



City of Ann Arbor

Formal Minutes

Planning Commission, City

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

Tuesday, April 5, 2016

7:00 PM

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

10-b 16-0492

615 South Main Street Planned Project Site Plan for City Council Approval - A proposal to construct a 6-story, 229-unit apartment building with 6,200 square feet of retail. The development at 615 South Main Street includes the consolidation of 3 parcels into a 86,162-square foot site. The property is zoned D2, and a planned project modification is requested to increase the height to 75 feet. Ward 4. Staff Recommendation: Approval

PUBLIC HEARING:

Linda Winkler, Second Street, Ann Arbor, thanked the Planning Commission for the good work they do. She said she was speaking on behalf of herself and other residents of the Old West Side who have several concerns. She stated that the proposed development is massive-looking, suburban in style with a private courtyard in the center, and does not provide publically beneficial open space downtown. She felt the project's interpretation of open space preservation was at odds with the ordinance's intent, as a private courtyard is inaccessible to and barely if at all visible to the public. She stated that if this developer were permitted to build higher buildings in exchange for the provision of this private courtyard space, the public who walk and drive by the development will be worse off than if the development were to stay within the height requirements of the zoning code and no courtyard—or open space—were provided. She said the Design Review Board shares her concerns about the private courtyard and wondered why a C or U shaped building, which would allow open space access to the public, was not considered. She also said members of the Design Review Board felt the project was only marginally consistent with the applicable downtown design guidelines and created an eye of the needle viewscape at this gateway location into downtown. She added that the development would inevitably result in vehicular accidents between those making a left turn from West Mosley Street onto South Main Street and those making a left turn from the proposed development on East Mosley onto South Main Street. She stated that the proposed project would replace commercial space in three contiguous properties with considerably less commercial space in one of the few remaining places suitable for commercial development in this part of downtown. She said she appreciated that the

developer revised their site plan to add commercial retail on the first floor of the development, but that it is replacing a significant amount of existing commercial with student housing.

Vince Caruso, Allen Creek Watershed Group, said he attended a citizen participation meeting for this development, bringing with him a map of the Huron River watershed, and was told that his map was inaccurate. He said he spoke with Jerry Hancock, Stormwater and Floodplain Coordinator for the City of Ann Arbor, who told him the map was indeed accurate. He requested that the petitioner hold their public engagement meeting again due to this inaccuracy on their part. He said the petitioner indicated that there is a berm to the east of the site that will provide some protection for the site, but the stormwater and floodplain coordinator for the city indicated otherwise. He stated that at the public meeting, several business owners complained of flooding on or near this site. He expressed concern that the underground parking proposed for this development would exacerbate the flooding in the event of a storm event. He reminded the Commission of a Huron River Watershed Council report that advises planning for an increase in flooding due to climate change, and advised them to err on the side of safety in this matter. He advised the Commission to have the city join with FEMA in joining the National Flood Insurance Program Community Rating System to lower flood insurance costs and damage.

Lucy Miller, Mosley Street, Ann Arbor, said she has concerns about the South Main Corridor in general from William to Stadium. She said that ordinances that have allowed and encouraged this project, which she considers to be dull and unfit for the neighborhood, are problematic. She stated that the South Main Corridor is changing rapidly and remains ripe for further renewal; she has heard that a developer is interested in a property on the northwest corner of Main and Madison, for instance. She said over the past few months she and other neighbors have reviewed many documents in the city's master plan relating to the South Main Corridor and has found ideals and visions but no clear plans for the neighborhood. Ideas such as activating the pedestrian streetscape, accessibility, and walkability are not found in this proposal. She said she hopes to be able to come together and create and workable and enforceable blueprint for development in the South Main Corridor; a major step would be the current process to evaluate the downtown premiums.

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

Moved by Peters, seconded by Councilmember Briere, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve 615 South Main Planned Project Site Plan and Development Agreement, subject to Public Services approval of the traffic impact study.

COMMISSION DISCUSSION:

Briere asked about the definition of open space and whether an interior courtyard with a swimming pool counts as open space.

Jeffrey Kahan, staff, said Chapter 55 of the zoning code requires a minimum of 10 percent open space for projects in the D2 district. The definition of open space at the beginning of Chapter 55 states: "The portion of a lot which is devoted to outdoor recreation space, greenery, and space for household activities. Open space area may include, but shall not be limited to, lawns, landscaping and gardens, wooded areas, sidewalks and walkways, active and passive recreational areas, unenclosed accessory structures used for recreational purposes, permanent or seasonal water surfaces and protected natural areas. It shall not include area covered by parking lots, driveways, refuse facilities, or enclosed accessory structures." He explained that staff believes that includes landscaping that exists around a site but also includes the patio space which includes the pool in the courtyard.

Briere stated that that when the Commission discussed and eventually approved the structure directly across the street from this project, which was taller than the height traditionally allowed in the D2 district, was that the developer was providing a benefit to the adjacent neighborhood by moving the massing of the building away from the street toward Main Street and creating the equivalent of a garden area on top of a storm water detention system, which was very innovative and provided a public benefit. She stated that she is less certain of the benefit of this proposal to the adjacent neighborhood, and questioned allowing the density bonus. She asked for clarification from staff as to why allowing a 75 foot structure in this district was a benefit to the community.

Kahan stated that Chapter 55 of the city's development code includes a section on Planned Projects that allows developers to deviate from area, height, and placement standards if the developer meets at least one of the standards for approval. He explained that he felt the developer has technically met a number of the standards for approval of a planned project including: building setbacks in excess of the minimum

requirement; preservation of a historic feature in the preservation of the old buggy works; transit access or pedestrian orientation, as the site has multiple entry points for both the retail and residential portions of the development, as well as the provision of a public access easement to allow for residents in the vicinity to walk or even drive a vehicle along that corridor to access Madison; and exceeding energy conserving design by at least 15 percent.

Briere asked whether the neighboring gas station has also allowed for a public access easement for the path that parallels the railroad track.

Kahan responded that they had, a public access easement 18 feet in width.

Briere asked whether people exiting this property that are reluctant to turn directly onto Main Street will instead be paralleling the railroad tracks, turning right on Madison and then turning right again at the light.

Kahan said yes, they could leave the basement of the building in a vehicle heading east and then turn left along the east side of the building until they get to Madison then they could turn left to the light at Madison and then they could go straight or turn at Main.

Briere asked about the traffic impact of the turning motions from the development, specifically the left turning motion from the public access path that parallels the train tracks onto East Madison.

Scott Betzoldt, Midwestern Consulting, said they looked at the most conservative situation or worst case scenario where all the traffic was going to be exiting Mosley onto Main. He said the alley mall to which you are referring, which will have brick pavers and be suitable for both pedestrians and cars, is basically intended to be long-term parking and it will gated at the north and south ends and require a pass code to enter, so they don't anticipate very much cut-through traffic. The delay on Mosley turning South, or left, is a little over 90 seconds at that location.

Briere said she thinks having people wait over a minute to turn could be a problem, as people can get very agitated. She also said it is the first time she has heard that this pathway would be gated parking.

Betzoldt, said one of the things that makes this pathway work is that there is a signalized intersection at Main and Madison and one at Main and Hill, which create gaps. He said their traffic study indicates that these

lights create gaps about every 90 seconds, which allows turning movement onto Main from Mosley to work. He stated that the level of service for the Mosley and Main intersection is currently an F when using the first and foremost traffic simulation which everyone uses as a baseline; then you can incorporate more specific parameters to get a more individualized assessment. He explained that there is another model they used called Sim Traffic, which analyzes gaps created by traffic signals; this model found that the current level of service is an F and would improve to a level of service D after construction of this project, a delay of about 45-50 seconds. He said the delays at Eisenhower and Ann Arbor Saline Road or State and Eisenhower see delays of 90 seconds, so this wait is not outrageous. He said they determined that adding a dedicated left turn lane that would allow right turning movements off of Mosley would proceed a lot faster, but there are dangers with visibility with having a right turn lane and left turn lane next to each other. He stated that the 95 percent worst case queue they are predicting would be four cars deep during the peak hour; and using Sim Traffic the prediction is a line of three cars.

Mills asked whether the wait for each of the cars in the queue is 90 seconds, and if the queue is four cars, that means the last car could be waiting six minutes to turn.

Betzoldt said yes, to the best of his understanding.

Mills said that when making a left turn while riding her bicycle onto Huron from Chapin, 90 seconds feels long and 6 minutes would feel like an eternity.

Betzoldt said yes, but you have to realize that this 95 percent scenario is almost the very worst case scenario, the average is going to be two cars.

Mills said she has noticed while driving this portion of South Main since the building across the street has gone up, lots of people are turning onto Mosley. She asked if they had looked at the scenario of someone on West Mosley heading east or someone on East Mosley heading west, trying to turn onto Main.

Betzoldt said yes, but he doesn't feel that interaction is any different from any of the other un-signalized crossings up and down Main Street.

Mills asked for clarification of the parking situation in the gated alley.

Betzoldt explained that there will be parallel parking along the far east side of the alleyway, which will be a concrete surface; the main part will be a 12 foot wide brick paver walkway, and it will be gated at the north end and the south end.

Mills asked if the alley way is only for vehicles, and if it does allow pedestrians.

Betzoldt said it allows pedestrians, and will be a shared pathway. He said that models of student housing and traffic vary wildly, some are rural or commuter schools, other are more urban, like this development in Ann Arbor. He said they found that students don't use their cars every day, and that most of the trips occur on the weekends or for grocery shopping. He stated that our numbers very conservative because student housing is not the same as a different apartment complex.

Moore said since they submitted the original traffic data, they have included shared vehicles on the site; the goal is to have fewer people dependent on the individual ownership of cars; they have also added one of the shared bike stations. He said they are doing everything they can to minimize the need for vehicle trips, but there aren't a lot of models to reflect those measures, so it is difficult to say definitively what the traffic impact will be. He said the gated parking area in the back was to ensure that those spots would be available to tenants versus the general public.

Betzoldt responded to the comments from the city's traffic engineers submitted prior to the meeting, saying there is nothing show-stopping on the traffic comments: several have already been addressed, and others relate to items such as multi-modal transit that will make traffic even less.

Mills asked where the sidewalk ends on the north end of the alleyway and questions how much use the walkway will get from pedestrians; she thinks residents may be more apt to use Main Street itself, but those further south might find it convenient to use the path. She asked how pedestrians will get around the gate, and whether there will be room for bicycles.

Betzoldt said yes, the path will go around the gate for pedestrians and it will be wide enough for a bicycle.

Milshsteyn said he was confused about the easement. He said if he leaves the building and he's walking, it's easy access for him to walk into the pathway. There are cars parked on the right-hand side when he's walking north. If a car needs to pull out or pull in, it is in his way as he is

walking through. He gets to the very north of that easement and he is in the gas station, battling all the vehicles pulling in and out onto Madison. He asked whether, were he in his car, would he enter from the south with his keycard and exit to the north.

Moore, architect of the petitioner said yes, but you won't be battling cars. He said yes, you would enter in the south, as it is one way in the alley, and exit in the north; there will either be a keycard or a sensor to lift the gate up to exit to the north.

Milshiteyn said it sounds like the population of the building will be young professionals or non-students.

Moore said we have produced the most diversity of any place in town. He said we have townhouses, some of which are facing the courtyard or Main Street with raised porches, micro studios, and one to five bedroom units. He stated that they don't want to market the property exclusively to students because they feel it will be desirable to other types of people who want to be able to live downtown but pay less money; the micro studios will be about 350 to 370 square feet. He said the two bedroom units would be suitable for families or young professionals. Thus, they expect a diversity of tenants within the development.

Milshiteyn asked where the car sharing service will be located.

Moore said currently they have those located within the interior garage, but are talking with the Downtown Development Authority about locating them in spaces along Mosley—that hasn't been resolved yet. He said they would like to have them available to their tenants specifically to minimize the amount of vehicle trips coming out of the development but they aren't excluding the idea of having them in the public right of way if the DDA approves it.

Milshiteyn asked if he subscribes to the service but doesn't live on the property he would not have access to the vehicles.

Moore said it depends on the service; there are three operating in Ann Arbor currently: Maiden, Zipcar, and Enterprise. If it were Enterprise those would exclusively be available to those in the building, while Maiden and Zipcar would be available to the wider subscriber network.

Milshiteyn asked where the bike sharing will be located.

Moore said close to the gas station, on the north side of the site, the closer side to downtown.

Milshiteyn asked when the traffic study was performed and whether it took into account the Madison on Main, the new development that passed through planning commission, which will be depositing drivers onto Main Street as well.

Betzoldt said within the last two months; it was revised March 1. He said he doesn't know whether that development was taken into account, but doesn't think the impact will be terribly significant because the footprint is not large.

Milshiteyn stated that generally the worst case scenario wait time of 4 to 6 minutes to turn is a huge concern for him. He said he is also concerned that the development will be attracting college students and directly across from the building is a 7-Eleven, with no crosswalk. He is worried about the safety of residents as he believes most will not walk to a signalized intersection to cross.

Peters said he is concerned about the effect of football games creating pedestrian traffic along the backside of the development and would be interested to hear how the petitioner might plan to manage this.

Clein asked staff to clarify the definition given of open space, which any space where there was not building. However, he said, the courtyard has a parking structure beneath it, and wondered if this complicated the classification of the courtyard as open space. He said if the courtyard were not actually open space, then it would not be considered a public benefit, and thus would call into question the merit of making this development a planned project and worthy of a height increase. He said he is more inclined to think of the space along the railroad tracks as open space, as much as people who are not residents can traverse it and there is some landscaping there. He said he is also concerned about the claim of being 15 percent more energy efficient in this building. He stated that in a building like this it is actually very difficult to get that kind of performance demonstrated because the systems are distributed across all the units, except for maybe the systems in the garage or other common spaces; energy efficiency is also dependent upon the behavior of the tenants. He would be more apt to believe that estimate if there were a central mechanical system or if it were designed to be solar heated or passive cooled. He said he is not sure the preservation of the old buggy shop is preservation in the true sense; there is a four-story addition sitting

right on top of it—a preservation architect would say not in a respectful manner. As there is parking underneath the entire footprint of the building, this means they are likely only preserving the façade of the buggy shop and gutting the interior; so they aren't really saving the building. As such, he said he would exercise caution in saying the developer is meeting the preservation standard until it is known exactly how the construction process will go and what will be preserved. He stated that he is also curious about why there is a green roof for that portion of the building as it seems like a strange spot for it. He also asked staff about the storm water management system for the building.

Kahan said there are two underground storage tanks below grade that use pumps.

Betzoldt stated that there is an emergency gravity overflow system in place as well. He clarified that the pumps are not exactly below grade, but are located in the underground parking of the building, about three feet below grade.

Moore said the bottom of the tank is below the storm sewer, but the top isn't, so in a major storm event, gravity would cause the water to flow into the storm sewer. He stated that the emergency pipe is about 8 inches; it has been approved by the Washtenaw County Water Resources Commissioner. Currently, he said, all of the storm water sheets off the site.

Clein said he admits that there are benefits to stormwater and other things that this project is providing, but feels it necessary to voice the concerns that he does have. He asked whether the Fire Marshall had given any comments about access to the site.

Kahan said the Fire Marshall has signed off on the plan.

Betzoldt said they met with the Fire Marshall early on and that some of her suggestions drove their design.

Clein asked about access for fire fighters on the other two sides of the building.

Betzoldt said they met with the Marshall and they needed a minimum of 20 feet in the alley to access; it uses a public access easement that is over the Allen Creek Greenway drain.

Clein said the building is fairly massive and along with the building across from it may create sort of a funnel point entering Main Street visually. He stated that he is still looking for a compelling public benefit to allow the building to go up an extra 15 feet. He added that it looks like the courtyard will be dark for much of the year, it looks like it could use more light.

Gibbs-Randall asked whether they will be planting trees in the pathway, as they are treating it like a parking lot and there are requirements for landscaping in parking lots; if this is to have many pedestrians and bikes going through, it would make sense to make it a pleasant place to be. She also asked about the vehicular flow through the pathway and its interaction with the gas station; she would like to see a visual showing where the pumps and the curb cuts are.

Moore said there is currently an exit from the South Main Market property in the exact same configuration as the proposed pathway.

Woods said this building could account for many more cars exiting than the existing retail. She asked the petitioner to give an overview of the type of retail that would be included in this site and whether any of the existing businesses will have space in the new development.

Brant Stiles, Collegiate Development Group, associate of the petitioner, said there are about five current retail tenants and they have worked to relocate a good number of them; one in particular they are working with to move back into the development. He said it is important to them to maintain the existing neighborhood retail feel. Currently, he said, there is about 6,000 square feet of retail space and we are proposing about 6,200 square feet of retail space in the new development.

Woods asked about which floors will be occupied by the retail tenants and how many entrances there will be.

Stiles responded that the retail will primarily be on the first floor and depending on which bay they take, there will be one entrance on South Main and two entrances on Mosley. She said one of the audience members during the public hearing commented that there was a discrepancy in the floodplain map; she would like to get this cleared up.

Betzoldt said the floodplain maps that the city uses come from the county and those are generated by FEMA's Flood Insurance Rate Maps (FIRM). He said the map they have used show the floodway in blue and the

floodplain in green; the floodway is where 85 percent of the 100 year flow travels, the floodplain can include eddies and low-lying areas that just fill in. In this map, he said, there is no floodway on the property, just the fringes of the floodplain. He explained that FIRM maps are made by a hydraulic engineer that determines what the elevations of the waters are and they plot onto topographic maps; in the city of Ann Arbor the flood level can vary by as much as a foot. To get a more accurate measure of where the floodplain is, he said, one should go into the field with a surveyor, check into a FEMA certified benchmark, and do a topographic analysis of the property; this gets an estimate within a hundredth of a foot. He said, when we do this field assessment, we find that the floodplain changes, growing and shrinking. In this particular assessment, we found that the floodplain contracted closer to the railroad tracks, east of our site, when compared to the map the city had on file. Thus, he said, the map in front of the Commission is less accurate than our assessment. The city's map has been amended, submitted and approved by FEMA. He said he uploaded this updated map to eTRAKit.

Woods asked whether this updated map was going to be in their packet for the next discussion of the project.

Kahan said yes.

Gibbs-Randall said she appreciates the finely-tuned knowledge of topography that the petitioner has, but with regards to comment made by Caruso, the issue may not be the location of the floodplain versus the floodway but instead the problem of climate change and the increase in flooding that this area could see in the future. For example, she said, she has been watching the construction of the project across the street and there was an incident this summer where the entire intersection of Madison and Main was underwater and crept up Madison, partway up the block. She said we know things are shifting and changing, and knowing fine-grained topography is great, but these assumptions are not based on climate change volume projections.

Betzoldt responded that yes, the estimates are made using FEMA's latest assessment of the area in 2013 so they may not be the most up-to-date. He said however, that much of what we see on the surface is due to 60 year old infrastructure that is not working as it used to be; it is not necessarily more water but less ability to transport it.

Moved by Peters, seconded by Briere to postpone taking action. On a voice vote, the Chair declared the motion carried. Item Postponed.

Vote: 8 0

- Yeas:** 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, Sarah Mills, Alex Milshteyn, and Shannan Gibb-Randall
- Nays:** 0
- Absent:** 1 - Bonnie Bona