

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of October 4, 2011

**SUBJECT: The Varsity Ann Arbor Planned Project Site Plan
(425 East Washington Street)
Project No. SP11-023**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Varsity Planned Project Site Plan and Development Agreement.

STAFF RECOMMENDATION

Staff recommends that the petition be **approved** because the contemplated development would comply with all applicable state, local and federal law, 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; the development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare.

Staff recommends the planned project modifications be **approved** because the modifications will enable an arrangement of buildings that provides a public benefit as well as satisfying all other criteria for approval.

STAFF REPORT

This petition was tabled at the September 20, 2011 Planning Commission meeting.

Revisions to Proposed Plan – The proposed site plan remains almost unchanged from the development presented on September 20, 2011: a 13-story, 177,180-square foot apartment building (695% FAR) containing 181 dwelling units (415 bedrooms) and 70 vehicle parking spaces underground, 2 shared-vehicle parking spaces on the adjacent property, 121 bicycle parking spaces, plazas on the north and south sides of the building and a walkway along the length of the east side of the site. Planned project modifications continue to be requested to increase the percentage of building frontage that is set back farther than the maximum setback line on the south side.

The walkway has been slightly narrowed so that all improvements associated with it are contained on the subject site and do not include the First Baptist Church property. Walkway lighting will now be building-mounted fixtures instead of poles along the east side of the path. Decorative pillars at both ends of the walkway, previously proposed on the east side of the path and on the First Baptist Church property, have been removed from the proposed site plan. Those improvements on the First Baptist Church property, which is in a historic district, would have required approval from the Historic District Commission. The petitioner can, at any time in the future, seek HDC approval and install such lighting and pillars if desired.

Two minor changes to the proposed architecture have been made, consolidating windows in the middle of the north façade and eliminating windows at the ground floor on the west facade. No

changes have been proposed to the streetwalls on East Huron Street or East Washington Street. No changes have been made to the number or location of proposed driveways. No changes are proposed regarding use – retail space is not currently proposed, however, there is nothing that would preclude providing retail uses if and when desired in the future.

Planned Project Modifications – In the days just after the September 20, 2011 Planning Commission meeting, the petitioner expressed concern about their planned project modification request and considered alternative designs to the proposed layout that would eliminate the need for such modifications, ranging from reconfiguring the south front lot line to reducing the size of the plaza to 20% of the lot frontage. Staff suggested the petitioners continue to include the large south plaza as originally proposed in their design and follow through with their planned project modification request. The suggestion to do so was based on the fact that redesigning the project would require major plan revisions, preparation of legal descriptions, survey drawings, easements and agreements. It would also mean that a second property, the First Baptist Church, would be involved in the project, and the petition application would need to be reviewed to determine if any standards or requirements would be applicable when two properties and two property owners are involved.

Continuing to seek modifications through a planned project is a well-established option with a clearly defined procedure. The intent of planned project is to provide flexibility in the placement and interrelationship of buildings when a code modification will result in a beneficial arrangement of buildings and open space. In this case, the proposed plaza will provide a benefit to the entire area, and has been strongly supported by the adjacent property owner and the State Street Association. Enlarging the lobby so that it is within 10 feet of the front property line would only serve the developer and the residents of the building. With the planned project modifications, the site plan does not need to be revised and the petition can stay with its original timeline. Retail uses on the ground floor may still be possible when there is a stronger retail market in the area with minor renovations to the common areas within the building and adding some doors off the plaza.

Solid Waste Plan and Curb Cut Dimension – Several different layouts for storage (and collection) of the development's solid waste and recycling have been proposed during the review process. The width of the proposed curb cut on East Washington Street has consequently varied, and at times has been too wide or too narrow depending on whether it included the service alley adjacent to the entrance of the parking garage or not. The proposed plan now calls for solid waste to be collected in dumpsters, as required by code, which will be on wheels and manually moved to the curb for collection. The proposed curb cut will only serve the entrance to the parking garage and is within the size allowed by code. The outstanding issues raised by Systems Planning staff have been resolved.

Development Agreement – The draft development agreement for this petition has been completed as is attached for reference. In addition to standard issues, the agreement addresses permanent easements and enforcement procedures for the off-site shared-use vehicle parking, documentation of LEED Energy & Atmosphere points, and plaza amenities in lieu of a parkland contribution.

Plan Corrections and Preliminary Approval from Water Resources Commissioner – Corrections to the grading plan sheet and the landscape plans sheet requested by staff have been made. Preliminary plan approval for the storm water management system has been granted by the Washtenaw County Water Resources Commissioner's office.

Pedestrian Counts – Older data on file with the City indicates that 40 pedestrians and 1700 vehicles travel east-west on or along this block of East Huron Street in a peak hour.

Prepared by Alexis DiLeo
Reviewed by Wendy Rampson
9/30/11

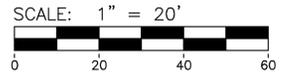
Attachments: Revised Landscape Plan
Revised Building Elevations
Perspective Renderings
9/28/11 Draft Development Agreement with Exhibits
9/20/11 Staff Report

c: Petitioner: Potomac Holdings-CS Potomac MI
7508 Wisconsin Ave, 2nd Floor
Bethesda, MD 20814

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

Earl Ophoff
Midwestern Consulting LLC
3815 Plaza Drive
Ann Arbor, MI 48108

Systems Planning
Project No. SP11-023



LEGEND

- Legend items: U.P., ELEC. TRANSFORMER, EXIST. OVERHEAD UTILITY LINE, EXIST. LIGHT POLE, EXIST. TELEPHONE LINE, EXIST. ELECTRIC LINE, EXIST. GAS LINE, EXIST. WATER MAIN, EXIST. HYDRANT, EXIST. GATE VALVE IN BOX, EXIST. GATE VALVE IN WELL, EXIST. STORM SEWER, EXIST. CATCH BASIN OR INLET, EXIST. SANITARY SEWER, SIGN, P.M., TELEPHONE RISER, ELECTRIC METER, GAS METER, POST, FENCE, SINGLE TREE

LANDSCAPE LEGEND

- Landscape Legend items: PROPOSED CANOPY TREE, PROPOSED FLOWERING TREE, PROPOSED DECIDUOUS SHRUBS, PROPOSED GROUND COVER, PROPOSED ANNUAL BED, PROPOSED LAWN AREA, PROPOSED EDGING

LANDSCAPE REQUIREMENTS

- Revised 8.17.11, 9.7.11, 9.23.11
5:602 VEHICULAR USE AREA LANDSCAPING AND SCREENING: none required.
5:603 CONFLICTING LAND USE BUFFERS: none required.
STREET TREE CANOPY LOSS
E. Washington Street:
#1321 One 5-inch golden rain tree is to be removed
#1322 One dead 22-inch honeylocust is to be removed
#1323 One dead 13-inch catalpa is to be removed
E. Huron Street:
#1316 One 18-inch white mulberry (invasive) is to be removed.
#1315 One dead 15-inch Little Leaf Linden is to be removed
Mitigation required = 23 cal. inches
Mitigation provided = 6 @ 4-inch caliper = 24 cal. inches

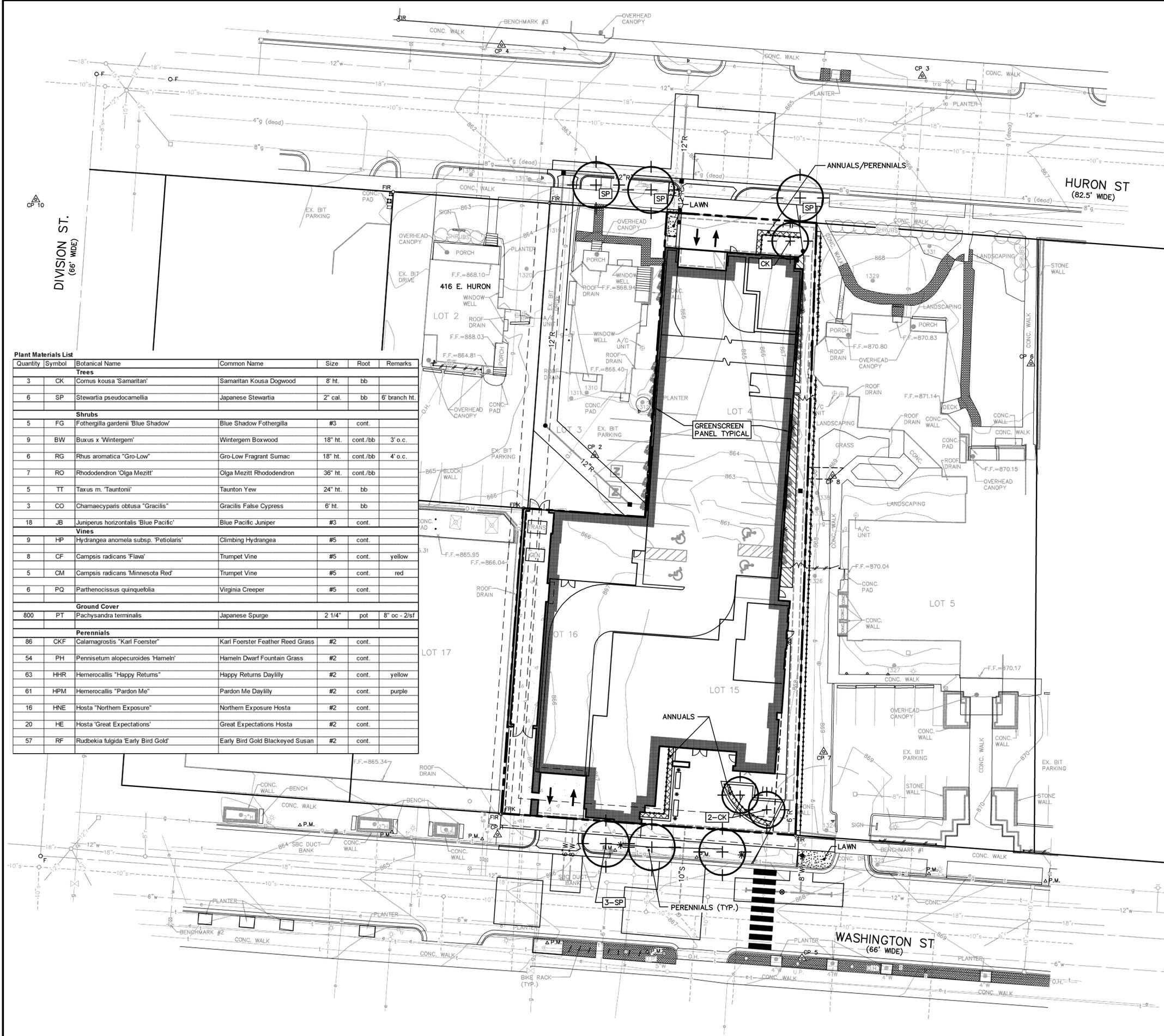
LANDMARK TREE REPLACEMENT: none required.

STREET TREE ESCROW

- E. Washington Street frontage = 128 lf
E. Huron Street frontage = 65 lf
193 lf x \$1.30 = \$250.90 or equivalent
Street tree escrow of \$250.90 will be provided prior to issuing building permits and will be refunded after city staff inspection shows long term survival of the proposed street trees. Four street trees are proposed.

LANDSCAPE NOTES

- 1. Water outlets will be provided within 150 ft of all required plantings.
2. Plant materials shall be selected and installed in accordance with standards established by the City Parks and Recreation Department.
3. All landscape panels will be planted with shrubs, permanent ground cover, annuals and perennials, or grass per plan.
4. Landscape maintenance plan: All diseased, damaged or dead material shown as proposed plantings on the site plan shall be replaced by the end of the following growing season.
5. Restore lawn areas with minimum four (4) inches topsoil then seed/fertilizer/mulch. Fertilizer for lawns shall provide not less than one (1) pound of actual nitrogen per 1000 sq ft of lawn area and shall contain not less than two percent (2%) potassium and four percent (4%) phosphoric acid. Seed shall be special park mixture "Northrup King" (or approved equal), as follows:
30% Rugby Kentucky Bluegrass
20% Park Kentucky Bluegrass
20% Ruby Creeping Red Fescue
10% Pennine Perennial Ryegrass
20% Scaldis Hard Fescue
Apply at a rate of four pounds (4 lbs) per 1000 sq ft. Mulch within 24 hours with two (2) tons straw per acre, or 71 bales excelsior mulch per acre. Anchor straw mulch with spray coating of adhesive material applied at the rate of 150 gallons per acre.
6. Applications of fertilizer beyond the initial topsoil & seeding shall be w/o phosphorus.
7. All plants except ground cover are to receive four (4) inches of shredded bark mulch. Ground cover to receive two (2) inches of Canadian peat mulch. All mulch beds to have landscape fabric between mulch and planting soil.



Plant Materials List table with columns: Quantity, Symbol, Botanical Name, Common Name, Size, Root, Remarks. Lists various trees, shrubs, vines, ground cover, and perennials.

MIDWESTERN CONSULTING
Civil, Environmental and Transportation Engineers
Planners, Surveyors
Landscape Architects

CLIENT
WDG ARCHITECTURE
1025 CONNECTICUT AVE., NW, SUITE 300
WASHINGTON, DC 20036
BOB KEANE
PH: (202) 857-8300

VARSITY ANN ARBOR
SITE PLAN
OVERALL LANDSCAPE PLAN

C7

Revision table with columns: JOB NO. (11054), REV. NO., REV. DATE, REV. BY, REV. DESCRIPTION.

Vertical text on the left margin: R111054ACADSITE11054LP.dwg, C7, 9/28/2011 3:40:11 PM, DAG, D:\Swp\KIP.p33

Civil / Landscape

Midwestern Consulting LLC

3815 Plaza Drive
Ann Arbor, MI 48108

tel 734.995.0200

fax

e-mail

Structural

SK&A Structural Engineers, PLLC

1155 Connecticut Ave NW
Washington, DC20036

tel 202.659.2520

fax

e-mail

**Varsity Ann
Arbor**

425 E. Washington
Street
Ann Arbor, MI 48104

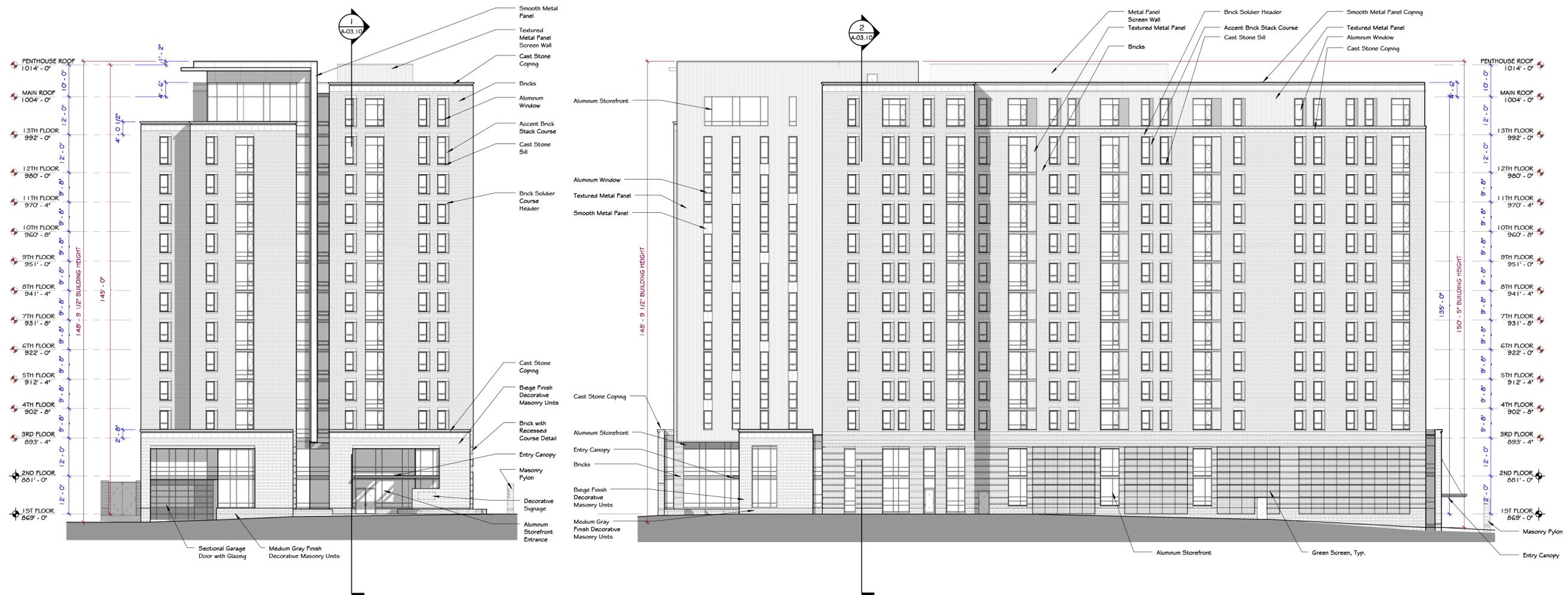
Potomac Holdings

7508 Wisconsin Ave. 2nd Floor
Bethesda, MD 20814

Planning Department Set 07/25/11

Planning Resubmission 08/17/11

Planning Resubmission 09/07/11



② South Building Elevation
Scale: 1/16" = 1'-0"

① East Building Elevation
Scale: 1/16" = 1'-0"

Professional Seal

WDG Project No:
WA11027

Building Elevations

Scale: 1/16" = 1'-0"

Civil / Landscape

Midwestern Consulting LLC

3815 Plaza Drive
Ann Arbor, MI 48108

tel 734.995.0200

fax

e-mail

Structural

SK&A Structural Engineers, PLLC

1155 Connecticut Ave NW
Washington, DC 20036

tel 202.659.2580

fax

e-mail

Varsity Ann Arbor

425 E. Washington Street
Ann Arbor, MI 48104

Potomac Holdings

7508 Wisconsin Ave. 2nd Floor
Bethesda, MD 20814

Planning Department Set	07/25/11
Planning Resubmission	08/17/11
Planning Resubmission	09/07/11
Revised per City	09/27/11

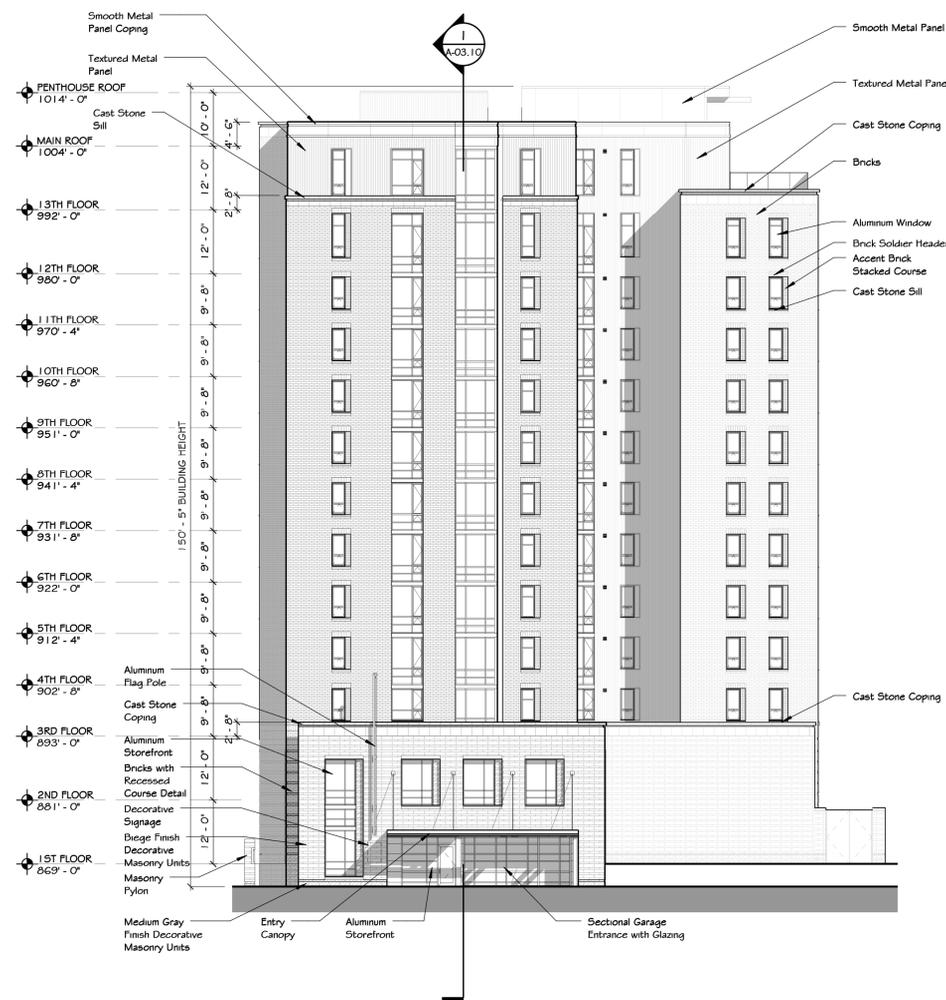
Professional Seal

WDG Project No:
WA11027

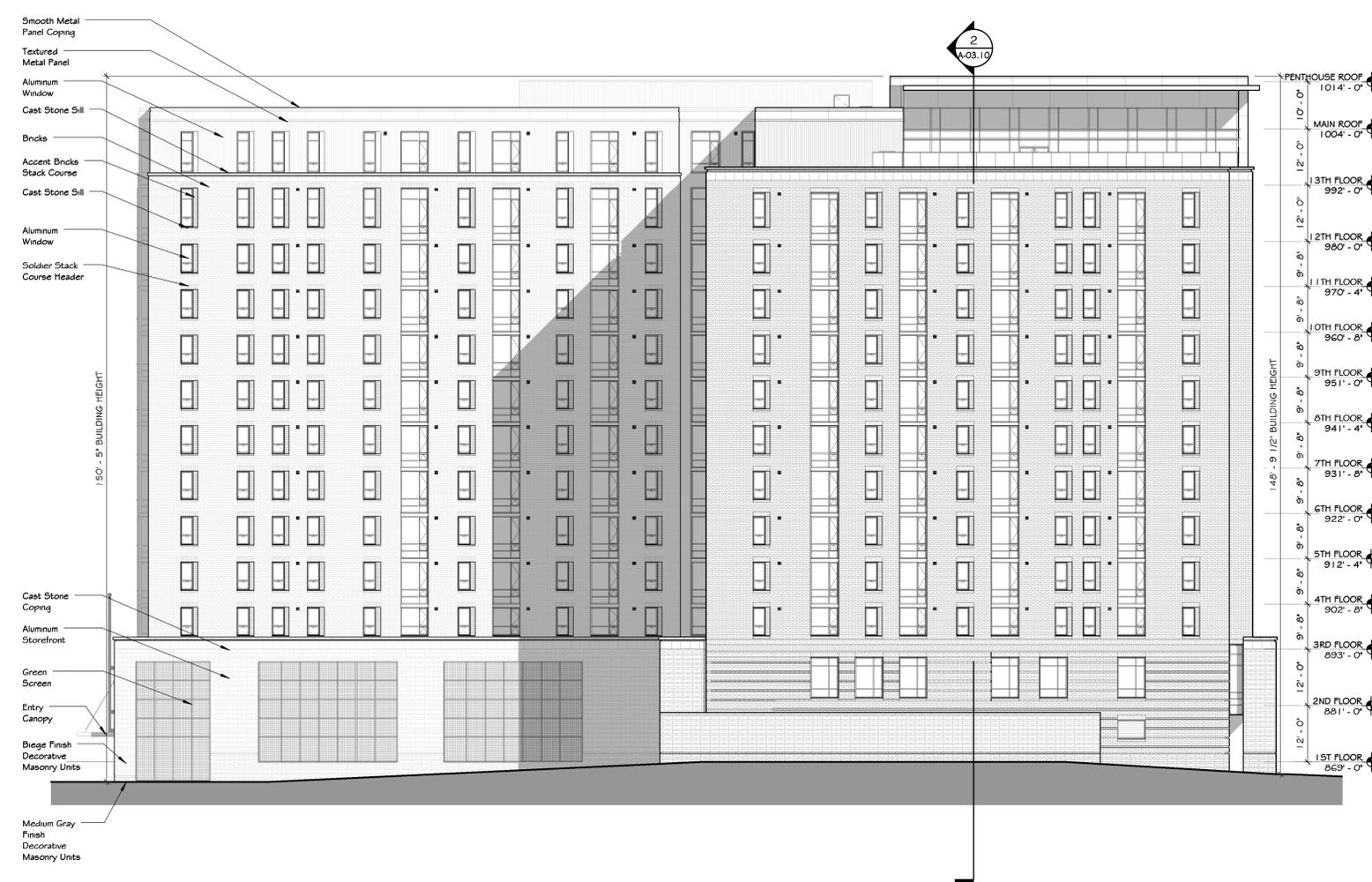
Building Elevations

Scale: 1/16" = 1'-0"

A-03.02



2 North Building Elevation
Scale: 1/16" = 1'-0"



1 West Building Elevation
Scale: 1/16" = 1'-0"



Aerial View from Southeast



Perspective from Washington Street



Perspective of Washington Street Main Entrance Plaza



Perspective from Huron Street



Perspective of Huron Street Pedestrian Walkway

WDG
ARCHITECTURE

WDG Architecture, PLLC
1025 Connecticut Avenue NW
Suite 300
Washington DC 20036
tel 202 857 8300
fax 202 463 2198
e-mail wdg@wdgarch.com

Civil / Landscape

Midwestern Consulting LLC

3815 Plaza Drive
Ann Arbor, MI 48108

tel 734.995.0200
fax
e-mail

Structural

SK&A Structural Engineers, PLLC

1155 Connecticut Ave NW
Washington, DC 20036

tel 202.659.2520
fax
e-mail

Varsity Ann Arbor

425 E. Washington Street
Ann Arbor, MI 48104

Potomac Holdings

7508 Wisconsin Ave. 2nd Floor
Bethesda, MD 20814

	#
Planning Department Set	07/25/11
Planning Resubmission	08/17/11
Planning Resubmission	09/07/11
Revised per City	09/27/11

Professional Seal

WDG Project No:
WA11027

Building Perspectives

The Varsity Ann Arbor DEVELOPMENT AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2011, 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 CS Potomac Associates Limited Liability Corporation, a Maryland Limited Liability Corporation, with principal address at 7508 Wisconsin Avenue, Second Floor, Bethesda, MD 20814, hereinafter called the PROPRIETOR, witnesses that:

WHEREAS, the PROPRIETOR owns certain land in the City of Ann Arbor, described below and site planned as The Varsity Ann Arbor, and

WHEREAS, the PROPRIETOR has caused certain land in the City of Ann Arbor, described below to be surveyed, mapped and site planned as The Varsity Ann Arbor, and desires planned project 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, 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.

(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) To install all water mains, storm sewers, and sanitary sewers 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-5) To be included in a future special assessment district, along with other benefiting property if any, for the construction of additional improvements to East Huron Street and East Washington Street, such as street widening, storm sewers, curb and gutter, sidewalks, bike paths, street lights, and the planting of trees along said frontages when such improvements are determined by the CITY to be necessary.

(P-6) 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-7) 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-8) For the benefit of the residents of the PROPRIETOR'S development, in lieu of a contribution of \$112,000 to the CITY Parks and Recreation Services Unit prior to the issuance of building permits, to construct and maintain as an integral part of the development the proposed amenities in the north and south plazas and the walkway along the east side of the site as generally illustrated and described in the exhibits to this Agreement.

(P-9) To construct, repair and/or adequately maintain on-site storm water management system. 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-10) 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-11) Prior to issuance of building permits, to provide the legal instruments and management plans necessary to ensure that the two car-sharing service parking spaces proposed as part of the development and contributing to the off-street parking requirements are reserved, signed and enforced. Receipts verifying legal instruments have been filed for recording with the Washtenaw County Register of Deeds shall be provided prior to issuance of any certificate of occupancy.

(P-12) As part of the application for the first building permit, to provide documentation from an independent source that verifies a minimum of two points have been achieved under the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) Energy & Atmosphere Credit No. 1, the most recent version in effect at the date of this agreement, using an industry standard software energy modeling tool (EQUEST or equivalent).

(P-13) To include the elevation drawings, as submitted to City Council, as part of the approved site plan and to construct all buildings consistent with said elevation drawings. If the PROPRIETOR proposes any material changes to the approved building elevations, setbacks, aesthetics, or materials, as determined by the Planning and Development Services Manager or designee, that those changes be brought back to the City Council for consideration. Nonmaterial changes to the approved building elevations, setbacks, aesthetics, or materials may be approved by the Planning and Development Services Manager or designee. The PROPRIETOR is required to submit signed and sealed drawings to staff reflecting the elevations, setbacks, aesthetics, materials and site plan approved by City Council.

(P-14) 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-15) Prior to application for and issuance of certificates of occupancy, to disconnect 41 footing drains from the sanitary sewer system in accordance with the *Guidelines for Completion of Footing Drain Disconnections, City of Ann Arbor - Development Offset-Mitigation Program* (November 2005 edition, as amended). The PROPRIETOR, however, 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. CITY agrees to provide PROPRIETOR with a certificate of completion upon PROPRIETOR'S submittal of approved and final closed-out permits to the CITY Public Services Area.

(P-16) 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-17) 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-18) 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-19) 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 Varsity Ann Arbor Planned Project Site Plan.

(C-2) To provide timely and reasonable CITY inspections as may be required during construction.

(C-3) To record this agreement with the Washtenaw County Register of Deeds.

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:

Lots 3, 4, 15 and 16 of Assessor's Plat No. 28, according to the recorded plat thereof as recorded in Liber 9 of Plats, page 19, Washtenaw County records.

(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.

CITY OF ANN ARBOR, MICHIGAN
100 North Fifth Avenue
Ann Arbor, Michigan 48107

Witnesses:

By: _____
John Hieftje, Mayor

By: _____
Jacqueline Beaudry, City Clerk

Approved as to Substance:

Steven D. Powers, City Administrator

Approved as to Form:

Stephen K. Postema, City Attorney

VARSITY ANN ARBOR

ADDITIONAL DETAIL REGARDING SITE AMENITIES

September 14, 2011

Site amenities will be fully designed and detailed in the construction plan phase of the project. At this point, the owner has agreed to provide on-site amenities as described below. We have added more detail below to reflect current progress toward a detailed construction plan.

Attached is a site concept plan that includes these elements:

1. E. Washington entry:
 - a. Special paving in the entry plaza and the public sidewalk: larger scale concrete pavers in a mix of colors that compliment the proposed building masonry: Hanover Architectural concrete pavers (or approved equal), a mix of courses of 2' x 3' and 1' x 2' units, in bands of running bond.
 - b. Benches along the west edge of the plaza: Landscape Forms Metro 40 Collection– 'Rest'-7' aluminum w/ back (or approved equal).
 - c. Seat height planters with decorative facing on the planter walls such as a mosaic, a sculptural relief, or other ornamentation. The current concept is to make the face of the planters similar to the paving pattern in the mews. The larger planter abuts the mews and the paving pattern there will actually run up onto the face of the planter. The face of the planter on the west side of the plaza will have a similar pattern. That will tie these elements together literally and figuratively.
 - d. Pedestrian lighting: 3 lighted bollards adjacent to benches Hess America Sierra, SE 4000G illuminating column, 13' height, 70 Watt Metal Halide (or approved equal). (As shown on the perspective drawing.)
 - e. Six class C bike parking spaces: Landscape Forms Metro 40 – 'Ride'-aluminum (or approved equal).
 - f. Detailed landscaping of the "lawn extension" area between the public sidewalk and the curb including shrubs, perennials, street trees and street lights. Street lights are to be as required by DTE and will likely match those in front of the adjacent 411 E. Washington apartments.

2. Varsity Mews:
 - a. Special paving: Hanover Permeable Paver field, nominal 4" x 8" units in running bond with water jet cut design insets similar in motif to that of the gates, planter facades and pylons. The inset pattern is not permeable. The background paver field is permeable.
 - b. Ornamental gates: custom designed and fabricated iron gates similar to the elements in the paving pattern in the mews and on the face of the planters. Fencing: similar to the existing fencing at the adjacent church, Ameristar Montage Plus 'Majestic' (or approved equal), black. This fencing follows the slope without requiring stepping of adjacent straight sections.
 - c. Decorative pylons at the north and south end of the mews. These may be sculptural elements that identify the mews and provide artistic accents.

The design will be similar to the elements used in the paving pattern of the mews and on the face of the planters.

- d. Green Screen (or approved equal) and plantings: Climbing Hydrangea and Virginia Creeper underplanted with hostas ('Wide Brim' and 'Northern Exposure') along the interior parking levels of the proposed building add color and detail to the mews.
 - e. Detailed landscaping on both sides of the sidewalk includes flowering perennials (Hemerocallis 'Happy Returns' and 'Pardon Me') and ornamental grasses (Calamagrostis 'Karl Foerster' and others).
 - f. Pedestrian lighting is provided between the fence and the sidewalk: Hess America Agena 720 pole mounted luminaire, 13' height pole, 150 Watt Metal Halide (or approved equal). (As shown on the perspective drawings.)
3. E. Huron entry:
- a. Special paving: Hanover concrete pavers, a mix of 2' x 3' and 1' x 2' units, in bands of running bond pattern.
 - b. Bench: Landscape Forms Metro 40 – 'Rest'-7' aluminum w/ back (or approved equal).
 - c. Six class C bike parking spaces: Landscape Forms Metro 40 – 'Ride'-aluminum (or approved equal).
 - d. Detailed landscaping adjacent to the building and in the "lawn extension" area between the public sidewalk and the curb including shrubs, perennials, and a street tree.

R:\11054\DWG\DWG\SITE\Ang_01_8192011_13603_Plan_DWG_D1-03a-4P.dwg



MATCHLINE - SEE SHEET 2



SCALE: 1/4"=1'

MIDWESTERN CONSULTING
 Civil, Environmental and Transportation Engineers
 Planners, Surveyors
 Landscape Architects

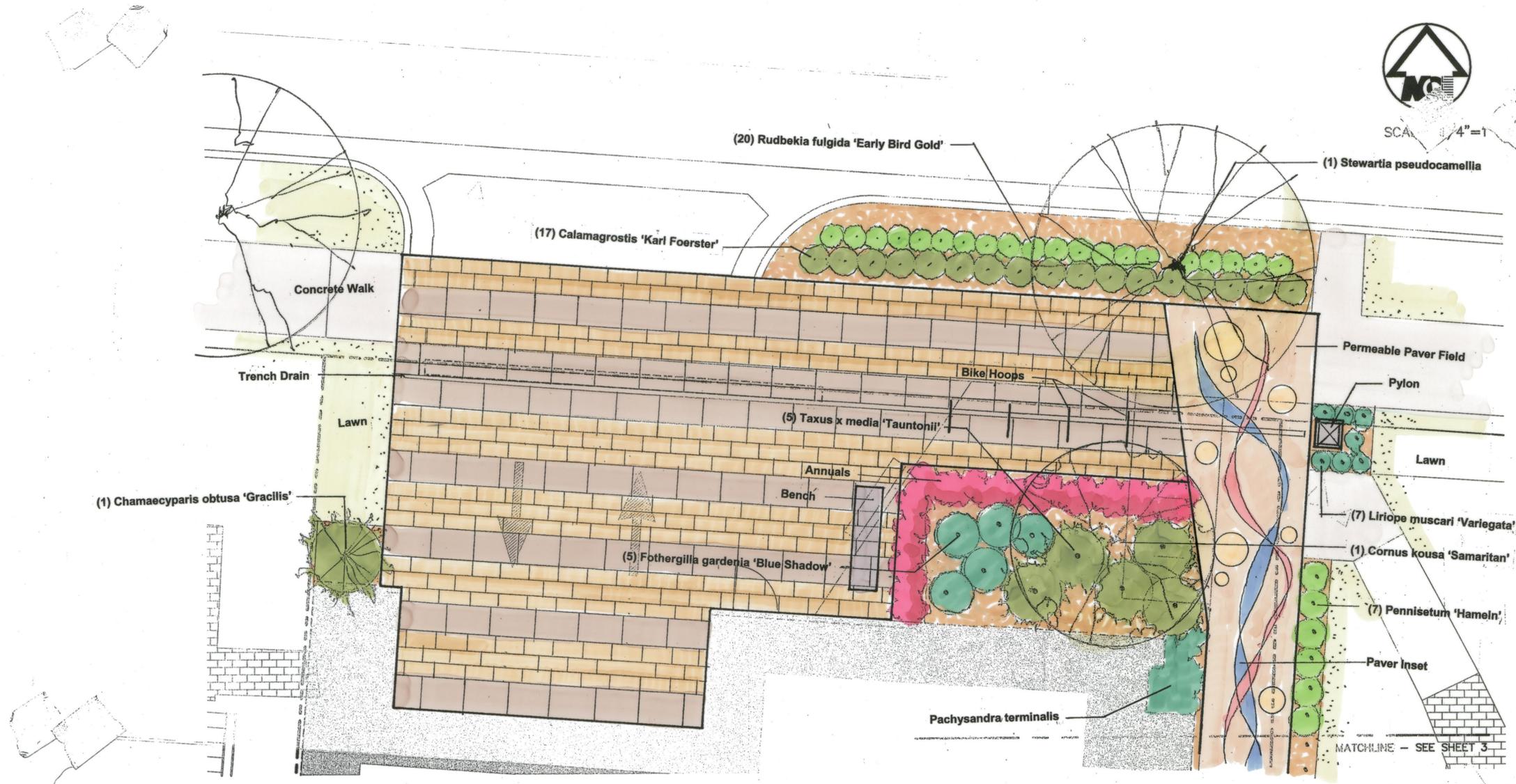
3815 Plaza Drive
 Ann Arbor, Michigan 48108
 Phone: 734.995.0200
 Fax: 734.995.0999

CLIENT
 WDG ARCHITECTURE
 1025 CONNECTICUT AVE., NW, SUITE 300
 WASHINGTON, DC 20036
 BOB KEANE
 PH: (202) 857-8300

1

VARSITY ANN ARBOR
 SITE PLAN
 PAVER PLAN

JOB No.	11054
DATE	7/25/11
REV.	DATE
1	7/25/11
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	



JOB No. 11054

DATE: 7/25/11

REV.	DATE	BY	CHKD.
3		DAG	
		EFO	
		PAVERS	
		FBF	

3

VARSITY ANN ARBOR
 SITE PLAN
 PAVER PLAN

CLIENT
 WDG ARCHITECTURE
 1025 CONNECTICUT AVE., NW, SUITE 300
 WASHINGTON, DC 20036
 BOB KEANE
 PH: (202) 857-8300

MIDWESTERN CONSULTING
 Civil, Environmental and
 Transportation Engineers
 Planners, Surveyors
 Landscape Architects
 3815 Plaza Drive
 Ann Arbor, Michigan 48108
 Phone: 734.995.0200
 Fax: 734.995.0599

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of September 20, 2011

**SUBJECT: The Varsity Ann Arbor Planned Project Site Plan
(425 East Washington Street)
Project No. SP11-023**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Varsity Planned Project Site Plan and Development Agreement, subject to preliminary approval from the Washtenaw County Water Resources Commissioner.

STAFF RECOMMENDATION

Staff recommends that the site plan be **postponed** to allow outstanding staff comments to be addressed and revised plans to be reviewed.

LOCATION

This site is located between East Washington and East Huron Streets, east of Division Street, and is in the Downtown Development Authority district and the Allen Creek watershed. The northern portion of the site is adjacent is bordered by properties in the Old Fourth Ward Historic District.

DESCRIPTION OF PETITION

The subject site currently contains a two-story professional office building and is zoned D1 (Downtown Core District) and East Huron 2 Character Overlay District. The petitioner is seeking approval to construct a 13-story, 177,180-square foot apartment building containing 181 dwelling units/415 bedrooms and 70 vehicle underground parking spaces. The building will also contain accessory uses, such as a fitness center and management office. Residential floor area premiums have been applied to earn an additional 395% of floor area, for a total floor area ratio of 695%. The petitioners intend to design, outfit and market the development to university students.

The site is subject to a Secondary building frontage requirement (0 feet minimum/10 feet maximum) on East Washington Street and a Front Yard building frontage requirement (15 feet minimum) on East Huron Street. The proposed building has a 15-foot setback from the north property line (abutting East Huron Street) and has a 0-foot setback for about half of its frontage on the south property line (abutting East Washington Street). The other half of its southern face is set back 25 feet, creating an entry plaza in front of the main entrance. Planned project modifications are necessary to allow this entry plaza, as it is more than 20% of the building frontage. The planned project modifications are discussed in depth later in this report. The proposed development otherwise conforms to the area, height and placement requirements set forth in the Zoning Ordinance.

A five-foot wide paved walk is proposed on the east side of the building within a variable width east side setback. The walk link will connect the sidewalk on East Huron Street with the entry

plaza and the public sidewalk on East Washington Street. It will be open to the public 364 days of each year. A striped mid-block pedestrian crossing of East Washington Street is proposed in line with the walk link and leads pedestrians to another existing link between East Washington Street and East Liberty Street, along side of the McKinley Towne Centre.

The entry plaza has been designed to provide amenities residents of the building and the general public, in keeping with the intent of a parkland contribution. Special pavers will be used in the entry plaza and public sidewalk, benches will be provided, and retaining walls surrounding landscape beds will have decorative facings. Ornamental fencing and gates will be used for the walk link as well as permeable concrete pavers laid in an artistic pattern. Pedestrian lighting is also proposed in the entry plaza and along the walk link. The petitioners have worked cooperatively with the adjacent First Baptist Church and will provide an opening in the ornamental fence and a paved connection between the walk link and the church's memorial gardens.

The second through 12th stories will have 17 apartments each. Eleven apartments are proposed on the 13th floor. Most apartments will have one or two bedrooms, although a few studio apartments and some four-bedroom apartments are proposed. Every bedroom and studio apartment has at least one window directly to the outdoors. The primary resident entrance to the building is on the south side. Entry to the building is also possible from several side doors on the east side of the building and through the parking garage on the north side of the building.

A driveway on the north side of the building, off East Huron Street, leads to the lower of two underground parking levels containing 45 vehicle parking spaces. A driveway on the south side of the building, off East Washington Street, leads to the upper underground parking level (essentially the ground level of the building) containing 25 vehicle parking spaces. The two parking levels are not connected. Two shared-use vehicle parking spaces (for use by a car sharing service) are proposed at 416 East Huron Street, adjacent to the northwest of the subject site and also owned by the petitioner. Each shared-use vehicle parking space counts as four off-street vehicle parking spaces. Easements and enforcement measures for these shared-use vehicle spaces are addressed in the draft development agreement. The 78 off-street vehicle parking spaces are two more than are required to support the premium floor area.

A total of 121 bicycle parking spaces are proposed, including 6 Class C open hoops in the entry plaza on the south side of the building, 6 Class C open hoops on the north side of the building, 37 Class B covered hoops within the vehicle parking levels, and 72 Class A spaces in a dedicated, secure storage room on the ground level of the building.

Storm water management for the site will be provided in underground tanks underneath the north driveway from East Huron Street and the north front yard. Detention for a 100-year storm volume is proposed.

There are no protected natural features on the site. On the adjacent church property to east there are two landmark trees. As the proposed development footprint is very similar to the existing development, these trees will not experience any additional impacts.

A development agreement has been drafted to address a variety of issues, including: public access for the walk link, amenities provided in lieu of a parkland contribution, required footing drain disconnections, off-site sanitary sewer capacity improvements, permanent easements and

enforcement procedures for the off-site shared-use vehicle parking, street lighting, and documentation of LEED Energy & Atmosphere points.

DESIGN REVIEW BOARD

The petitioner presented The Varsity at Ann Arbor project to the Design Review Board on June 22, 2011 at the Board's inaugural meeting. The full report is attached.

In summary, the Board observed that the proposed design responded favorably to the Downtown Design Guidelines. Stronger aspects of its design included complementing setbacks and greenspace, the plaza at the south east corner, the walk link along the east side, the slender, offset towers reducing the building's mass, and the variety in materials. Weaker features included significant area devoted to vehicle circulation (both on site and within the building footprint), front facades disconnected from the base, lack of end treatments for the walk link, underutilized plaza, dominant east façade, and a non-contextual north streetwall.

The proposed development has been revised to address some of the Board's comments. Additional amenities are proposed within the plaza and walk link, and the north streetwall has been redesigned. The petitioner has provided the attached statement of revisions in response to the Board's report.

CITIZEN PARTICIPATION

The petitioner held a meeting for interested citizens on Thursday, July 7, 2011, two weeks prior to submitting this project for approval. Invitations were sent to all residents and property owners within 1,000 feet of the site as well as all subscribers to the GovDelivery planning update service. Over 50 people attended the meeting. The full report provided by the petitioner is attached.

In general, the discussion addressed:

- Setbacks and Building Design – whether the proposed setbacks were enough and whether the design meets the *Downtown Design Guidelines*
- Parking – whether more might be needed
- Vehicular Access to the Site – one versus two curb cuts and driveways
- Details of the Units – size, number of bedrooms, anticipated rents
- Benefits to the City – what benefits this project would bring, and impacts to the tax revenues

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Office, Residential	D1 (Downtown Core), East Huron 1 (Character Overlay)
EAST	Institutional (Church)	D1, East Huron 2
SOUTH	Mixed Residential/Office/Commercial	D1, State Street
WEST	Mixed Residential/Office/Commercial	D1, East Huron 2

COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Base Zoning	D1 (Downtown Core)	D1 (Downtown Core)	D1 (Downtown Core)
Gross Lot Area	25,489 sq ft	25,489 sq ft	No minimum
Max. Usable Floor Area in % of Lot Area	86% (21,000 sq ft)	695% (177,180 sq ft)	400% MAX normal (101,956 sq ft MAX) Up to 700% MAX with premiums (up to 178,423 sq ft MAX)
Character Overlay District	East Huron 2	East Huron 2	East Huron 2
Streetwall Height	2 stories	2 stories	2 stories MIN 4 stories MAX
Offset at Top of Streetwall	Not applicable	5 ft Washington 5 ft Huron	Average 5 ft MIN
Building Height	2 stories	151 feet	24 ft/2 story MIN 180 ft MAX
Massing Articulation	Not applicable	Not applicable	None
Side, Rear Setbacks	5 ft (east) side 60 ft (west) side	5 ft (east) side 0 ft (west) side	None
Building Frontages	Secondary Street, Front Yard Street	Secondary Street, Front Yard Street	Secondary Street, Front Yard Street
East Huron Street	145 ft	15 ft	Front Yard Street: 15 ft MIN
East Washington Street	1 ft	Secondary Street: 0 ft at streetwall Approx. 50% exceeds for entry plaza	Secondary Street: 0 ft MIN, 10 ft MAX at streetwall 20% may exceed for entry plaza
Parking	Special Parking District	Special Parking District	Special Parking District
Parking – Automobiles	22 spaces	78 spaces (70 off-street parking spaces, 2 shared-use spaces) [70+(2x4)=78]	76 spaces MIN for premium floor area
Parking – Bicycles	None	72 Class A 37 Class B 12 Class C	71 Class A spaces MIN

HISTORY

The site was rezoned as part of the A2D2 Zoning Initiative. The current base and character overlay zoning districts and building frontage standards became effective in December 2009.

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, and 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).

The Non-Motorized Transportation Plan indicates there is an opportunity for near-term pedestrian street improvements with a minor mid-block crossing for East Washington Street between South Division Street and South State Street. No specific location on the block was identified. The Non-Motorized Transportation Plan explains that a minor mid-block crossing “will still be high visibility crosswalks, but in most cases would not have features such as a crossing island.” (Page 160).

PLANNED PROJECT MODIFICATION

Planned project approval is requested to increase the East Washington building frontage from Secondary Street required front setback. The proposed building has a 10-foot setback for 51 feet of the building frontage; the remainder of the building is set back greater than 10 feet to provide an entry plaza. The code allows 20% (or in this case, 21 feet) of the building frontage to exceed the maximum setback for an entry courtyard or plaza. (Petitioner statements are in plain type)

Modification Request

The setback requirement would limit an entry courtyard or plaza to only about 21 linear feet in width along the E. Washington Street frontage.

The site plan proposes an entry plaza approximately 51 feet in width. This provides about 1,600 square feet of plaza area in order to accommodate a range of pedestrian amenities, and to provide a more significant articulation of the building massing on both the south and east elevations of the building. The pedestrian amenities provided include benches, planters with seat walls and artwork on the face of the planters, pedestrian lighting, bicycle parking, and a canopy over the main pedestrian entry. The larger courtyard functions as the primary pedestrian entry to the building and is oriented to the southeast, towards the University of Michigan central campus. This larger open space also achieves the objective of working in cooperation with the adjacent First Baptist Church to soften the impact of the proposed structure on the church property by providing a significant open space, in addition to coordinating with the church to develop a mews or pedestrian connection along the east edge of the site.

The mews will include special paving, pedestrian lighting, ornamental gates and fencing, pylon markers at each end of the mews, green screens with vines on the proposed building, detailed

landscaping on the ground plane, and two points of connection to existing walks on the church parcel.

We note also that staff supports a modification to increase the percentage of the south streetwall that can exceed the maximum setback because it creates a better, more compatible transition between the subject site and the church to the east. Staff also supports the modification because there is no existing, consistent streetwall along the north side of East Washington street to continue, and thus no awkward gaps are created by the enlarged plaza.

Based upon compliance with the following standards, the Planning Commission may recommend approval, and City Council may approve modifications of the area, height and placement regulations of the Zoning Chapter in the form of a planned project site plan:

- 1. The lot(s) included in the planned project must meet the minimum gross lot size requirement of the zoning district in which they are located.**

There is no minimum gross lot size requirement for the D1, east Huron 2 Character District.

- 2. The proposed modifications of zoning requirements must provide one or more of the following:**

- a) Usable open space in excess of the minimum requirement for the zoning district.**

There is no minimum open space requirement. The proposed site plan provides approximately double the amount of open space that might be provided in this district.

- b) Building or parking setback(s) in excess of the minimum requirement for the zoning district.**

The proposed building setback is in excess of the minimum 0 foot setback requirement for the district.

- c) Preservation of natural features that exceeds ordinance requirements, especially for those existing features prioritized in the land development regulations as being of highest and mid-level concern.**

N/A

- d) Preservation of historical or architectural features.**

N/A

- e) Solar orientation or energy conserving design.**

N/A

- f) An arrangement of buildings which provides a public benefit, such as transit access, pedestrian orientation, or a reduced need for infrastructure or impervious surface.**

The configuration of the E. Washington elevation of the building provides the public benefit of increased pedestrian orientation, and provides space for a range of pedestrian amenities and planting areas.

- g) Affordable housing for lower income households.**

N/A

- h) Permanent open spaces of 20 percent or more in any low-density residential district.**

N/A

- 3. The planned project shall be designed in such a manner that traffic to and from the site will not be hazardous to adjacent properties.**

The planned project is designed in such a manner that traffic to and from the site will not be hazardous to adjacent properties.

- 4. The proposed modifications shall be consistent with the proper development and use of adjacent land and buildings.**

The proposed modifications are consistent with the proper development and use of adjacent land and buildings.

- 5. Required off-street parking and landscaping must be provided in accordance with the provisions of Chapters 59 and 62.**

There is no requirement for off-street parking. Interior parking is provided. Required landscaping is provided on both street frontages. Additional landscaping is provided along the mews walkway and with green screens and vine plantings on the east and west sides of the north half of the building.

- 6. The standards of density, allowable floor area and required usable open space for the zoning district(s) in which the project is located must be met.**

The standards of density and allowable floor area for the zoning district in which the proposed project is to be located are met. There is no minimum usable open space requirement.

- 7. There shall be no uses within the proposed project which are not permitted uses in the zoning district(s) in which the proposed project is to be located.**

There are no uses within the proposed project which are not permitted uses in the zoning district in which the proposed project is to be located.

SERVICE UNIT COMMENTS

Planning – Several outstanding issues could not be addressed prior to preparing this staff report. They include issues related to:

- Corrections to the grading plan sheet as noted by Development Inspector
- Corrections to the landscape plan sheet as noted by Forester
- Inadequate drive approach on East Washington Street to access the service alley as noted by Systems Planning
- Unacceptable solid waste plan as noted by Solid Waste/Recycling Coordinator

Staff will provide a revised recommendation as part of our presentation of the petition to the Planning Commission on September 20, 2011 if these issues have been resolved.

Downtown Development Authority – The proposed development includes at least one metered parking space eliminated to accommodate a new fire hydrant and a pedestrian mid-block crossing. Current agreements between the City Council and the Downtown Development Authority include provisions to compensate the public parking system for metered parking space elimination. The recommended policy would not accept relocated metered parking spaces. A one-time fee may be required for each metered parking space eliminated.

Prepared by Alexis DiLeo
Reviewed by Wendy Rampson
6/16/10

Attachments: Parcel and Zoning Map
Aerial Photo
Site Plan
Elevations
Citizen Participation Report
Design Review Board Report
Petitioner's Response to DRB Report

c: Petitioner: Potomac Holdings-CS Potomac MI
7508 Wisconsin Ave, 2nd Floor
Bethesda, MD 20814

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

Earl Ophoff
Midwestern Consulting LLC
3815 Plaza Drive
Ann Arbor, MI 48108

Systems Planning
Project No. SP11-023