

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 15, 2012

**SUBJECT: Michcon Remediation Site Plan for Planning Commission Approval
(841 Broadway)
Project No. SP12-013**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the Michcon Remediation Site Plan for Planning Commission Approval, subject to 1) obtaining variances from the Zoning Board of Appeals from providing a new storm water management system; 2) obtaining a Michigan Department of Environmental Quality (MDEQ) permit for work within the floodplain and Huron River; and 3) subject to water main and storm sewer easements being shown on the site plan and providing the City the legal descriptions for the water main and storm sewer easements prior to the issuance of grading permits.

STAFF RECOMMENDATION

Staff recommends that this petition be **approved** because it complies with all the applicable local, state, and federal laws, ordinances, standards, 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.

LOCATION

The site is located at 841 Broadway near Canal Street (Central Area, Huron River Watershed).

DESCRIPTION OF PETITION

The project proposes to remove contaminated soil in some locations of the site, replace the soil with clean fill, and construct a containment cap along the Huron River. The work will require the removal of landmark trees along the riverbank to excavate contaminated soil underneath them. Some of the work will take place in the Huron River, where the petitioner will remove contaminated soil and construct two whitewater features. No new building construction is proposed as part of this petition and no buildings currently exist. The petitioner has been working with the Michigan Department of Environmental Quality to remediate portions of the site with the most significant contamination.

As part of this project, the petitioner will remove a total of 1,155 cubic yards of soil to provide floodplain mitigation for 800 cubic yards of new fill on the DTE Buckler site at 984 Broadway to accommodate the foundation of two new transformers. The DTE Buckler site is receiving 55

cubic yards of floodplain mitigation credit for a building recently removed from the Michcon site. Although some of the most heavily contaminated soils of the site will be removed, other, less contaminated portions of the site will remain and not be remediated with this project.

A total of 33 landmark trees are proposed to be removed as part of this petition, including 30 healthy trees. A total of 413 inches of replacement must be provided. The petitioner proposes to mitigate the removal of the trees by planting 207 two-inch caliper trees on the site along the waterfront and adjacent the railroad embankment at the southwest corner of the site. An natural features alternatives analysis was not requested for this petition, since the disturbance was required by the MDEQ.

The petitioner must obtain a variance from the Zoning Board of Appeals to get permission to not provide new storm water detention systems. The petitioner has indicated that because contaminated soil will remain on the site after remediation, installing a new detention system will be harmful to groundwater and the Huron River. The petitioner could avoid providing detention systems if they remove the impervious surface on the site. However, removing impervious surfaces will allow contaminants in the soil to leach into the Huron River and ground water. The petitioner is proposing that the existing impervious surfaces continue to provide a cap on top of the contaminated soils that will remain after this remediation.

Access to the site will continue to be maintained at a single entry point on Broadway.

HISTORY

The Huron River was re-routed from the middle of this site to its current location in 1915. The site was used by the Michigan Consolidated Gas Company as a coal gasification facility in the early part of the 20th century. During that time, the soils were contaminated. The gasworks operation ended decades ago and Michcon removed many of the older structures and eventually replaced them with a service center in the middle to latter part of the 20th century. Over the past few years, Michcon has removed all of the structures on the site. The access drive, parking lots, and building pads remain. The site is zoned M1 (Limited Manufacturing).

PLANNING BACKGROUND

The Master Plan: Land Use Element recommends commercial and office uses for the eastern half of the site. The Plan recommends parks and open space for the western part of the site. The site is zoned M1 (Limited Industrial).

STAFF COMMENTS

Project Management - The site plan must include a site/utility sheet that shows site features and utilities after the remediation work is complete. The petitioner must provide the City legal descriptions for the water main and storm sewer easements prior to the issuance of grading permits.

Systems Planning, Natural Features – Staff supports the proposed alternative tree mitigation.

Storm Water – At this point in the remediation, it is desirable to efficiently shed runoff from the site. As such, staff supports maintaining undisturbed concrete surfaces, restoring removed

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concrete with road gravel, and sheet draining directly to the Huron River without detention. There will be no net change in impervious area at the conclusion of the remediation work. The City will review the appropriate application of storm water management for any proposed redevelopment of this site in the future.

Prepared by Jeff Kahan
Reviewed by Wendy Rampson
mg/5/10/12

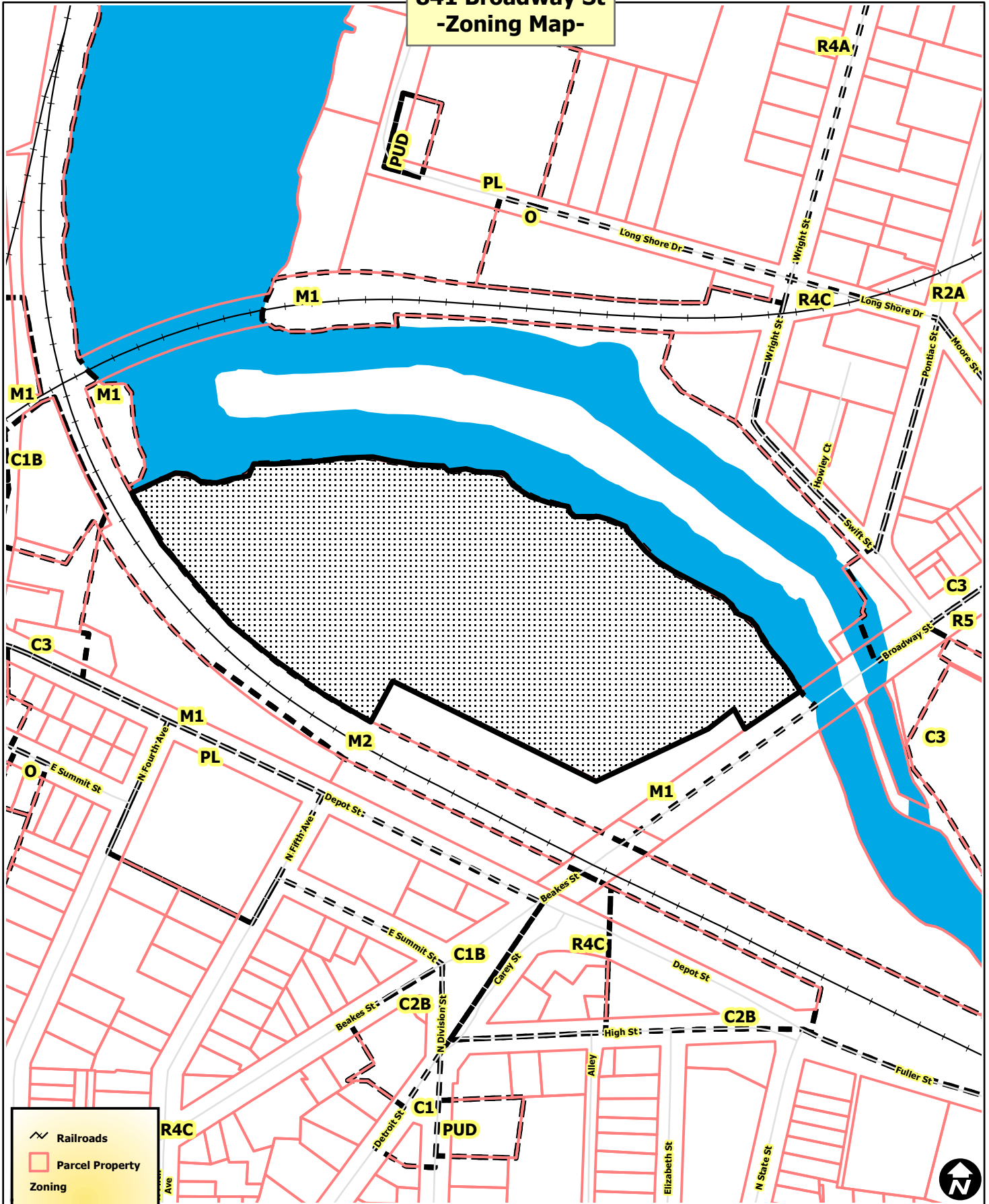
Attachments: Zoning/Parcel Maps
 Aerial Photo
 Tree Survey and Remediation Areas
 Site Restoration Plan

c: Petitioner/Owner: Detroit Edison Company
 One Energy Plaza
 Detroit, MI 48226-1279

 Petitioner's Representative: Shayne Wiesemann, DTE Energy
 One Energy Plaza, 655 S. B.
 Detroit, MI 48226-1279

Systems Planning
File No. SP12-013

841 Broadway St -Zoning Map-




Railroads
 Parcel Property
Zoning
 Township
 Zoning
 Huron River




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841 Broadway St -Aerial Map-



 Railroads

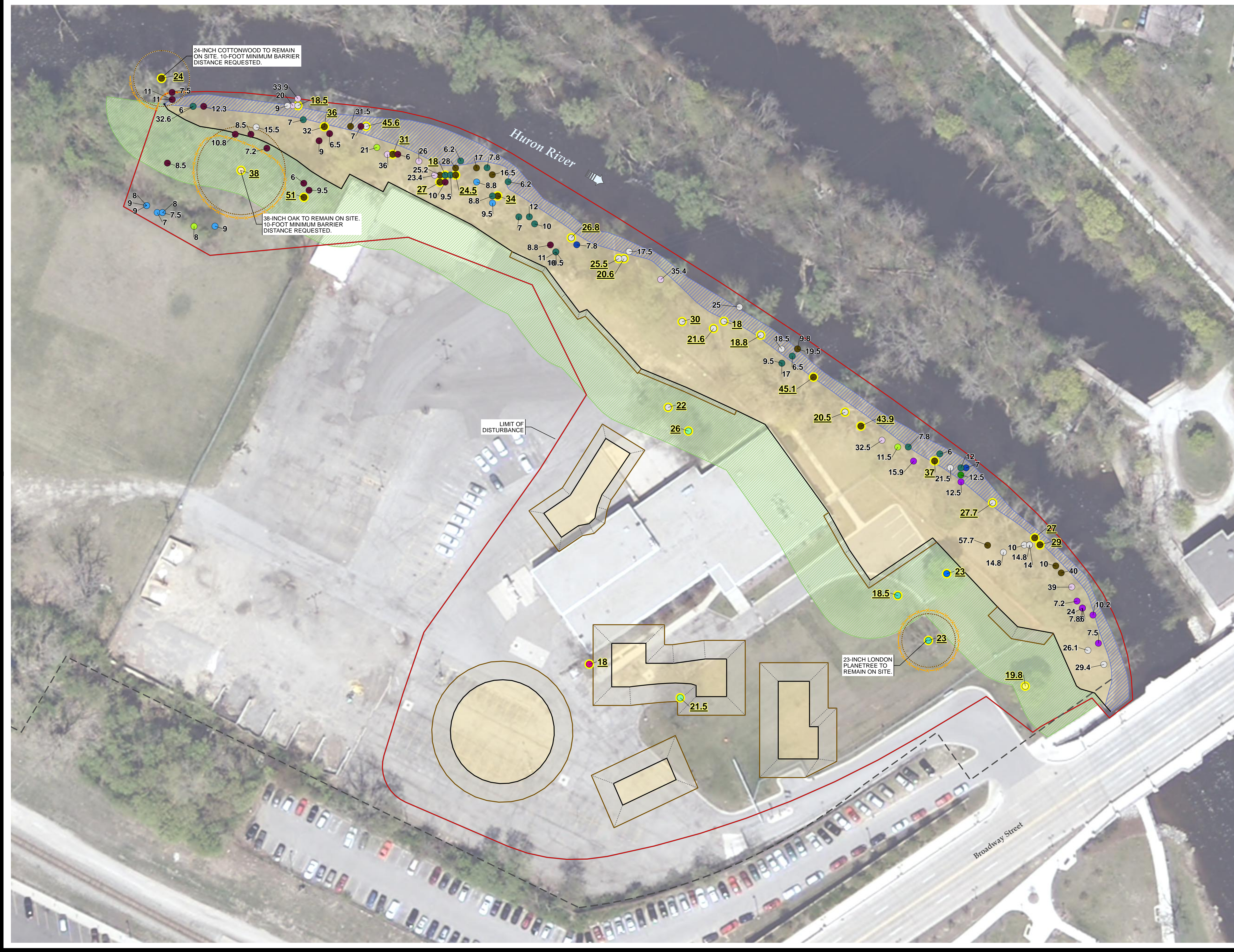
 Parcel Property



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LEGEND

— SITE BOUNDARY

TREE TYPES

- Norway Maple
- Sugar Maple
- Silver Maple
- London Planetree
- American Elm
- Rock Elm
- White Oak
- Boxelder
- Common Buckthorn
- Crack Willow
- Eastern Cottonwood
- Honey Locust
- Sycamore
- Tree of Heaven
- White Mulberry
- White Spruce
- LANDMARK TREES HIGHLIGHTED IN YELLOW

○ CRITICAL ROOT ZONE

■ APPROXIMATE EXTENT OF EXCAVATION TO SPECIFIED DEPTH

■ APPROXIMATE EXTENT OF EXCAVATION SIDE SLOPE

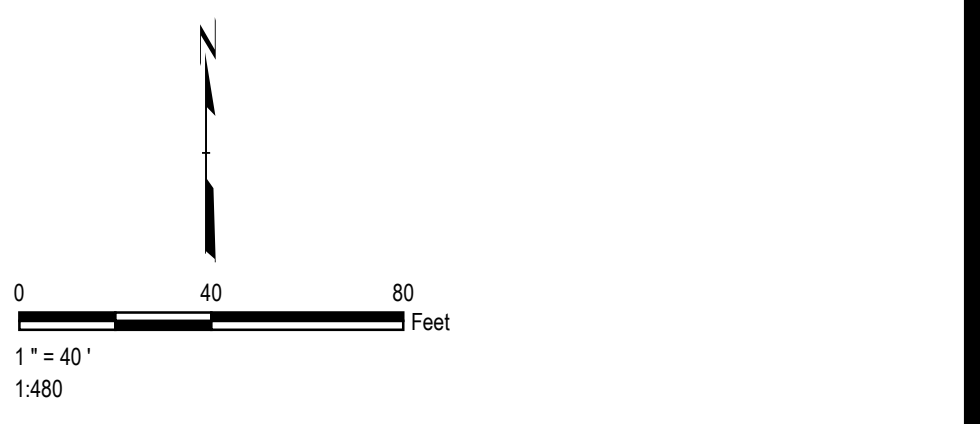
■ APPROXIMATE AREA OF DREDGING TO SPECIFIED DEPTH IN RIVER

■ 50 FOOT BUFFER FROM EXCAVATION AREAS

— LIMIT OF DISTURBANCE

— BARRIER FENCE (MIN 4 FT HEIGHT)

- NOTES**
- TREE SYMBOL LABELS INDICATE BREAST HEIGHT DIAMETER IN INCHES.
 - BASE MAP IMAGERY IS FROM USGS HIGH RESOLUTION OTHOMAGERY FOR SOUTHEAST MICHIGAN, APRIL 2008.
 - TREE LOCATIONS AND SIZES BASED ON FIELD SURVEY CONDUCTED FEBRUARY 27, 2012.
 - LIMITS OF DISTURBANCE MAY VARY IN THE RIVER BASED ON PRECONSTRUCTION FIELD VERIFICATION SAMPLING.



1	JP	4/26/2012	SITE PLAN FOR PLANNING COMMISSION REVIEW	VEB
NO.	BY	DATE	REVISION	APPD.
PROJECT: FORMER MICHCON BROADWAY STREET MGP ANN ARBOR, MICHIGAN				
SHEET TITLE: TREE SURVEY MAP				
DRAWN BY:	PAPPEZ, J	SCALE:	1:480	PROJ. NO. 192363
CHECKED BY:	CWD	FILE NO.	192363.001a.mxd	
APPROVED BY:	VEB	DATE PRINTED:		
DATE:	APRIL 2012			SHEET 19

