

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 19, 2015

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

PROPOSED CITY PLANNING COMMISSION MOTION

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

STAFF RECOMMENDATION

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

LOCATION

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

DESCRIPTION OF PROJECT

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

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

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

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

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

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

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

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

SITE HISTORY

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

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

SURROUNDING LAND USES AND ZONING

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

ZONING COMPARISON CHART

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

PLANNING BACKGROUND

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

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

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

STAFF COMMENTS

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

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

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

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

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

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

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

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

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

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

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

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

City Attorney
Systems Planning



City of Ann Arbor

Formal Minutes

Design Review Board

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

Wednesday, November 19, 2014

3:00 PM

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

A **CALL TO ORDER**

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

B **ROLL CALL**

Staff Present: Alexis DiLeo

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

C **APPROVAL OF AGENDA**

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

D **INTRODUCTIONS**

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

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

E **APPROVAL OF MINUTES**

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

The minutes were unanimously approved by the Board with

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

F **UNFINISHED BUSINESS**

G **NEW BUSINESS**

14-1636

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

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

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

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

Description of Project

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

Summary of Priority Issues

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

Site Planning

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

Buildings

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

Building Elements

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

certain lighting needs. (C.6.1)

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

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

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

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

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

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

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

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

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

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

Suggested strategies include: ...

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

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

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

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

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

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

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

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

H PLANNING COMMISSION COMMUNICATIONS - STAFF REPORTS

14-1650 Communications to the Design Review Board

Received and Filed

I COMMUNICATIONS

J PUBLIC COMMENTARY (3 MINUTE MAXIMUM SPEAKING TIME)

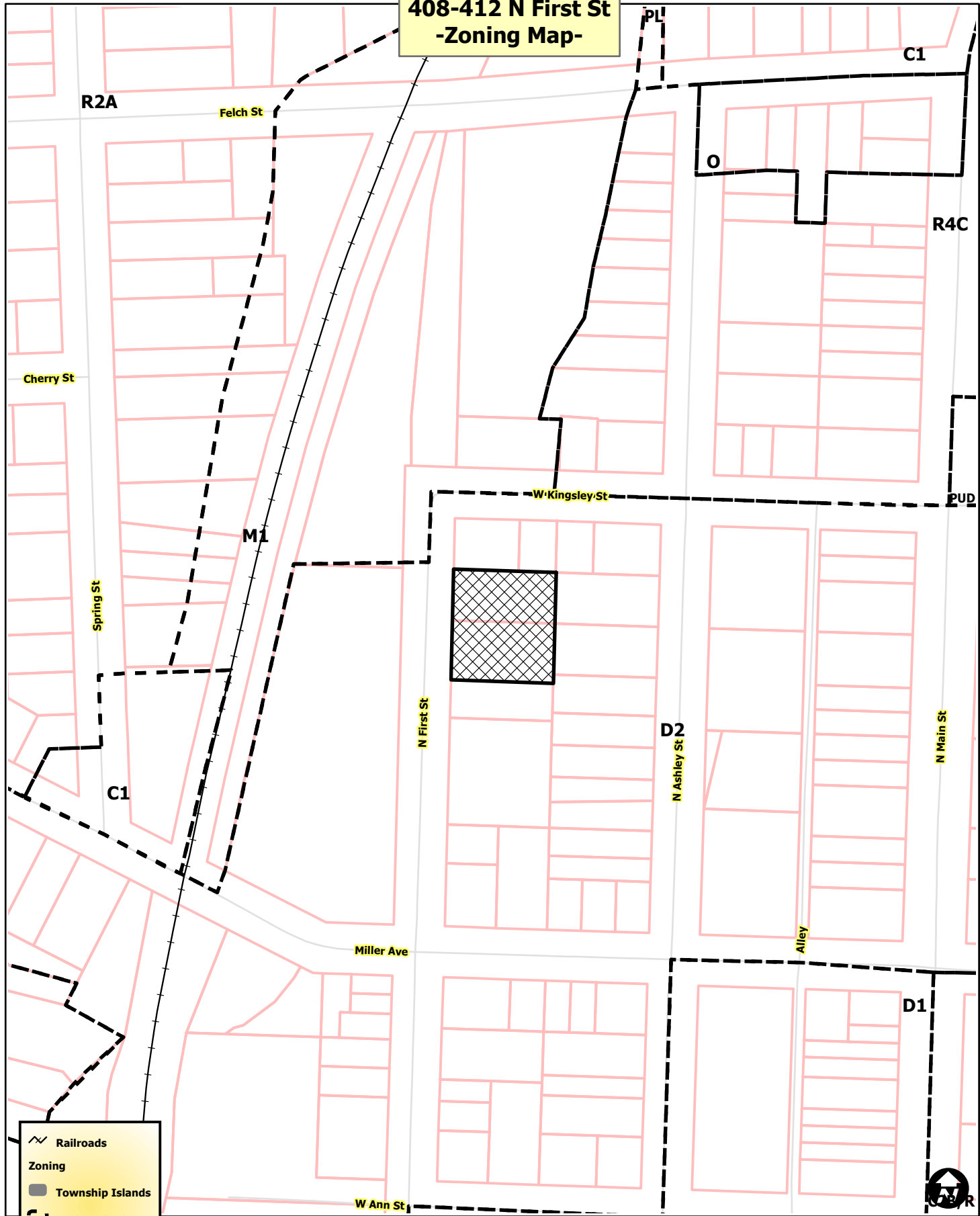
Ethel Potts, 1016 Elder Boulevard – noted she was pleased by the discussion on context and floodplain, but was not satisfied with the information provided. She stated she wanted to support the design but didn't yet know enough about the development.

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

K **ADJOURNMENT**

The meeting was unanimously adjourned at 4:30 p.m.

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



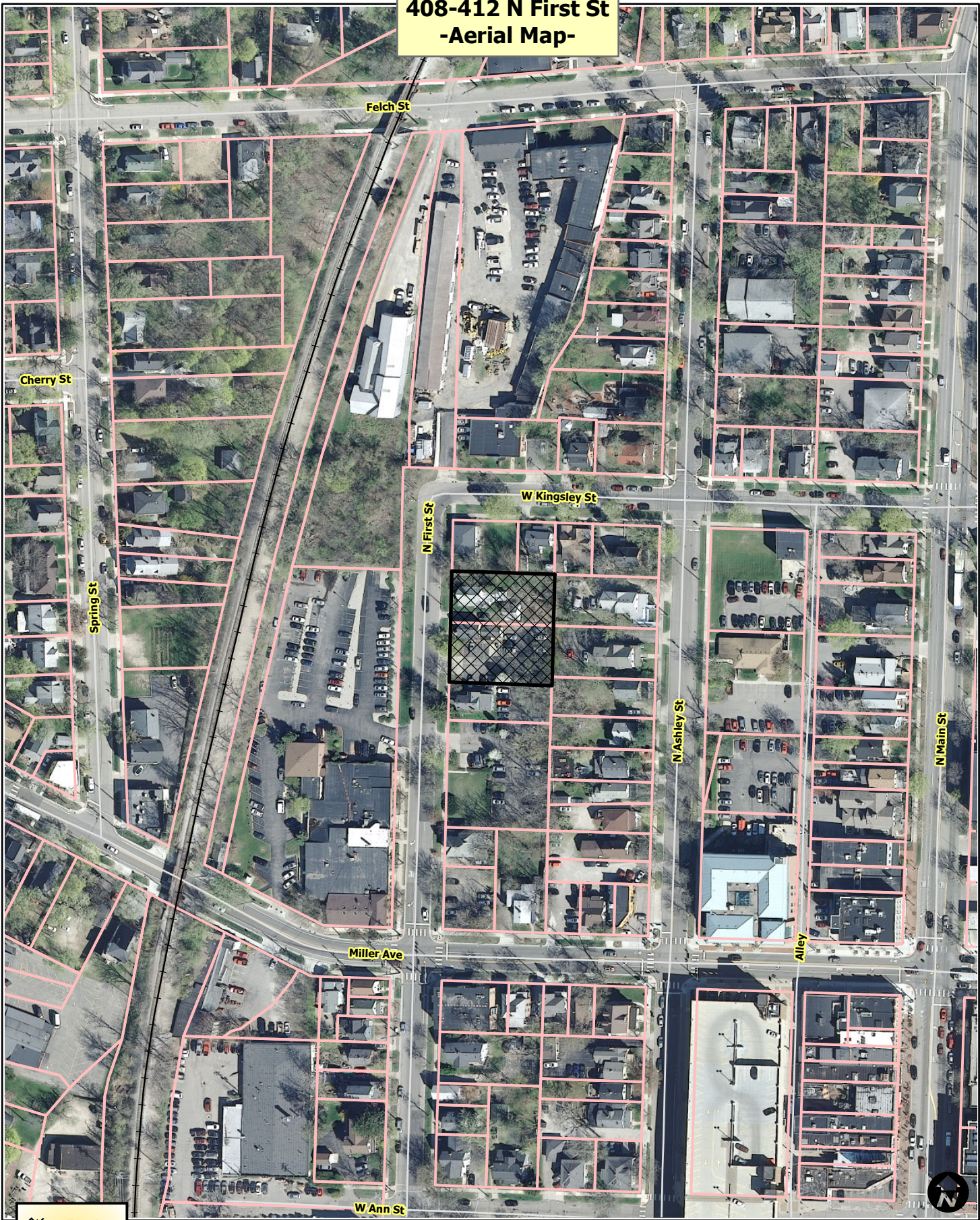
Legend




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



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408-412 N First St -Aerial Map-



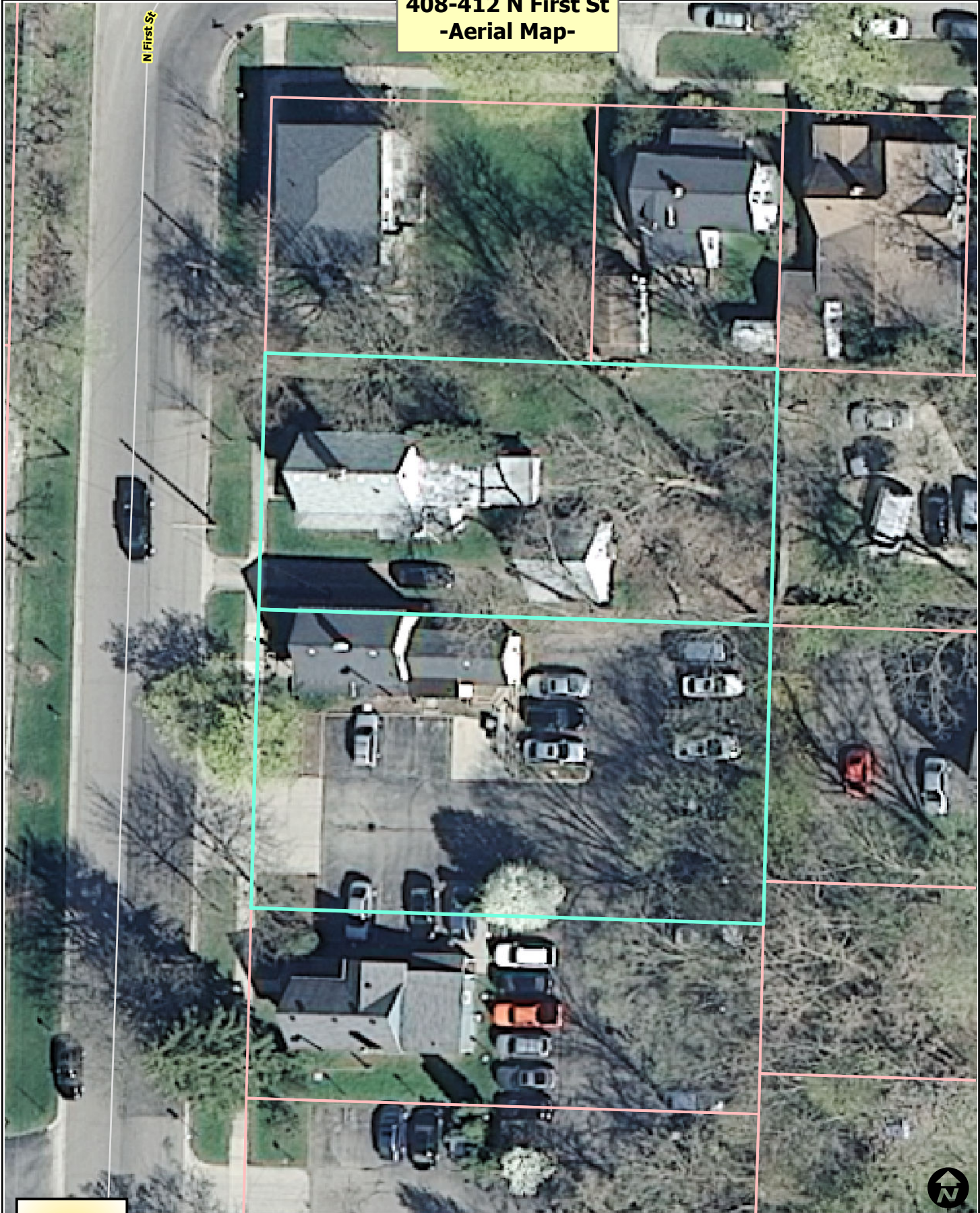
-  Railroads
-  Parcels
-  Huron River






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408-412 N First St -Aerial Map-

N First St



-  Railroads
-  Parcels
-  Huron River



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