEHICLE AND PEDESTRIAN WEIGHT WITHOUT SETTLING.
- ALL DISTURBED UNPAVED AREAS ARE TO BE HYDRO-SEED OR SODDED AS NOTED ON THE PLAN. AREAS OF INDIVIDUAL TREES AND LANDSCAPE BEDS ARE TO BE MULCHED WITH A MINIMUM OF 4 INCHES SHREDDED HARDWOOD BARK. LAWN TREES ARE TO BE MULCHED WITH A 4" DIAMETER SHREDDED BARK RING. BARK IS TO BE PULLED AWAY FROM THE TRUNK OF TREES LEAVING A 3" CLEAR AREA AROUND THE TRUNK.
- ANY PLANT SUBSTITUTIONS SHALL HAVE PRIOR CITY APPROVAL.
- APPLICATIONS OF FERTILIZER BEYOND THE INITIAL TOPSOIL AND SEEDING SHALL BE A FERTILIZER WITH NO PHOSPHORUS.

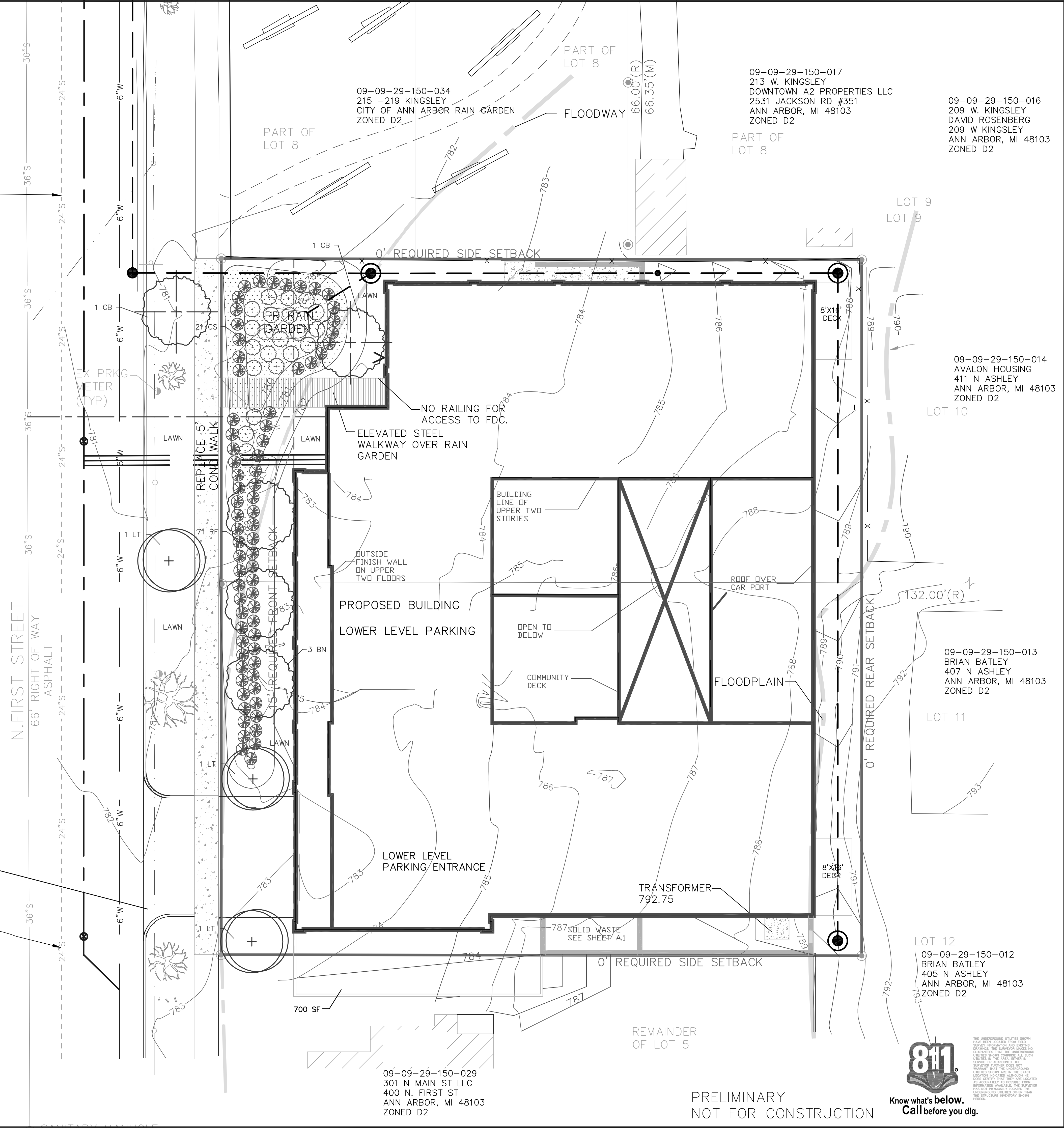
PARK CONTRIBUTION WITH NO ON-SITE AMENITIES:
25 UNITS X .0124 ACRES X \$50,000 PER ACRE = \$15,500.

LANDSCAPE DATA			
Street Trees - 1 Tree Per 30 Linear Feet	143.73 ft		
	REQUIRED	EXISTING	PROPOSED
Trees (10)	4.791	3	2
Landmark Trees - 50% DBH	REQUIRED	SIZE	NO. PROP.
30" Basswood	15"	2.5"	6
28" Elm	14"	2.5"	6

6 - 2.5" LANDMARK TREE REPLACEMENT LOCATIONS HAVE BEEN PROVIDED ON THE SITE. THE REMAINING 6 REPLACEMENT TREES WILL BE PAID FOR AS ALLOWED IN CHAPTER 57 AT THE RATE OF \$350 PER TREE. TOTAL \$2,100.

TREE LIST					
KEY	QTY	SPECIES	SIZE	SPECS	NATIVES
CB	2	Carpinus betulus European Hornbeam	2.5" cal	B&B	Native
LT	3	Liriodendron tulipifera Tulip Poplar	2.5" cal	B&B	Native
BN	3	Betula nigra River Birch	2.5" cal	B&B	Native

RAIN GARDEN LIST				
COUNT	CODE	SIZE	COMMON NAME	SCIENTIFIC NAME
71	RF	2 gal	BLACK-EYED SUSAN	Rubeckia f. 'Little Goldstar'
21	CS	3 gal	KELSEYIREDOSIER DOGWOOD	Cornus s. 'Kelseyi'



PERIMETER ENGINEERING LLC
11245 BOYCE ROAD
CHELSEA, MI 48118
734-216-9941

PERIMETER

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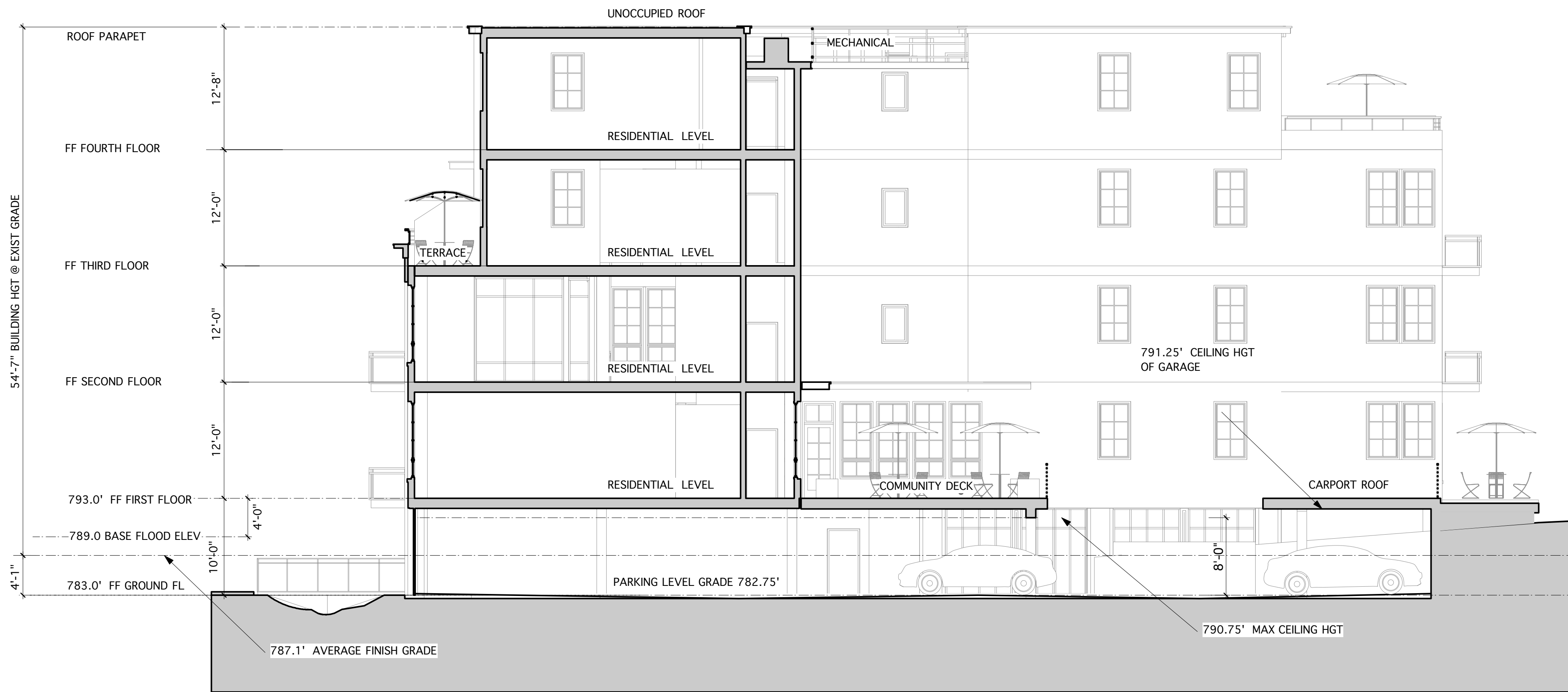
SECTION: 29
TOWN 2 NORTH, RANGE 2 EAST
CITY OF ANN ARBOR
WASHTENAW COUNTY

CLIENT: HURON DEVELOPMENT ASSOCIATES LLC
410 FIRST ST
SITE PLAN
LANDSCAPE

4-20-15
12-24-14
DATE: 11-24-14
SCALE: 1"=10'
DR. K.K. CH. K.K.
P.M.
BOOK
SHEET NO.
SHEET NO.
SP-05



PRELIMINARY
NOT FOR CONSTRUCTION



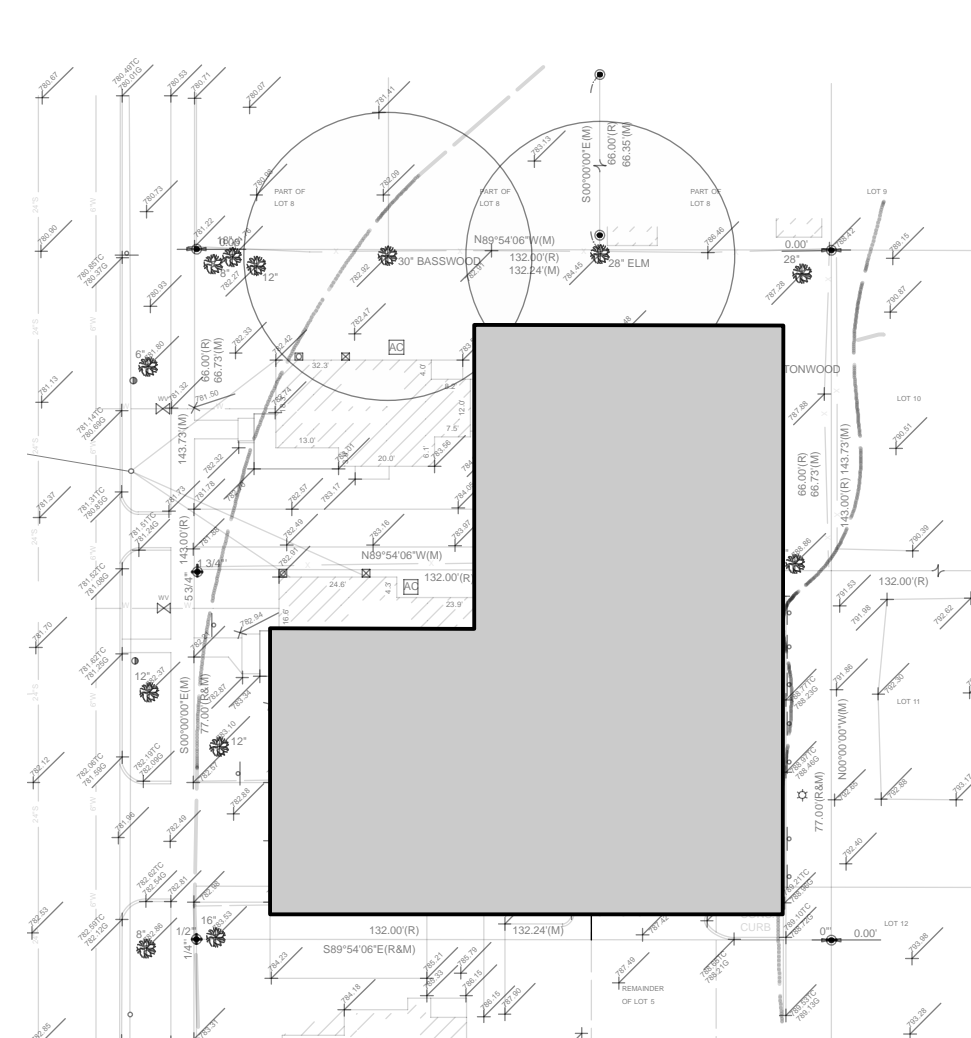
BUILDING CROSS SECTION B-B
Scale: 1/8" = 1'-0" on 24" x 36"

ALTERNATIVE ANALYSIS REPORT: LANDMARK TREES
REQUIRED WHEN NATURAL FEATURES, SUCH AS FLOODPLAINS AND LANDMARK TREES ARE AFFECTED.

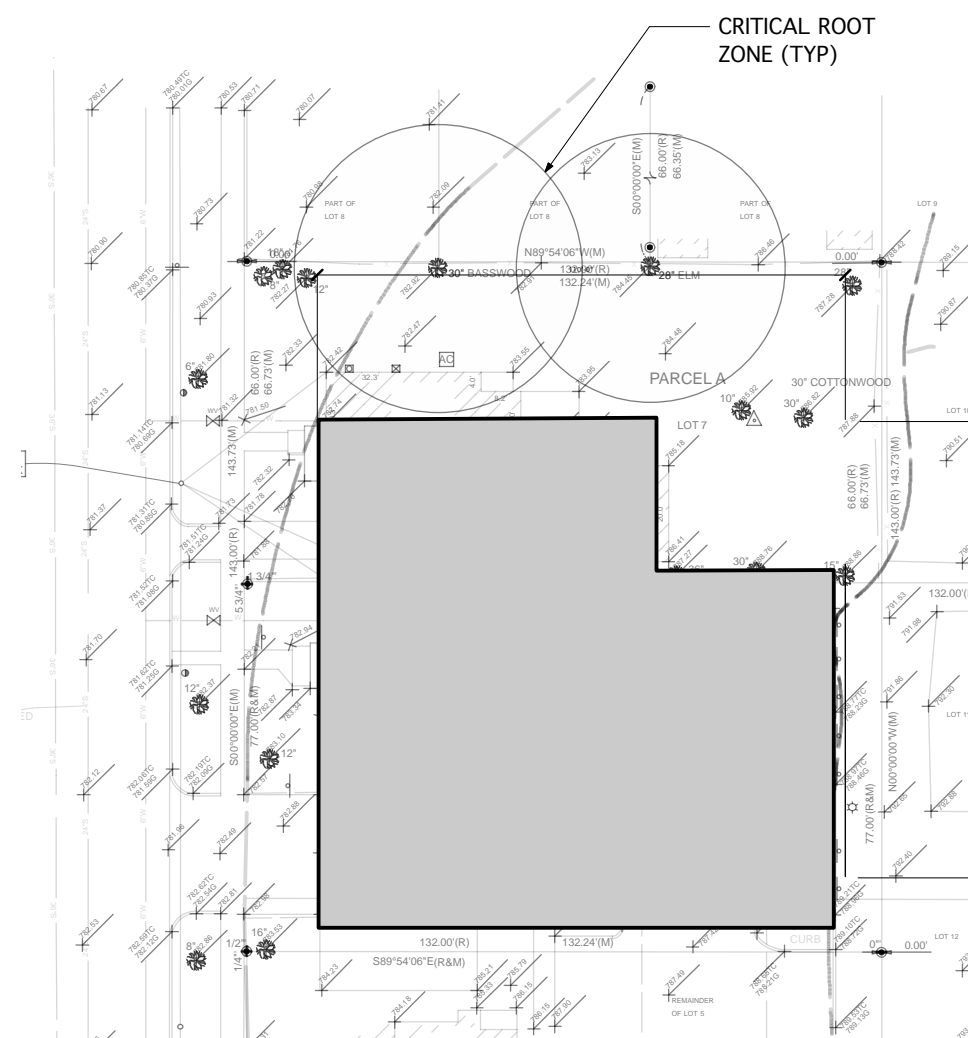
- ALTERNATIVE 1:**
PRO: ONE LANDMARK TREE IS NOT IMPACTED WITHIN ITS CRITICAL ROOT ZONE AND ANOTHER IS ONLY MINIMALLY AFFECTED. STORMWATER INFILTRATION IS NOT WITHIN THE FLOOD PLAIN. BUILDING FOOTPRINT IS OPTIMIZED FOR PARKING LAYOUT.
CON: BUILDING FORMS A CONTINUOUS WALL ALONG THE SOUTH PROPERTY LINE. 2012 MBC ONLY ALLOWS 15% THE WALL TO BE WINDOWS. MANY INTERIOR SPACES WILL NOT HAVE NATURAL LIGHT AND CANNOT BE COUNTED AS BEDROOMS. THE BUILDING CREATES ONLY A VERY SMALL "STREETWALL" ALONG FIRST STREET AND IS NOT IN ACCORDANCE D2 DISTRICT DESIGN GUIDELINES. THE CITY RAINGARDEN HAS ONLY A MINIMAL "EYES ON THE PARK" EFFECT BECAUSE OF THE LARGE SETBACK. SOME PARKING WILL NEED TO BE IN THE FRONT YARD AREA OR PARKING SPACES WOULD BE GREATLY REDUCED.
- ALTERNATIVE 2:**
PRO: TWO LANDMARK TREES ARE NOT IMPACTED WITHIN THEIR CRITICAL ROOT ZONES. CITY RAIN GARDEN IS EXPANDED.
CON: STORMWATER INFILTRATION WOULD NEED TO BE LOCATED WITHIN THE FLOOD PLAIN WHICH IS NOT ALLOWED. BUILDING FORMS A CONTINUOUS WALL ALONG THE SOUTH PROPERTY LINE. 2012 MBC ONLY ALLOWS 15% THE WALL TO BE WINDOWS. MANY INTERIOR SPACES WILL NOT HAVE NATURAL LIGHT AND CANNOT BE COUNTED AS BEDROOMS. THE BUILDING CREATES ONLY A PARTIAL "STREETWALL" ALONG FIRST STREET AND IS NOT IN ACCORDANCE WITH DESIGN GUIDELINES IN THE D2 DISTRICT. THE SMALL RAINGARDEN HAS A REDUCED "EYES ON THE PARK" EFFECT BECAUSE OF THE LARGE SETBACK. BUILDING FOOTPRINT IS NOT OPTIMIZED FOR PARKING LAYOUT AND THE NUMBER OF PARKING SPACES WOULD BE REDUCED.
- ALTERNATIVE 3:**
PRO: STORMWATER INFILTRATION IS NOT WITHIN THE FLOOD PLAIN. BUILDING FOOTPRINT IS OPTIMIZED FOR PARKING LAYOUT. INTERIOR SPACES WILL HAVE NATURAL LIGHT AND CAN BE USED AS BEDROOMS PER ZONING CODE PREMIUM REQUIREMENTS. THE BUILDING CREATES A "STREETWALL" ALONG FIRST STREET AND ANCHORS A CORNER IN ACCORDANCE D2 DISTRICT DESIGN GUIDELINES. THE BUILDING IS SET BACK TO AS TO AFFORD UP TO 45% OF THE WALL AREA TO BE WINDOWS ALONG MOST OF ITS WALLS.
CON: FOUR LANDMARK TREES WILL NEED TO BE REMOVED.
- ALTERNATIVE 3 WAS CHOSEN FOR THE FEWEST CONS AND GREATEST NUMBER OF PRO FEATURES.**

ALTERNATIVE ANALYSIS REPORT: FLOODPLAIN
REQUIRED WHEN NATURAL FEATURES, SUCH AS FLOODPLAINS AND LANDMARK TREES ARE AFFECTED.

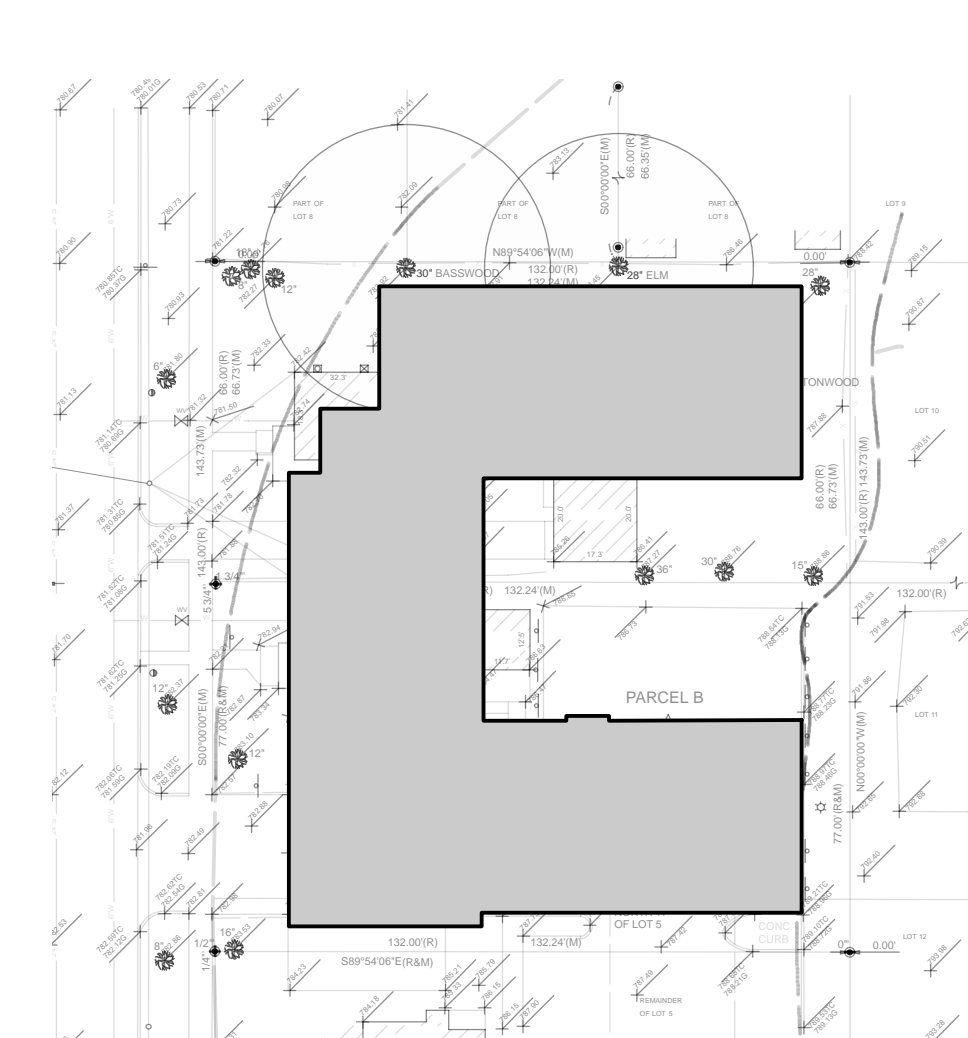
THE BUILDING IS NOT LOCATED WITHIN A FLOODWAY BUT IS LOCATED WITHIN THE ALLAN CREEK FLOOD PLAIN. APPROXIMATELY 1000 CU YARDS OF EARTH WILL BE REMOVED WITHIN THIS FLOODPLAIN. THIS WILL ALLOW FOR APPROXIMATELY 27,000 CUBIC FEET OF FLOOD WATER TO BE STORED ON SITE REDUCING FLOODING DOWNSTREAM.



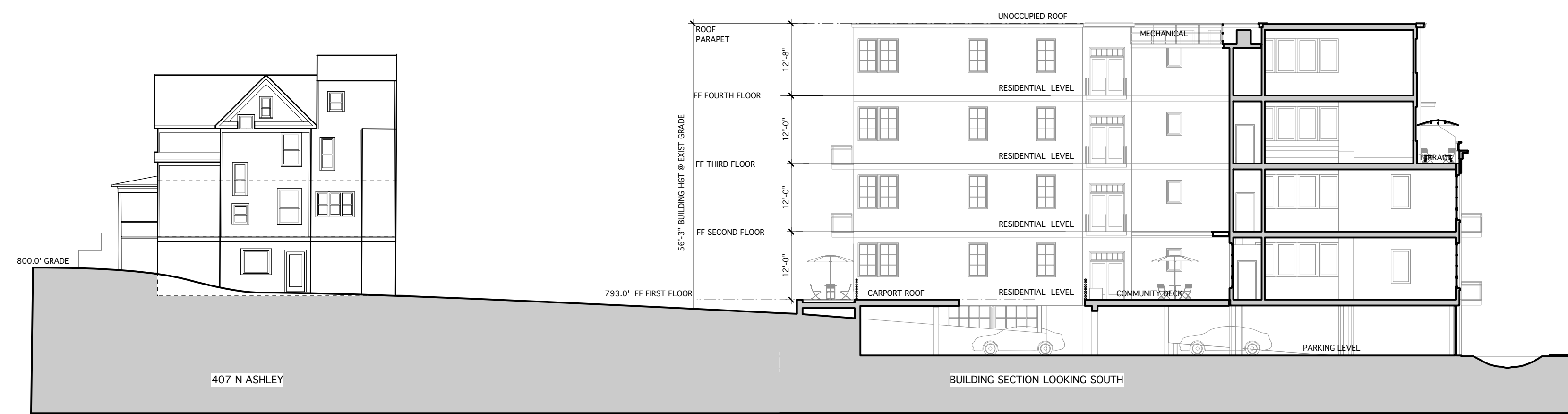
Alternative 1
Scale: 1" = 40'-0" on 24" x 36"



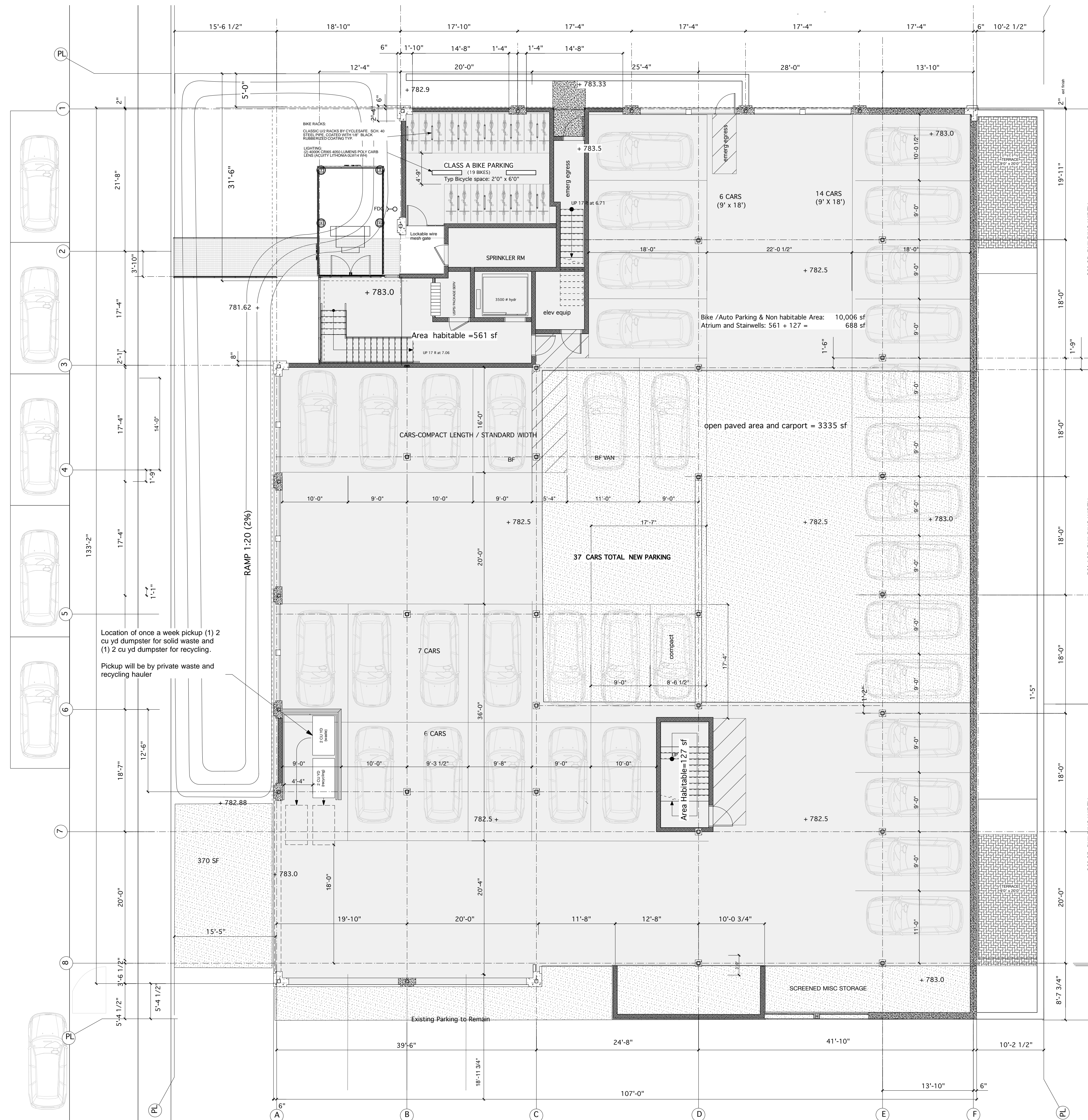
Alternative 2
Scale: 1" = 40'-0" on 24" x 36"



Alternative 3
Scale: 1" = 40'-0" on 24" x 36"



SITE CROSS SECTION A-A
Scale: 1/16" = 1'-0" on 24" x 36"



PARKING LEVEL PLAN
Scale: 1/16" = 1'-0" on 24" x 36"

Location of once a week pickup (1) 2 cu yd dumpster for solid waste and (1) 2 cu yd dumpster for recycling.
Pickup will be by private waste and recycling hauler

SOLID WASTE CALCULATIONS
Average household waste produced per resident in Ann Arbor per year is 1000(+)- lbs/person.*
Waste per household (2 persons/household assumed) = 2 x 1000 lbs. = 2000 lbs./household/yr.
2000 lbs. / 225** = 8.9 cu. yd./year/household.
8.9 cu. yd./year/household x 25 = 222.5 cu yd/
222.5 / 52 weeks = 4.3 cu yd/ week

Use two 4 cu yd dumpsters, one for recycling and one for solid waste

- * City of Ann Arbor Solid waste Study of non student residential waste.
- ** EPA analysis of mixed residential solid waste. lbs converted to cu yard.
- *** Cu yd to gal conversion = 173

BUILDING AREA CALCULATIONS
SITE SIZE: 19007 SF
FL GROSS SF NET SF
9,525not incl. in FAR figures below)

	GROSS SF	NET SF
0.	688	
1.	9823	
2.	10,048	
3.	9214	
4.	7972	
	37,618	

200% ALLOWABLE FAR = 19,007 SF (LOT AREA) X 2 = 38,014 SF.
37,745 / 19007 = 199% (PROPOSED BUILDING AREA FAR)

* NET SF INCLUDES OPEN STAIR AREAS IN TWO STORY UNITS

- UNENCLOSED AREA NOT IN FAR
- HABITABLE AREA IN FAR
- PARKING AND NON HABITABLE SPACE NOT IN FAR

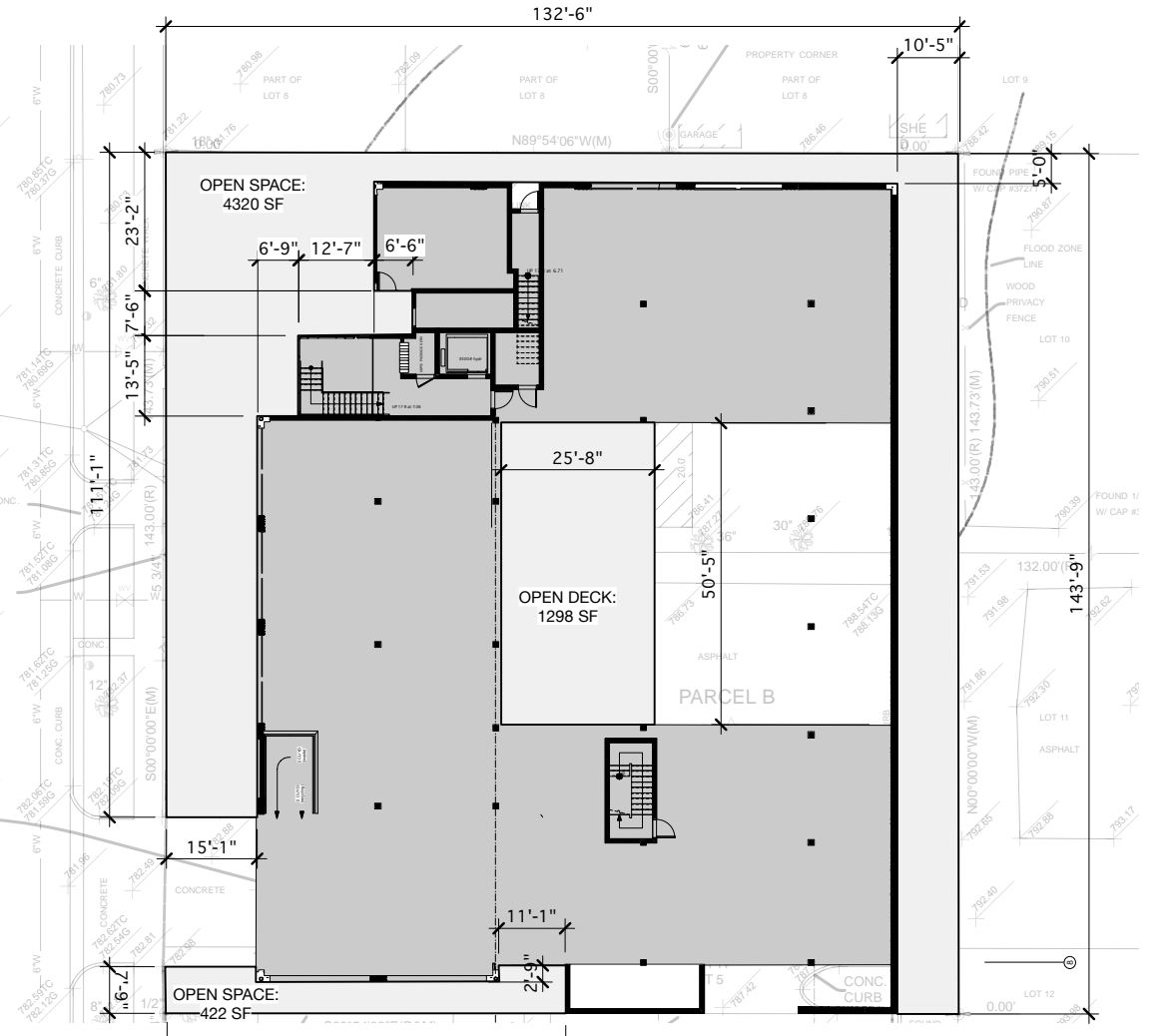
410 North First Street = average grade

Average Finish Grade	Grades
NW to NE	781.2
	783.0
	786.5
	792.4
NE to SE	792.4
	792.4
	792.4
	792.4
SE to SW	792.4
	788.4
	787.7
	783.5
SW to NW	783.0
	782.8
	781.7
	781.2
Average Grade	787.1

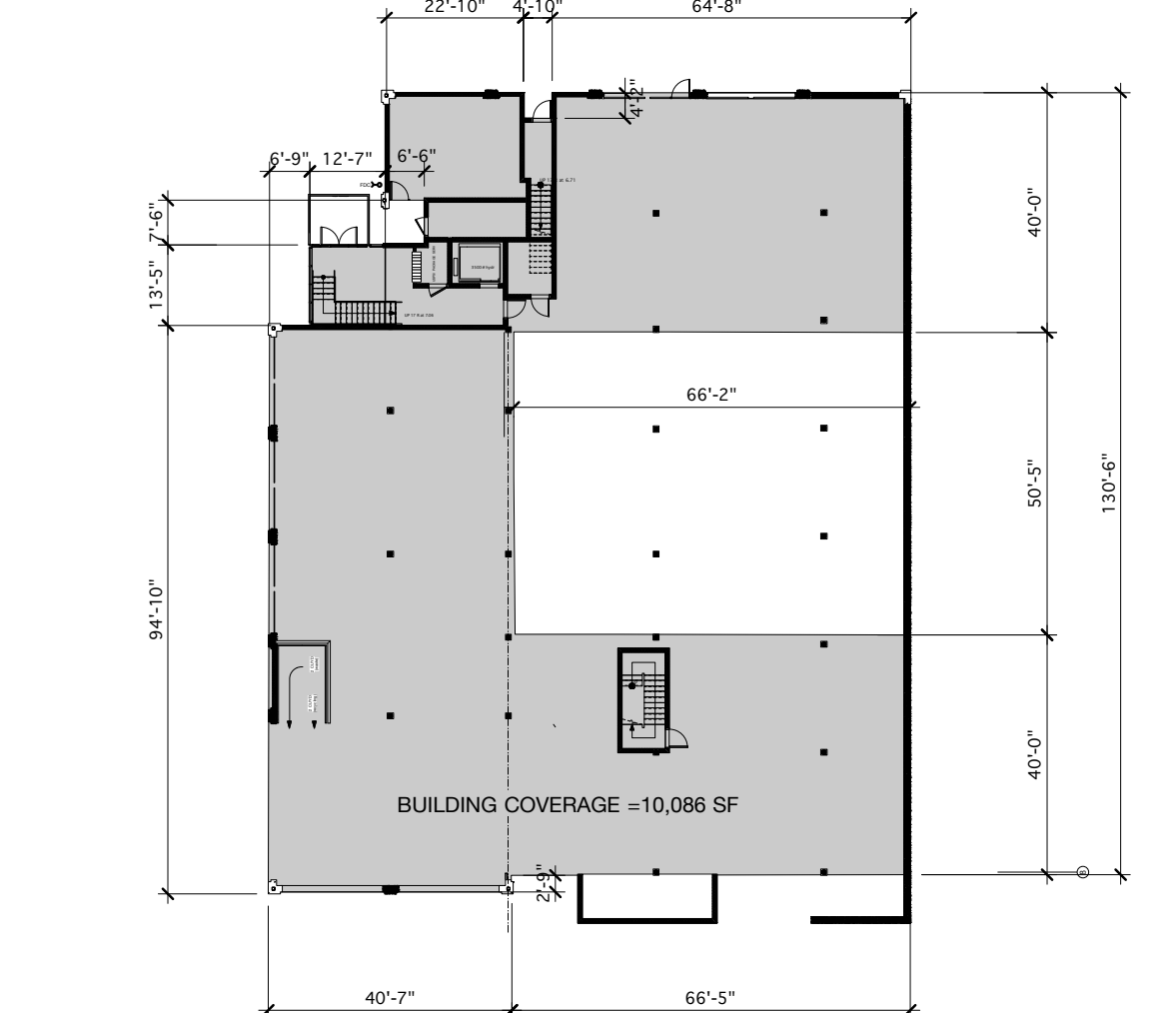
Allowable Maximum ceiling height of garage	8.67	791.68
Ceiling height less than 50% above average grade	4.34	787.3
Zoning Maximum Height 60'	847.09	
Height below allowable zoning	5.34	
Story	Grade	Story Height
Ground Floor Elevation	782.75	10.25
First Floor Elevation	793.00	12.00
Second Floor Elevation	805.00	12.00
Third Floor Elevation	817.00	12.00
Fourth Floor Elevation	829.00	12.75
Roof Parapet Elevation	841.75	

BICYCLE CALCULATIONS:
REQUIRED CLASS A BICYCLE SPACES: 1 SPACE PER 2500 SQUARE FEET OF USEABLE SPACE.

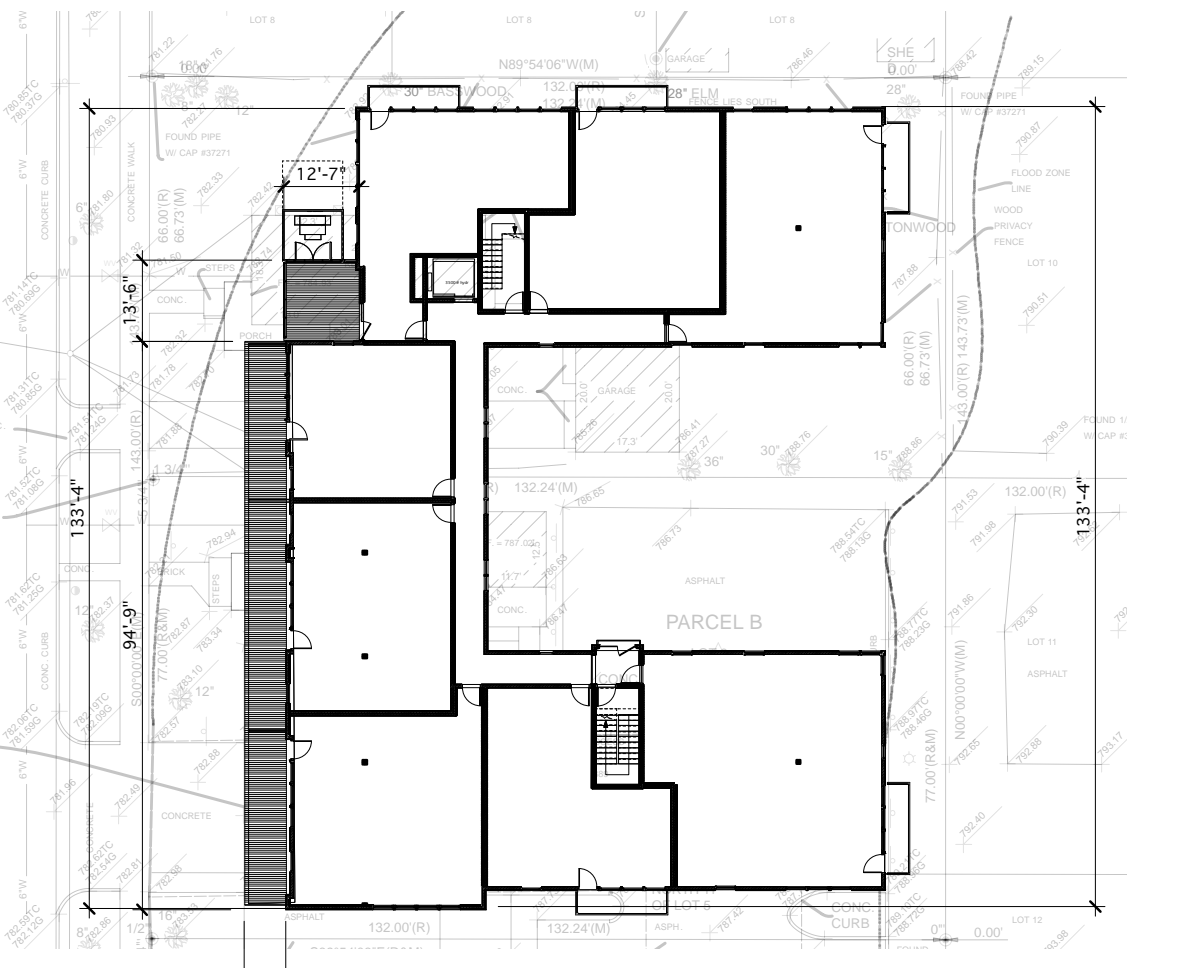
33,291 SQUARE FEET OF USEABLE SPACE / 2500 = 13.3 OR 14 SPACES. 19 SPACES OF ENCLOSED CLASS (A) PARKING IS PROVIDED



OPEN SPACE
Scale: 1/32" = 1'-0" on 24" x 36"



BUILDING COVERAGE
Scale: 1/32" = 1'-0" on 24" x 36"



AVERAGE STREETWALL SETBACK
Scale: 1/32" = 1'-0" on 24" x 36"

AVERAGE STREETWALL SETBACK
Scale: 1/32" = 1'-0" on 24" x 36"

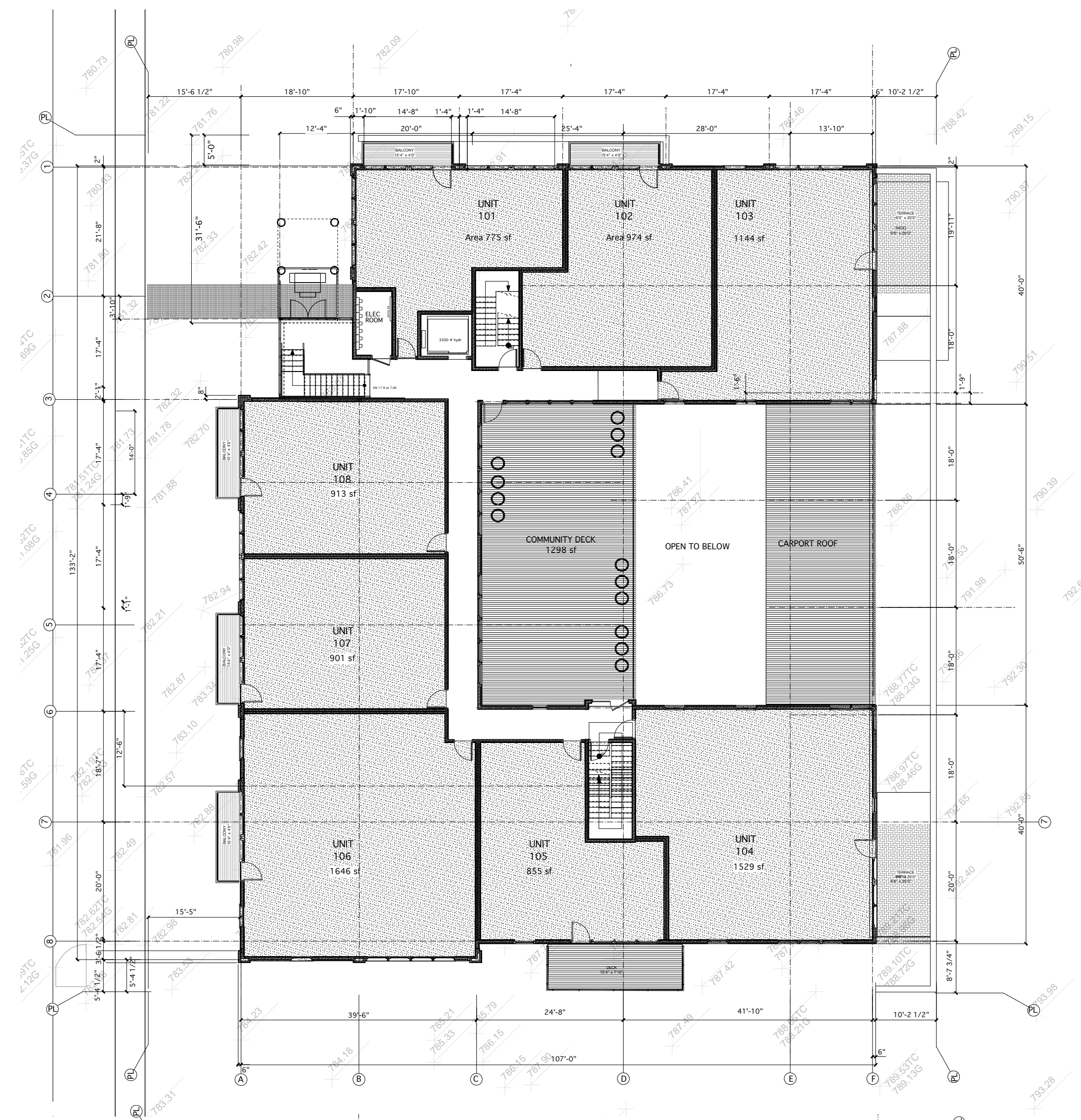
410 FIRST STREET

408 - 412 North First Street Ann Arbor, Michigan 48104

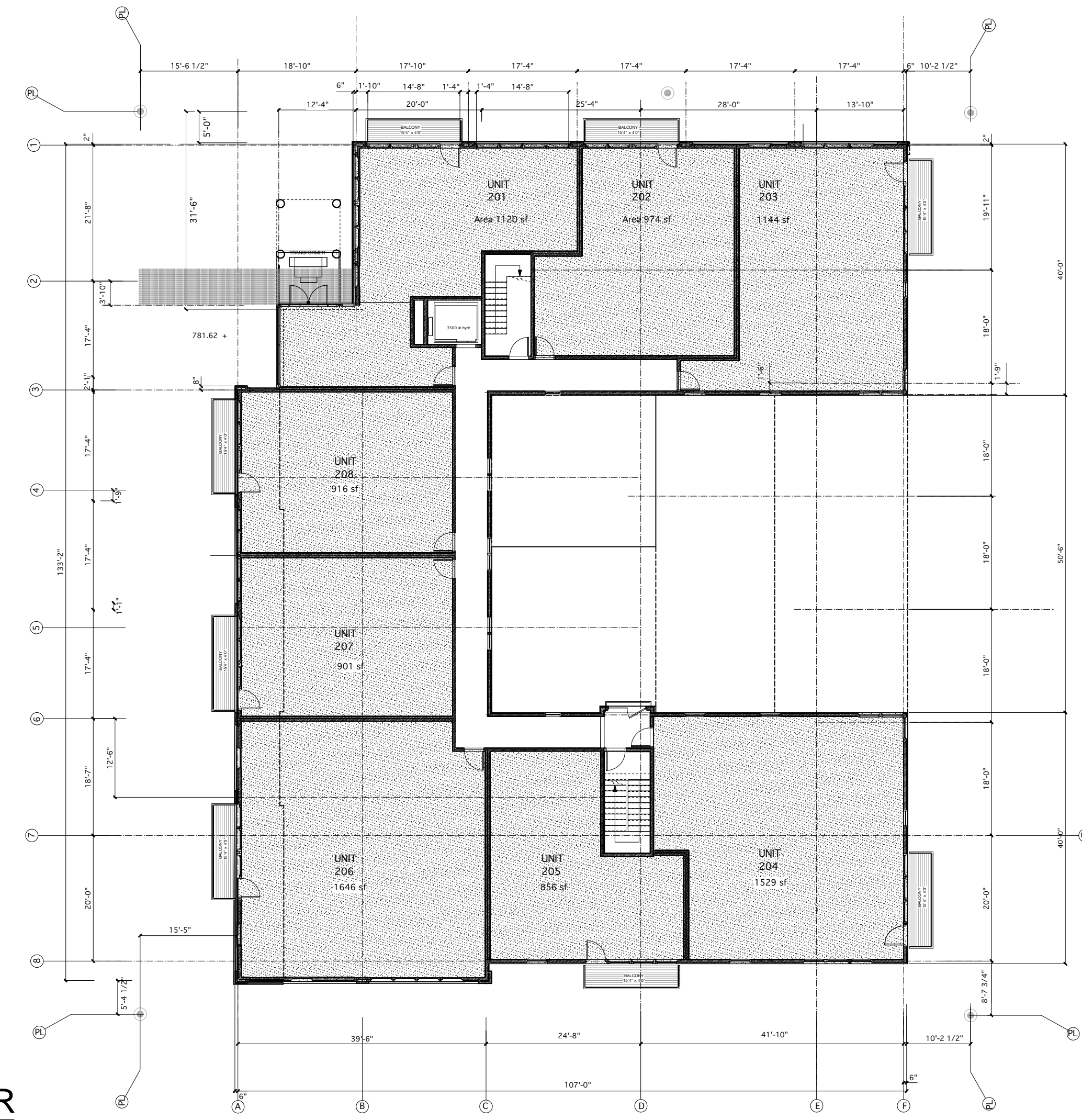
RUETER ASSOCIATES
ARCHITECTS
515 Fifth Street, Ann Arbor, Michigan 48103
phone: (734) 769-0070, fax: (734) 769-0167

SHEET TITLE: A
1.1

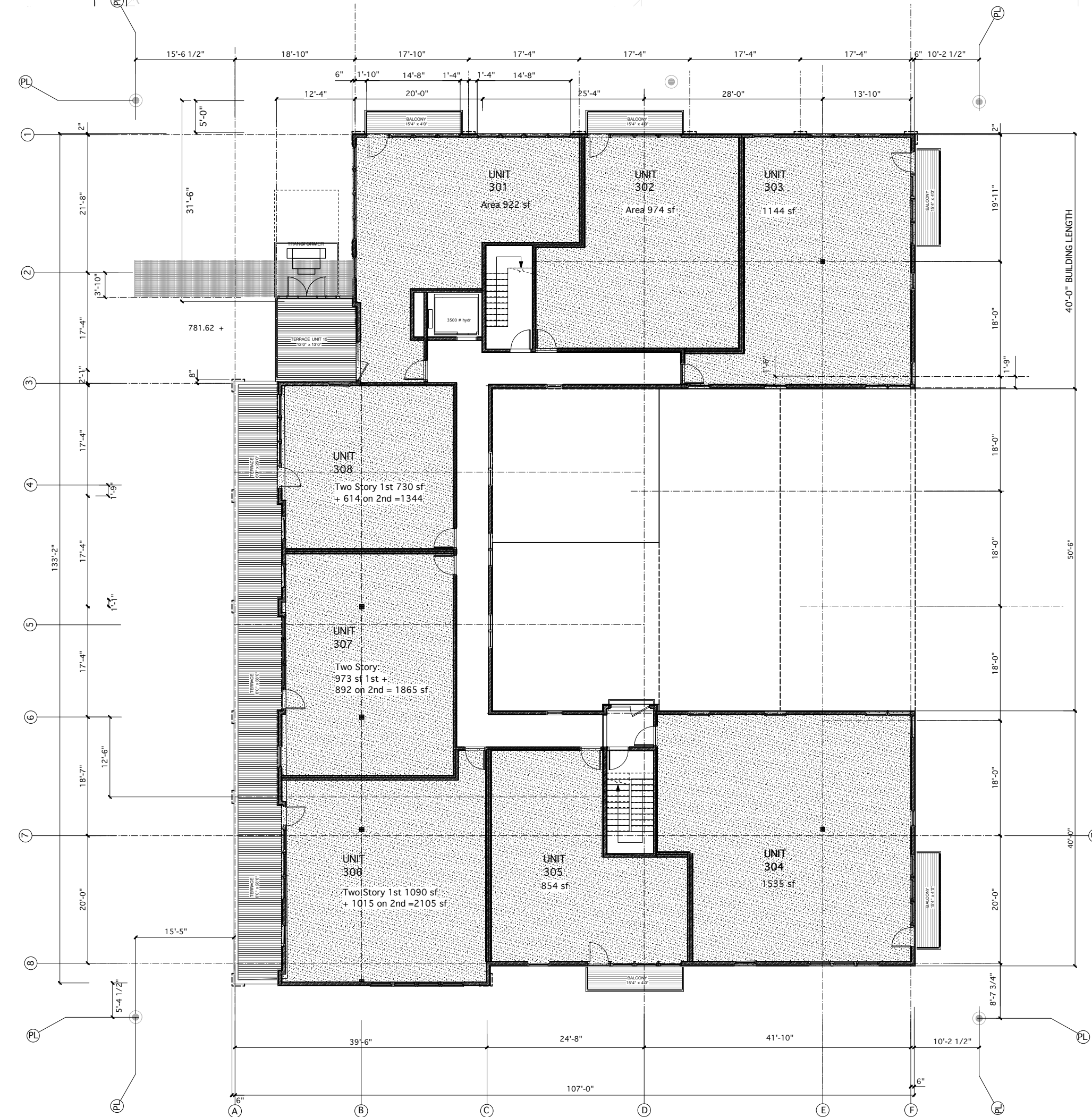
FIRST FLOOR
Scale: 1/16" = 1'-0" on 24" x 36"



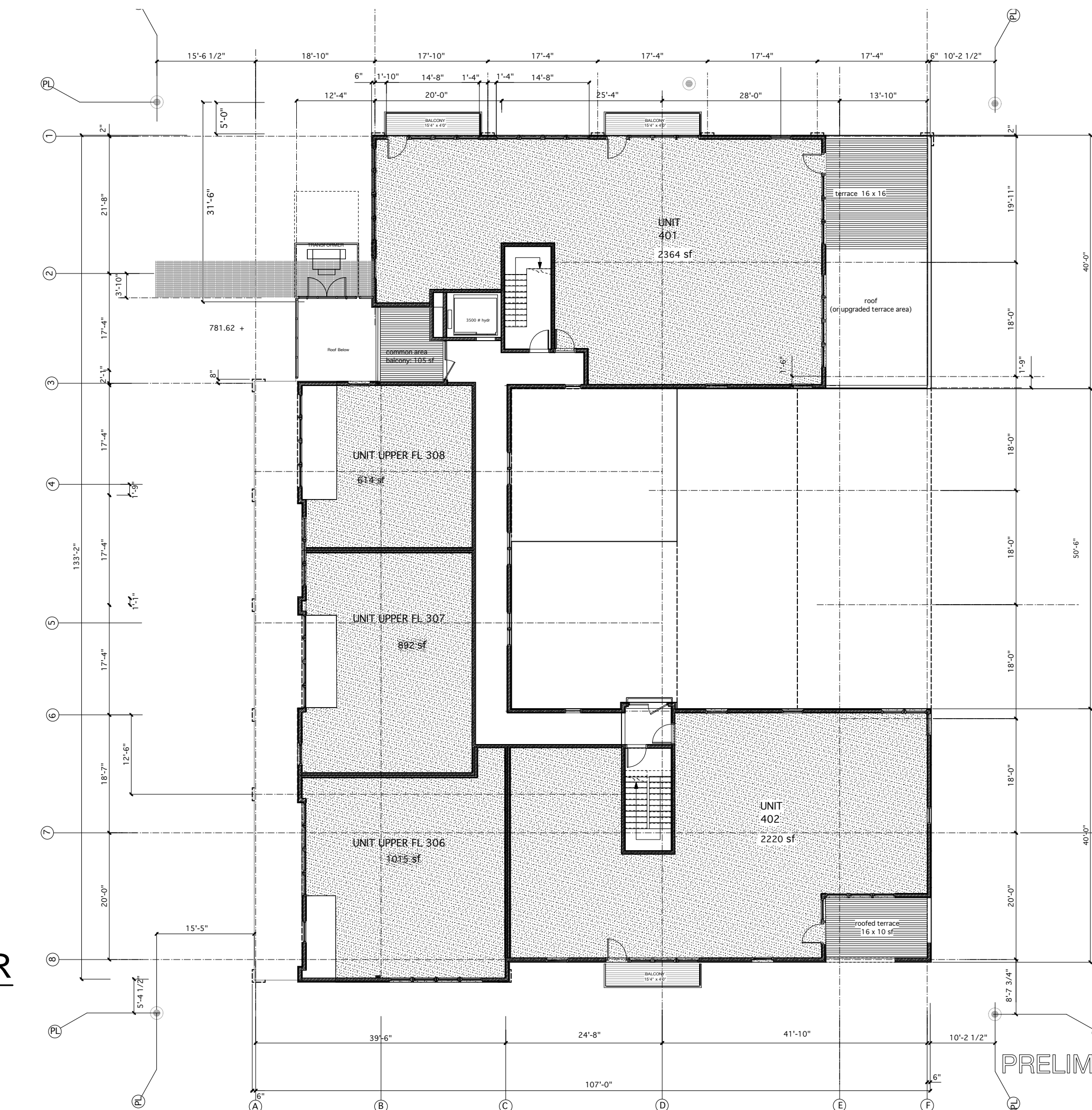
SECOND FLOOR
Scale: 1/16" = 1'-0" on 24" x 36"



THIRD FLOOR
Scale: 1/16" = 1'-0" on 24" x 36"



FOURTH FLOOR
Scale: 1/16" = 1'-0" on 24" x 36"



PRELIMINARY 04 20 15

410 FIRST STREET

408 - 412 North First Street Ann Arbor, Michigan 48104

SHEET TITLE: 00.00.15
REVIEW SET: 00.00.15
BID & PERMIT SET:

A
1.2

RUETER ASSOCIATES
A R C H I T E C T S
515 Fifth Street, Ann Arbor, Michigan 48103
phone: (734) 769-0070, fax: (734) 769-0167

RAA: 14-019



1 NORTH ELEVATION

Scale: 3/32" = 1'-0" on 24"x 36" sheet

C.5 Materials

The lower three story repeating bays are clad in rain-screen medium dark smooth brick identifying them as structural building elements. The balconies are shop fabricated grey coated steel bolted to the facade after cladding materials are applied.

Above the projecting brick bays and portions of the south and east facades are light colored walls with horizontally seamed steel cladding in a light neutral color. These metal clad bays alternate with a recessed dark colored fiber cement panel system.



3 EAST ELEVATION

Scale: 3/32" = 1'-0" on 24"x 36" sheet

C.5 Materials: continued

The entry atrium and stair tower is clad in a blue-green color coated aluminum curtain wall system with a matching metal or fiberglass cornice system. Windows are grey aluminum clad wood.



2 WEST ELEVATION

Scale: 3/32" = 1'-0" on 24"x 36" sheet



4 SOUTH ELEVATION

Scale: 3/32" = 1'-0" on 24"x 36" sheet



City of Ann Arbor
Formal Minutes
Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
Calendar.aspx](http://a2gov.legistar.com/Calendar.aspx)

Tuesday, May 19, 2015

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor,
City Council Chambers

10-a 15-0645

410 First Site Plan for City Council Approval - A proposal to demolish two residential buildings and construct a four-story, 25-unit, 47,140-square foot residential building on a 0.44 acre site located at 408-412 North First Street. Parking for 36 vehicles will be provided in a lower-level parking garage, as will access to 5 parking spaces on the property to the south. The proposed building is to be elevated above the 100-year floodplain, which covers the site. (Ward 1) Staff Recommendation: Postponement

Jill Thacher presented the staff report.

PUBLIC HEARING:

David Crouse, 509 N. Ashley, Ann Arbor, said he lives across from the proposed development. He asked if there had been any traffic studies done for this project, given the other residential project in the area. He noted that the combined projects have a potential to increase traffic congestion.

Noting no further speakers, the Chair declared the public hearing closed unless the item is postponed.

Moved by Clein, seconded by Adenekan, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 410 First Site Plan, subject to obtaining an MDEQ floodplain permit and combining the parcels prior to the issuance of any grading or construction permits.

COMMISSION DISCUSSION:

Adenekan asked about the traffic study.

Thacher said the project is too small to require a traffic study, but the traffic engineer has looked very closely at the traffic conditions in the area due to the location of this site on a curve.

Clein asked if there is no rear yard setback requirement in the D2 zoning district.

Thacher said there is not.

Clein asked for details about the proposed rain screen brick cladding.

Tom Fitzsimmons, developer, said it would be a full depth brick veneer.

Clein said this is the second project in this area, noting that there is lots of change in the area as well as the traffic issues, as noted by the public speaker. He said now that Council has allocated money to study the Allen Creek Greenway, part of the study area would include this site. He asked if the timing issue of the study in relation to on-going projects is something the Commission should have a discussion about, specifically on how they approach it. He said it would be a shame to do such a study and later find the nearby properties that just got approved for construction would or could be affected.

Rampson commented that Clein had made an excellent observation and that in the Allen Creek Greenway the assumptions so far have been to minimize any private property use and instead use existing right-of-way, including the railway right-of-way, if possible, and even potentially the floodway. She said she didn't believe this parcel would be one of their first choices to be included in that future discussion, even if it is in the floodplain.

Clein said he was not suggesting that this particular project should be held up, because we are planning to do something, but rather he was trying to think in the bigger picture by looking at this area more proactively.

Bona said the original task force talked about having eyes on the Greenway in the sense of vitality and activity and a project like this would be a positive, being directly adjacent to the Greenway.

Bona said she noticed in the Design Review Board comments, accommodating solar access or a green roof were mentioned. She asked if there had been any interest in making the roof solar ready or making it a green roof.

Fitzsimmons said they are not sure of the direction they will take with that, noting that this will be a condominium project. He said on both of their other projects less than a block away they ended up pre-selling before they even broke ground and on those projects they ended up discussing

a number of issues with future residents about energy efficiency, solar, and the cost involved. He said at this point, they have not moved forward with any type of solar plan. He said on their Kingsley project they have looked at and offered car-charging stations for each of their residents and they will do the same for their clients in this project.

Bona said she is not as concerned about these things being accommodated when the building opens for occupancy, but given the reality that this building will stand for 50 to 100 years, and if it isn't solar ready now, it will be very expensive to accommodate in the future. She explained ways in which they can verify that the roof is solar ready. She said vegetated roofs require more support, adding that she is personally more supportive of solar because of the limited roof area available on a 4-story structure. She said we don't have a code requirement for it, but 20 years from now the owners may be sorry this wasn't done originally, probably at no extra cost to the developer.

Fitzsimmons thanked Bona for her suggestion, noting that they have a wide open roof, since it was designed to have the HVAC equipment on a platform below roof height, which would allow the entire roof surface to be used for a green roof or solar in the future.

Bona said it would be nice to hear that the roof is solar ready, when the project returns before the Commission next time. She said she was not as concerned about shading since only the Fish Park is located to the north.

Fitzsimmons said they did a sun study and they will not be shading any neighbors.

Franciscus asked how they assign the parking spaces.

Fitzsimmons said they currently have floor plans for 26 units, with a mix of floor plans ranging from 800 to 2200 square feet. He said they typically assign one space per each smaller unit and two spaces for larger units.

Franciscus said she would love to see a solar roof, but pointed out the consideration of upfront costs associated with such when new technologies could come along in the next 20 years.

Peters asked if the houses are currently occupied.

Fitzsimmons said the yellow house has been his office for the past 9 years; the white house had been occupied by a long time resident and

sold two years ago to investors, and the blue house has been used as an office for many years. He said this entire area, south of Kingsley, has been in transition for many years, noting that Ashley Street is primarily a mix of residential units while First Street has been used as parking for Main Street office buildings, and they see this as a way of increasing density and housing in this area.

Peters said this development might lessen traffic because it will replace parking in the back.

Fitzsimmons said they have had 20 parking spaces on this site since he purchased the property and in speaking to the traffic engineer they do not see an increase in traffic or impact as a result of this development.

Milshteyn asked why there was a delay with the approval from the Washtenaw County Water Resources Commissioner.

Thacher said her understanding was that they just needed more information and are working with the petitioners.

Fitzsimmons said he wished the timing would have worked out, explaining that they are revising their stormwater detention but that it will not impact the building, and they will be increasing their flood storage capacity as well as removing the two houses in the floodplain.

Milshteyn said this will be a good addition to the area, given it has been in transition for a while, with not a lot of attractive houses, so this will be an improvement. He said he will only miss the discounted parking and hoped they can continue it.

Mills said she really appreciated that the petitioner is providing more bicycle parking than is required, and that it is located so close and will be very convenient for the people that will live there. She asked if there is an elevator to get to the upper floors.

Fitzsimmons said there is.

Peters said with the possibility of the Greenway moving forward, this will be a good example of having bicycle a facility nearby.

Peters asked about the average roof elevation compared with properties on Ashley and how it plays out going up the hill. He pointed out one of the goals in the Downtown Plan is reinforcing the historic buildings. He said it

would be helpful to get more information on this if item ends up being postponed.

Thacher reviewing the plans, said in site section A-A, she believed it was one of the larger houses on Ashley, immediately behind the structure, and while one would not be able to see the new building over the houses, one would see it in between. She said the grade is advantageous in that respect.

Woods noted that while the houses are not considered historic, she was impressed by staff's description of their history and asked if there was any plan to recycle historic materials in the houses.

Fitzsimmons said whenever there is a demolition, the City asks for a process of recycling. He said it is often difficult, and materials are old and there are environmental issues to consider, but they reach out in various ways; from their own construction company that does dismantling and has managed to salvage unique features such as staircases, fireplaces and ornate woodworking throughout the house. He said it becomes tricky with many other elements that are covered in layers of lead-based paint, but they reach out and do what they can, which involves various non-profits that take what can and the remaining gets demolished.

Woods referenced historic markers that have been placed by Ray Detter and the Downtown Citizen Advisory Council, and asked if there are any plans to place anything similar in this area. She said it is great for residents to see what used to be there as it gives us a sense of continued history.

Fitzsimmons said he can talk to Ray, adding that he is willing to entertain the idea.

Moved by Clein, seconded by Franciscus, that the petition be postponed until the next available meeting after staff comments have been addressed. On a voice vote, the Chair declared the motion carried.