



City of Ann Arbor
Formal Minutes - Final
City Planning Commission

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

Tuesday, May 21, 2013

7:00 PM

City Hall, 301 E. Huron Street, 2nd Flr.

- 9-d 13-0613** 401-403 North Fourth Rezoning and Site Plan for City Council Approval - A proposal to rezone this 0.18 acre site from PUD (Planned Unit Development) to D2 (Downtown Interface) /Kerrytown Character and construct a three-story, two-unit residential building with 24 parking spaces, 4 of which will be in garages under the building. A modification from the parking lot interior landscaping requirement is being requested. Ward 1. Staff Recommendation: Approval

DiLeo presented the staff report.

PUBLIC HEARING:

Thomas Fitzsimmons, Huron Development & Associates, LLC, 423 West Liberty Street, Ann Arbor, petitioner, introduced his team. He said he is excited to move forward, noting the challenging site due to the parking easement. He said they spent a lot of time trying to figure out how to fit a quality residential project within the site, given the constraints and D2 zoning. He said he personally met with neighbors and businesses, and the feedback they have received has been universally positive. He said there were comments received from the Design Review Board, which he said they have been able to address all three issues, which dealt with materials, sight line issues and how the buildings interacted with the alley, and the driveway onto Fourth Avenue. He said they have been able to improve the massing of the building, which has made the project a better project. He hoped that the City Planning Commission liked the project and could approve it.

Noting no further speakers, the Chair declared the public hearing closed.

Moved by Mahler, seconded by Derezhinski, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 414 Main and 401 N. Fourth Avenue Rezoning to D2 Downtown Interface base district and Secondary Street building frontage designation;

and

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Chapter 62 Landscape

Modification Petition associated with the 414 Main and 401 N. Fourth Avenue Site Plans to allow interior landscape islands outside of the perimeter of the vehicular use area;

and

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 414 Main and 401 N. Fourth Avenue Site Plans and Development Agreement.

COMMISSION DISCUSSION:

Derezinski said it is great to see this development being proposed for this site. He noted that the Planning Commission recently co-sponsored a symposium on the affects of aging which shows that this project fits the need of the empty nester demographic, which is growing. He asked if the parking easement is permanent.

Fitzsimmons said yes, it runs with the land and can never be removed.

Derezinski thanked Fitzsimmons and his team for their effort and their work.

Mahler asked the location of the nearest bus stop to the proposed project. He said he felt it was an overall great project and he would be giving it his support.

DiLeo pointed out the location, noting it to be at Fourth Avenue and Catherine.

Adenekan said she too would be giving the great project her support, pointing out that her only concern is for the parking on the site on market days.

Fitzsimmons said that McKinley will still be using the parking, and historically they have allowed Huron High School to use the parking on market days, and he did not know if McKinley will continue to do that or not. He pointed out one of the benefits to the community is the public walkway they will be installing from Main Street to Fourth Avenue.

Briere said one of the concerns she has heard is whether the alley will be kept open during construction, since the alley provides access to the parking on Braun Court.

Fitzsimmons said they haven't started construction planning, and he was not sure they even had the ability to close off a public alley. He

explained that given the tight site, they plan to use stick frame construction, and be able to contain the construction to the site without having to block areas surrounding the site.

Clein complimented Fitzsimmons on the scale of the project and its connection to Farmer's Market, noting the alignment with market stalls. He said he is supportive of the landscape buffer and felt that it is more positive than having it scattered throughout the parking lot. He said the one sticking point is the garages on Fourth Avenue, and the driveway angle was concerning for safety reasons, since it will be hard to keep an eye on people when having to back out. He asked how they planned on managing the recycling and waste.

Chet Hill, landscape architect for the petitioner, explained that on the Fourth Avenue building the residents will wheel their trash containers out of their garages, and on the Main Street site there will be a dumpster located on the northeast corner that will be accessed off the alley.

Clein asked regarding the turning radius on the ramp down to the garage.

Hill said dimensions are configured similar to a parking lot, so there is adequate room.

Clein asked about the market rate and price of the units.

Fitzsimmons said they have units ranging from 1400 to 2400 square feet, and will be mid- to mid-high in price. He said they tried to design mostly single floor living, since that seems to be the market demand, and they are getting a lot of calls on them, so they are very excited.

Bona asked about the secondary street frontage request and the landscape modification.

Rampson said the current front yard frontage requirement is 15 feet, so the request is to go to a secondary street frontage with a setback of 0 to 10 feet.

Bona asked if there was a rear yard setback requirement.

DiLeo said no.

DiLeo showed the requested landscape modification to be a 4 foot continuous strip that would also serve some storm water functions, with bio swales and planting area. She said the petitioner is not asking for a reduction in the number of trees or square footage they are providing,

rather the shape of the landscaping.

Bona said given that pedestrians will be walking along the trees, it will probably be more beneficial than having the trees in the parking lot. She said that it is really good to have something developed on this site, pointing out that the surface parking lot is unfortunate. Bona asked if the developer could explain why the Commission should give them a modification on the street frontage and compromise on a zoning that was recently written.

Fitzsimmons said due to the turning radius required in the courtyard in between the buildings and given the neighboring buildings are set closer to the street.

Bona said they just rezoned the parcel to be 15 feet, and compromising to allow a vehicular turning radius was not a high enough priority given the work that went into the zoning discussions for this parcel.

Hill said as a secondary street, the setbacks would be allowed, and while the surface parking situation is unfortunate, there is no other way to accommodate the parking in any other fashion than what is proposed. Hill added that the proposed landscape adds to the desirability of the project that they are asking to be done, noting that they are exceeding quite substantially the landscape requirements.

Bona asked about the comparison chart and the proposed project.

Rampson said there was an error in the chart, that it should show a minimum of 15 feet required for the front yard. She pointed out the current setbacks on the aerial photo, and said the intent was not to alter the existing conditions substantially. She said currently the parking lot goes almost all the way up to the sidewalk on Fourth Avenue as well as on Main Street, pointing out that the front yard designation might have been a bit too optimistic. She said if you look at the old Greek Orthodox Church that is now gone, it was setback a bit and had a more residential character. She said the two residential buildings are less than 15 feet setback, probably within the 7-10 foot setback range, and given the established street frontage, she is not sure why they decided on the 15 foot setback, unless it was intended to mirror the west side of the street. She said if you were to push these buildings further back on Main Street, you would still have the McKinley Building at 0 feet and the corner houses that are at the 7-10 foot setback. She said it would not necessarily provide for that hope for continuity in the frontage and that is why staff felt it was appropriate to change to the secondary frontage to be consistent with those building frontages.

Bona said it is harder to accept compromises when she has a 55 car parking lot sitting next to her, and she is giving up front yard for more asphalt; she is just not as happy and it is harder to support.

Woods said she hopes that the buildings will look the way the elevations show them, because they will really enhance that part of Main Street. She said it is obvious that they have put a lot of thought into the project and thanked the developer for not asking for D1. She said the developer was taking into consideration what was happening in Kerrytown and at the Market and the surrounding neighborhoods, and thought it was a great project.

Adenekan echoed Woods.

Westphal asked about the proposed public walkway and the legal arrangement.

DiLeo said the walkway will not be dedicated right of way, but there will be some sort of easement that allows public use, with the ownership and maintenance done by the condominium association, similar to Ashley Mews.

Westphal asked if this would ensure proper maintenance.

DiLeo said yes.

Westphal asked if this helps perpetuate the use of this lot as parking lot.

DiLeo said it would stay unless the holder of easement would vacate.

Hill said storm water detention for the proposed buildings is under the parking that must be retained as apart of the new project.

DiLeo said this parking area is part of the total lot area, which contributes towards the Floor Area Ratio.

Westphal asked if this could make it more difficult to develop in the future.

DiLeo said she didn't believe it would, since whomever owns the site has to reserve 57 spaces for the adjacent property owner to use.

Briere explained that a few years ago, the City and the Washtenaw County Treasurer reviewed this parcel and came to realize that the parking lot easement created hardships for development and she was glad to see that they had found a compromise that would allow for this

proposed development on this site.

Rampson clarified that given the existing floor area ratio, the parking lot could still be developed if a future arrangement was worked out with the property owners.

Westphal asked if there was any other possibility of entry than having the garage doors facing Fourth Avenue.

Fitzsimmons said from a design standpoint, they feel that they need to provide two parking spaces for each unit, while allowing adequate landscaping, and the neighbors felt it was a good idea.

Clein asked for clarification on the parking.

Fitzsimmons explained the design, noting it will allow the tenants more flexibility.

Westphal said the walkway was a huge benefit and he concurred with the Design Review Board regarding the materials.

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

Yeas: 9 - Bonnie Bona, Eric A. Mahler, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Tony Derezinski, and Sabra Briere

Nays: 0

9-e 13-0614 414 North Main Rezoning and Site Plan for City Council Approval - A proposal to rezone this 0.57 site from PUD to D2 (Downtown Interface)/Kerrytown Character and from "Front Yard" frontage to "Secondary" frontage and construct a four-story, 16 unit residential building with 56 parking spaces, 19 of which will be in a basement garage. An interior landscaping modification from the parking lot requirement is being requested. Ward 1. Staff Recommendation: Approval

See action on 401-401 North Fourth Rezoning and Site Plan (Item 13-0613)