



City of Ann Arbor
Formal Minutes
Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
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Wednesday, August 5, 2015

7:00 PM

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

10-b 15-0973

The Madison on Main Planned Project Site Plan for City Council Approval - A proposal to construct a 5-story, 26-unit apartment building with grade-level retail and one level of structured parking containing 13 spaces plus two tandem spaces on this 0.22 acre vacant site located at 600 S. Main Street. A planned project modification is requested to increase the streetwall height from 3 stories to 4. (Ward 5) Staff Recommendation: Approval

Jill Thacher presented the staff report.

PUBLIC HEARING:

Ethel Potts, 1014 Elder Boulevard, Ann Arbor, said she did not think this building should be approved, since it seemed to be an extension of the neighboring adjacent building, which she felt is out of scale. She said it does not serve as a buffer, which D2 is intended to do. She said the zoning allows for this type of building, but they are having to amend D1 and D2 to correct what many of us see as mistakes. She said with such mass, this building will just add to what's being built on the same block; and they are using the lot for maximum use, with no variation to make it look less massive, and little space between buildings. She asked if the fronts along Main and Madison have the same setbacks as the neighboring houses. She said these buildings show major lack of design and imagination. She said this lot could have been planned to have a row of three-story townhouses which would've been much more compatible with the Old West Side. She said this project will be a negative impact to the whole neighborhood because of a lack of adequate parking, leaving most of the cars out in neighborhood, which is already filled up with cars being so close to town. She said I think Ann Arbor deserves better than this.

Marcia Polinberg-Ramsay, 524 First Street, Ann Arbor, said she is very familiar with this site as she passes it everyday. She said when she lived in Ithaca, New York, students had asked her to mind their mice over the summer, so she took them home and there were 25 mice in a fish tank; what she didn't know was that when the density is too high, mice turn

cannibalistic, and the mice became frantic to escape. She said you can have too much density. She told a second story about frogs, saying you can raise their water temperature one degree at time, and the frog will still be alive, but at some point, it dies. She said her neighborhood is very precious to them, and there is no way that 300-400 people can be integrated into a low-density neighborhood. She said the neighborhood knows each others names and prides itself on their gardens. She said the trash left behind by football traffic they pick up, but that is going to change because when you don't find commitment to neighborhood you don't pick up after other people. She said she is from New York City, and knows density. She asked not to have the building as it is currently proposed.

Terri Drenth, 614 S. Ashley, Ann Arbor, Central Property Development, Inc, said she is a new property owner, and they have experienced construction issues with the on-going project. She said their concerns are with parking, and having their driveway blocked, which it is frequently the situation, as well as the character of the area. She asked that the Commission look at the parking, as 13 spots for 26 units seems inadequate.

Robert Fouser, 618 S. Ashley, Ann Arbor, said he has endured noise and hassle of construction since September of last year. He said he shares the same concern about density and massing of the building at the corner, when compared to the existing 2-story buildings at the northwest corner. He said they will be overwhelmed. He said the City needs to take a look at how they want to develop properties from overall view, noting that all of his neighbors on Ashley are against this project. He said some of the merchants at South Main Market said there will be a seven story building on that side of the street, which would create a tunnel. He said the pace in which things are happening is so fast and he hoped the City is looking at things in a comprehensive view. Fouser said the proposed use of retail has come up in conversations with neighbors noting that it would be nice to have a grocery store or pharmacy in that location, but the last thing Ann Arbor needs is another cafe. He said what type of retail they are trying to attract needs to be looked at.

Marlena Marenaka, 827 Mt. Pleasant, Ann Arbor, said she has watched this building go up and when she walks down the street she is shocked by its' enormous size, and slick exterior, and City style balconies, not Ann Arbor style. She said she has looked at other proposals around town, noting there are 14 to 16 proposals to build apartment buildings. She said one appropriate development for the area near the Liberty Car Wash is a development of 7 units. She said when she read the project description of

618 S. Main, it said they were going to have sidewalk amenities, a rain gardens, etc. She asked who will police the space between the buildings. She said the massing of this building will be a visual obstruction, and if it is to be developed, let it be a park or a grocery store or a pharmacy but not a massive block building. She said it seems that this project became possible only because of the convenient fire of the pizza place that was on this corner.

Dan Ketelaar, Urban Group Development LLC, 225 S. Ashley Street, Ann Arbor, developer, said they have spent a lot of time on the context of this project. He introduced his design team, and said this project is a small apartment building that has a lot of relief to it and is on the very east edge of the Old West Side, on Main Street and is part of the downtown and the Downtown Development Authority [DDA]. He said the plan is to tie the downtown together from Mosley Street to Downtown and this will help that plan; it will create housing units which are badly needed. He noted that the demographics are changing and it may upset people, but it is growth and change. He said they spent a lot of time talking to the Old West Side Association and noted the letter from them to the Commission.

Victor Saroki, Saroki Architecture, 430 N. Old Woodward, Birmingham, MI, architect for the project, said they are excited to work on this mixed use project. He said their firm takes pride in working on design sensitive projects and they are familiar with projects like this and how they function. He said they look at context and the character of the community, and have worked closely with staff, and have held two Citizen Participation presentations and two Design Review Board presentations. Saroki said they have tried to address all of the concerns and have lowered the height of the building to 60 feet; 5 stories and very much in keeping with the ordinance. He said they have reduced the amount of units from 33 to 26 units, and the two earlier approaches were reduced to one. He said they listened to comments from the Old West Side and have a letter of support on file from them. He said the west façade was revised to include more full brick and only have the top in metal.

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

Moved by Bona, seconded by Clein, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Madison on Main Planned Project Site Plan and Development Agreement, subject to combining the lots prior to issuance of building permits.

COMMISSION DISCUSSION:

Bona asked about the D2 zoning and what the developer is proposing to do. She noted that one of the challenges with the zoning changes was in trying not to impact smaller sites. She asked the developer to explain what they would have to do to accommodate the allowable 400% Floor Area Ratio [FAR], and how they dealt with the streetwall height.

Ketelaar said their earlier version had a 400% FAR when they had a taller building, and they had greater setbacks. He said they did not want to bring the building more forward on Main Street, as the 9-foot pedestrian walkway is just not comfortable, so they stepped it back by 5 feet, to reflect what was at 618 South Main. He said on a small site in order to get your FAR you need more height. He said they took the feedback on the height, and lowered it and they increased the setback on the west side. He said they looked at the base/middle/top proportionality of the proposed building in context. He said there is an exact same size building in Seville, Spain, and while this building isn't European, it has a European sense to it. He said they believe it is a lovely building and will endure and be considered attractive.

Bona said it is important to understand that on small sites it is difficult to meet the zoning restrictions and getting the FAR and she doesn't want to disadvantage small site development because when they do that they encourage aggregation of sites. She said she would rather prefer to see this 4- story streetwall height on this smaller site than what is in the code.

Bona said the A2D2/Calthorpe process noted an interest in having a small grocery store and pharmacy downtown, but there is not enough housing density to support it, without a parking lot. She said their research showed to do that, they need 10,000 residents downtown and the Calthorpe report showed sites with greatest potential for development. She explained that for those not involved in the process, it was a very comprehensive process that involved the citizens and residents, not the Planning Commission or City Council. She said the report showed that people wanted a livable downtown that is vibrant 24/7. She said the problems the police had on Maynard are gone because there are so many people downtown, and it is no longer dead but full of vitality. She said getting the zoning right is important and she wanted the public to know that one of the City's goals is to have a full size grocery store and pharmacy downtown.

Peters asked about the planned project changes, and if the three floor

requirement applied to all street facing sides.

Thacher said it applies to both street frontages, with the intent to give the building a pedestrian scale.

Peters said that having a standard by-right streetwall height on Madison could put the building into context and help address the loomingness.

Peters asked about the stormwater management on the site.

Bob Wanty, Washtenaw Engineering, said there will be underground stormwater detention retained on the south side of the building as well as on the Main Street side. He said they have a gravel bed about 10 feet deep, and they will be infiltrating all the water and not discharging any of it. He said for larger storms they have an emergency overflow that will go into catch basins on Main Street.

Peters said he was out driving in the thunderstorms this past week and noticed some pre-existing issues in this area.

Wanty said they are actually discharging less water off-site than what is currently going into the system.

Peters asked about the specialty pavers shown on the site plan on the South Main Street side and if they would be permeable pavers.

Wanty said the specialty pavers and the green spaces along South Main Street and the south side are permeable.

Briere asked about permeable pavers on Main Street and the alley, and how does infiltration work between this site and the adjacent residential.

Wanty said the concrete on the south side of the building slopes toward the green space.

Briere said she wouldn't want anything flowing toward the house. She asked if they would be establishing a green roof in time for the development agreement.

Mark Ehgotz said they are still working through what will be on the roof from the mechanical equipment, with current estimates showing that approximately 40% will contain mechanical equipment, which will leave 60% openness for green roof. He said anything not having a green roof

will have a cool roof; a white non-reflective roof.

Briere said she would like that spelled out in the development agreement before it goes to City Council, including building material cladding being proposed today for this building, such as the brick, and metal. She asked about the proposed balconies and if they would be accessible.

Ehgotz said yes, they are 3 feet deep, with French doors that swing in for opening. He explained that the cantilevered balconies are more of a standing terrace for getting fresh air and are not intended for lounging.

Briere asked if they will have a solid floor or a draining floor.

Ehgotz said while they won't be see through they will be flow through.

Briere said she is concerned about how the sheer wall next to the house feels, and wondered if there were proposals to setting the upper stories back somewhat to help with the feeling.

Ehgotz said while not required, they have pushed the upper floor back, but noted it is already setback 4 feet. He said it comes back to the Floor Area Ratio and they have tried to scale down the building by removing the block and there is a small landscaping area with bicycle hoops and the transformer tucked in there.

Briere said she understands that while they are trying to maximize the use of a small site, she is trying to understand living in the small house.

Clein said the Commission packet does not have the development agreement included and wondered if that would hamper their ability to act on the project tonight.

Clein asked if full depth brick is proposed.

Saroki said yes, noting that the materials would be considered noble materials; they will be using cast stone at the base, and full size dimensional brick, with the top floor being lightening using standing seam metal. He said the first floors have structural canopies at the retail and residential entries with the glass on top, providing weather protection. He said at the retail French doors there would be fabric awnings. He noted that while they say café, the small retail is yet to be determined but it could also be a market, given that it is 1,500 square feet and they certainly want it to be an amenity to the downtown.

Clein asked if they would have divided lights in the French doors.

Saroki said yes, they would be in a black metal with a wood window on the inside and very high quality product.

Clein said he felt that helps a lot in breaking down the scale of the building.

Saroki said they looked at breaking down the west side, which resulted in having lots of punched openings, and at the ground floor they will be planting vines for the inset panels and at the end of the day it will be very attractive.

Clein complimented the design team on a nice job of breaking up the façade, adding that he felt this building fits better than the 618 S. Main building along the street. He said in having seen earlier versions, he felt this is an improvement to the neighborhood in the design and while it would have been nice to have a 3-story setback wall, he felt it was a more worthwhile tradeoff to go to a 4-story streetwall and only have a 5-story building instead of a 7-story building. He said it was a nice design change.

Clein asked about unit sizes.

Ketelaar said the smallest units would be 700 square feet and the max units being 1,500 square feet; all being either 1-bedroom or 2-bedroom units.

Clein asked about disruption of construction mentioned by the public, and where their staging area would be.

Ketelaar said it's a difficult site, given that it's an urban environment and the contractor they select will have to know how to build on it. He said they will probably look at taking a lane of Madison street for a period of time.

Clein asked what the developer could say they will do to help minimize the disruption for the neighbors.

Ketelaar said they have met with adjacent property owners and actually have a construction easement to stage on during construction. He said they have a good relation with the neighbor and are working with them to replace their 6-foot fence. He said they have even offered to help them

sell their house if they want to move, but he believes they like it there and have lived there for 45 years. He said the site is very difficult but they will continue to work on this issue.

Clein suggested they continue to do what they can to reach out to the neighbors.

Ketelaar said they have had half a dozen community meetings on the project and they have residents come into their office to talk with them and they are very pro-active on the discussions, adding that his offices on South Ashley have been there for 25 years and this is his town and he understands the important of reaching out to the neighborhood.

Milshiteyn said, given the brisk traffic on Main Street why was the proposed garage entrance on Main Street and not on Madison.

Ketelaar said the curbcut on Main Street allows them to utilize the parking space more efficiently and also because the drive on Madison is closer to the neighborhood. He said in the future he believes the City will have to look at traffic calming along this area, noting they could add parking along the street if they brought it down. He said for 618 South Main they are doing a streetscape all the way up to the downtown and down to Ashley Mews tying it into the bottom of the Downtown Development Authority [DDA] and the next step will be to deal with the traffic in the area.

Milshiteyn asked what other uses would be allowed for the retail space.

Thacher said whatever uses are allowed in the D2 zoning; office, retail, restaurant, and most of what you see going on in the downtown could happen there.

Milshiteyn said being a downtown resident, and for him trying to turn southbound on Main from W. Mosley it is almost impossible to see the traffic coming towards you, and he said it is important to think about these things for zoning purposes when a building is so huge and takes up an entire block. He said he walks through this neighborhood as well and he can say that the construction has not been fun for the residents living there. He has noted that parking on Ashley has become a huge problem and he is hopeful that the petitioner can help alleviate some of the traffic with either having the workers bus in to the construction site since there won't be a staging area available. He said he would be opposed to shutting down either Madison or Main Street on this project, given the busy traffic area, and the developer is going to have to get very creative

with this issue.

Briere asked the developer to provide to Council images of what drivers will see when coming on Main Street, and seeing cars coming downhill towards that intersection. She said she wants to see if that cutback on the corner is effective. She agreed with Milshteyn that there is a problem with staging and the impact on pedestrian traffic in the neighborhood. She said she would really want them to figure out a way to keep a sidewalk open; which could mean building a wooden tunnel, since she felt they have an obligation to the neighborhood to keep a sidewalk open.

Ketelaar said they will have to look at the construction technicalities involved, noting that the sidewalk was not heavily used previously. He said they will continue to work with Washtenaw Dairy, and be a good neighbor throughout this process, adding that he realizes construction is disruptive but he will be respectful of the request and they will work very hard to address these issues.

Briere said she hears from people walking more and more in the City and how frustrating it is for them as they can't walk where they need to because of construction. She suggested that if after the demo is done they could create a walking tunnel for pedestrians.

Ketelaar said as they chose their contractors they will put together a construction schedule, hopefully before coming to Council.

Ketelaar said the Old West Side representatives have suggested that there be a No-Turn on Red at the intersection making it safer for pedestrians as well as drivers.

Woods said the traffic questions would be good for the traffic engineer.

Woods requested a 5 minute break to allow staff to retrieve the development agreement.

COMMISSION BREAK

Thacher distributed the draft development agreement to the Commission.

Mills asked about the plans for the alley.

Ketelaar said it is an egress for the building on the south side, with 6 feet to their property line, and with 618 S. Main's 6 feet there is a 12 foot

space. He said they have planted the area heavily and there will be permeable pavers on the walkway in, and there will be a bike valet [just like in front of the City Center] to be used by the neighborhood. He reiterated that it will just be a walkway in and out of the building adding that they hope to be able to do murals on southern block wall.

Mills noted that the Old West Side board mentioned bicycle parking. She said as a cyclist, she uses the closest hoops to the entrance and she would like to see hoops located at the corner.

Ketelaar said he agrees and they will work with staff to address this issue.

Mills said it makes sense to put the hoops where they are going to be used.

Mills asked staff if the building coverage and open space will always equal 100% in the D Districts.

Thacher said in this case, yes.

Mills said she likes this project and feels that we need density in the downtown area. She asked staff about required open space.

Thacher said driveway surface does not count toward required open space.

Mills said she was glad that part of their required open space did not go to a surface parking lot.

Mills expressed that the aesthetic value of the streetwall is a benefit for the community, as is the energy conserving design.

Rampson explained they will be using residential premiums; and the 2 LEED points are requirements in order to get the premiums.

Woods asked about comments made at the Citizen Participation meeting, that two residential units are being designed as affordable units.

Ketelaar said there are no longer any affordable housing units in the plan, noting they were included in an earlier version when the building was planned to be higher. He further explained that they also found out from the City Attorney's office that the City cannot support affordable housing in apartment buildings. He said they had hoped to be able to use affordable

housing as a public benefit to their project, but it wasn't possible.

Woods asked if the benefit meant their profitability.

Ketelaar said they had hoped to use it as part of their planned project benefit, but the City of Ann Arbor feels they cannot enforce affordable housing in apartments.

Rampson explained the City Attorney's office have noted a State Statute that limits rent control, and given that it is written very broadly and unless the City has an ownership interest in this development then they cannot reach an agreement with the developer to control the rent for those affordable units.

Woods clarified that the developer could still do the affordable units on their own if they were so inclined and there was nothing in the statute that would hinder that.

Rampson said that was correct.

Woods referenced safety concerns and asked how they plan to light the alley way.

Ketelaar said there is 6 feet of setback from the building; he mentioned that they had talked about bollard lights.

Ehgotz said by code they have to have a wall-mounted light about the exit door, which is located about half-way down the building wall. He said from the door to the street, they are not proposing lights, but there will be street lights available along Main Street and the distance without lights would only be 40 feet.

Woods asked what if the street light is not located where it is useful for the alley way, since it has been indicated that this is an area where there will be more pedestrians and she wants people to feel safe. She asked if they could have a motion-detection light. She asked if the alley door to the building would be used by residents.

Ehgotz said it would be used as an emergency exit only and residents would use the main lobby.

Woods asked if there would be seating provided in the alley.

Ehgotz said there will be three feet of landscaping and three feet of sidewalk.

Lindsay Woods from InSite Design Studio, explained that the alleyway will be packing full of plants; against the building there will be evergreen shrubs and smaller deciduous shrubs that will grow to 3 feet in height. She said everything planted can tolerate shade given the tough condition in there, adding that they have tried to add bright colors because of the dark area.

Chair Woods asked if one could get through to the other side by using the walkway.

Lindsay Woods said it was not part of project, but was part of 618 S. Main, and she believed there would be a gate that could be used by residents but not the public, noting that the pathway leads from the emergency exit door.

Chair Woods asked if there would be a cut through from Main Street to Ashley Street.

Ketelaar said there are three properties involved.

Clein said with the walkway and the exit they would be required to provide 1 foot candle lighting on the ground surface between the public way which is the sidewalk on Main Street. He suggested that if they are interested in adding murals, they could be illuminated and this could be a win-win situation. He noted that as the project goes on to Council this could be a public benefit for the project.

Clein noted that Paragraph 28 of the Development Agreement should include specific materials as requested by Briere, when the project goes to Council. He said he was comfortable with the development agreement.

Bona asked the developer how they expect the parking pattern to be, and if they expect waiting lists for the 15 parking spaces.

Ketelaar said the tenants of the building will rent them and they will be used solely by the building and not by anyone else. He said they are also in discussions with the neighborhood about surface parking off site. He said the Zipcar will be parked behind their building for anyone in the neighborhood. He believed they would do some renting in the neighborhood and do a pass through for those who have a car but don't

use it everyday but who don't want to pay to have it enclosed in a heated parking they will have some place close-by they can use and they will facilitate that.

Bona asked if they found this to be true for the 618 S. Main building.

Ketelaar said there are 164 apartments, and with 75% leased their parking is at about 60% leased. He said there is still a demand but it is not as people think; 1 to 1. He said their renters there are in the demographic between the ages of 22 to 32 and there are a good number of them who do not have cars or want cars. He said for the 600 S. Main building they are looking for a slightly older demographic between the ages of 30 up to empty nesters. He said the empty nesters are trying to get out of their cars; that's why they are moving downtown. He said this is the emerging demographic that Ann Arbor reflects.

Bona said by not tying parking directly to the apartments, they are giving people options to use space that don't live there and she prefers that anyone could use the parking.

Ketelaar said they had Zimmerman Volk do the market study for this project and they had suggested not linking the parking to the building.

Bona said she supports bike hoops on the corner.

Bona commented on the Planned Project requests; that the building coverage be allowed to be 82% instead of 80%, and to allow the streetwall to be 4 stories instead of 3. She said she gave credit for the benefits of having 5 feet in excess of building setback on Main Street. She asked the developer if they were doing anything beyond the requirement for the energy conserving design.

Ketelaar said they are not going for LEED because it is costly on this small building, but they are doing many things that are energy conserving.

Bona said she was most interested in what they were doing beyond the requirements that unlocked the premiums.

Ehgotz said building coverage includes any cantilevering or projection of the building, so the corner where they chamfered, that overhang is technically included in the building coverage.

Bona said she agrees with the definition because it deals with massing, not just footprint on the ground.

Ehgotz said they will be using green technology; tied to the stormwater will be the 60% green roof, which originally was going to be a penthouse and an amenity, will now be just to help with the stormwater. He said they will be using high efficiency furnaces with individually controlled units, and 2 inch-rated foam insulation on the outside of the wall instead of the inside of the wall is beyond the requirement which is benefitting and increasing the R-value, as are the insulated windows.

Peters asked about the alleyway space, and if the space between them and Ashley Street would become available to the developer in the future that would allow for them to have a pedestrian easement that could serve as a connection.

Ketelaar said there are several different properties involved and he didn't believe there was much chance for that to happen.

Mills asked if there was still a plan to have a charging station for electric cars.

Ehgotz said yes, there will be 3 spaces

Ketelaar explained they will have quick charging available as well as the 110-volt for hybrids.

Mills requested that this be added to the list of public benefits as the project moves forward.

Ketelaar said they had included it on the new sheet of public benefits.

Peters said as a current renter in town, he wasn't able to purchase a hybrid vehicle because he didn't have charging available, and he hoped that all future developments provide plug-ins in their parking area.

Briere said when this project comes to Council she suggested that all the issues mentioned tonight be itemized and provided to staff so they can make it into the Council packet. She said come prepared to address neighbor concerns including construction disruptions, since neighbors aren't getting a benefit from this project.

Ketelaar said the construction is much simpler on this building, given it

will be wood frame, so once the base is done they can come off the sidewalk; he said they will look at finding remote parking for the construction workers.

Briere said that while previous comments mentioned that the Commission thinks they don't need another café, she clarified that the Commission can't create a rule that restricts the retail space to "not café", adding that the better active use of this space the better local use it will be for the neighborhood, and the better asset equivalent to the Wolverine Deli.

Ketelaar commented that the old Jefferson Street Market was a lovely spot in the Old West Side, but was also a cafe. He said the idea that this retail space would not be popular would not be accurate.

On a roll call, the vote was as follows, with the Chair declaring the motion carried. Approved 7-0.

Yeas: 7 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sarah Mills, Bonnie Bona, and Alex Milshteyn

Nays: 0

Absent: 1 - Sofia Franciscus