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Land Development • Land Surveying • Municipal • Wireless Communications • Institutional • Transportation • Landfill Services

March 22, 2017

City of Ann Arbor Planning and Development Services Unit
100 N. Fifth Avenue
Ann Arbor, MI 48107

Attn: Ms. Alexis DiLeo

Re: 1140 Broadway
Site Plan
Midwestern File No.: 16196A

Dear Ms. DiLeo:

Midwestern Consulting has previously submitted site plans for review for the 1140 Broadway Project, and has received comments from various City and County departments. We have also had the opportunity to meet City Staff to review comments at the regularly scheduled ADC meeting of March 10, 2017. We have revised the plans to incorporate the requested changes or provided summary, and offer the following as a response to the comments and description of changes.

Public Services Area – Engineering Review – Ms. Nichole Woodward – March 10, 2017

1. Sheet 03 – Boundary Survey:
 - a. A legal description representing the combined parcels shall be provided and a new legal description shall be provided.
A combined legal description is provided on Sheet 3 – Boundary Survey.
 - b. Include the benchmark descriptions on this sheet.
Benchmark descriptions have been added to the Boundary Survey.
 - c. The public street rights-of-way shall be labeled with the street names and widths.
The street names and right-of-way widths have been added to the Boundary Survey.
2. Sheet 04 – Topographic Survey: Clearly show and label the existing sanitary sewer easements along the northeast property line of the parcel.
A separate easement plan has been included within the plans to clearly define the existing easements on the property
3. Sheet 05 – Site Demolition Plan:
 - a. Legal descriptions of public utility easements labeled on this sheet to be vacated shall be submitted for review and approved prior to approval of construction plans.
Noted. Legal descriptions will be provided for review prior to/during construction plan submittal.

- b. Legal descriptions for easements labeled on this sheet to be modified shall be submitted for review and approved prior to approval of construction plans.

Noted. Legal descriptions will be provided for review prior to/during construction plan submittal.

4. Sheet 06 - Site Layout Plan:

- a. A "Project Staging Plan" is shown. Clarify if this project will be phased.

The construction of the buildings will be sequenced over a period of time. Construction sequence is shown in the included construction schedule. It is not the intent of this is a phase two project requiring separate site plan submissions.

- b. If a temporary earth retention system, which may include tie-backs, H-piles, lagging, etc., will be placed within the public right-of-way for construction purposes, a temporary license agreement will be needed. If the building's footings are proposed to be located within the right-of-way, the horizontal and vertical locations shall be clearly identified on the plans and a permanent licensing agreement may be required.

A note has been added to the plans indicating that there is no temporary Earth retaining systems proposed.

- c. Relocate bike racks/hoops onto private property and out of the public right-of-way. Four hoops are shown proposed at the southwest end of Broadway Street.

The proposed bike hoop location is within the Broadway Street right-of-way to provide service for both the retail and activities that may be held in the Broadway street plaza. The exact location has been revised due to conflict with an existing fire hydrant.

- d. Sidewalks constructed in the public right-of-way shall meet all requirements and guidelines as set forth in the ADA Standards for Accessible Design. Detailed construction plans for new sidewalk, including both longitudinal and transverse grades, and specifically information concerning ramps, must be submitted to Project Management for review and approval at the construction plan stage.

Please note that many of the details concerning grades will need to be worked out during the site plan stage in order to gain grading plan approval.

Noted.

- e. Additional right-of-way along Maiden Lane at Broadway Street is requested to accommodate sidewalks, signage, etc.

143.3 square feet of land will be dedicated to the Maiden Lane right-of-way where the sidewalk adjacent to the road is currently within the parcel.

135.04 square feet of land will be dedicated to Broadway Street right-of-way for sidewalk that is currently within the parcel.

- f. Label and dimension proposed easements.

Labels and dimensions for proposed easements have been added to the Site Layout Plan.

- g. All drive approaches shall be fully dimensioned, including driveway opening width (as measured at the right-of-way and from face-of-curb) and curb cut width. Note that drive approaches shall be constructed with a Type M opening and sidewalks shall continue through the approach.

Dimensions of driveway curb cuts have been shown on the plans. It is noted that type M openings are to be constructed.

- h. As the project proposes the reconstruction of an existing street, it is noted that public street shall be designed in accordance with the City's Green Streets Policy.

Plans have been revised to more clearly reflect the intent of the project as to the resurfacing is proposed rather than reconstruction of Broadway. Some areas of existing impervious areas are proposed to be removed to provide for a meet decrease in impervious area.

- i. Proposed changes within Broadway Street are under review by the Traffic Engineer. Once an agreed upon layout is confirmed, along with any necessary traffic mitigation measures along this and/or other streets, further comments will be provided.

Noted

- j. Clarify the purposed of the proposed wall at the south end of Broadway Street.

It is a landscape architecture component of the public space being created on Broadway Street at Maiden Lane. The wall with its "Welcome to Lowertown" signage, along with the benches and landscape provide an entry gateway to Lowertown as well as a visual terminus to Broadway

- k. Clarify the purposed of the "cul-de-sac" at the end of Broadway Street.

Dual purpose: (1) vehicular turn-around and driveway access, and (2) Landscape architecture component of the public space being created on Broadway Street at Maiden Lane. It provides a visual terminus to southbound Broadway as well as a logical traffic circulation, and works in tandem with item J above.

- l. The proposed streetlights along Broadway Street are under review.

Noted

5. Sheet 09 – Site Utility Plan:

- a. Clearly show, label and dimension existing and proposed easements. Note that water main easements are forty feet in width, including twenty feet around all sides of a fire hydrant. This does not appear to be met for the hydrant off of Maiden Lane. Sanitary and storm easement widths are twice the depth plus ten feet, with the utility main offset five feet from the center.

The fire hydrant easements have been revised to clearly show the adequate width. No storm or sanitary easements are proposed.

- b. Sanitary Leads:

- i. City Code requires the sanitary sewer lead to be one size smaller than the main to which it connects. The proposed lead in Broadway Street to Building A may have a maximum size of 6". This proposed sanitary connection may only be made at the existing manhole with the approval of Public Works, and if the existing sanitary manhole is in good condition.

The location of the sanitary leads have been revised.

- ii. The proposed 10" sanitary lead to the 30" sanitary sewer for Building A proposes a drop connection. Note that this proposed sanitary connection may only be made at the existing manhole with the approval of Public Works, and if the existing sanitary manhole is in good condition. Additionally, all drop connection must be exterior.

Noted

- iii. Note the proposed method of connection for the sanitary lead serving Building B.

The proposed sanitary lead connection will be made with a tap of the existing main unless otherwise noted.

- iv. City Code requires the sanitary sewer lead to be one size smaller than the main to which it connects. The proposed lead in Broadway Street to Building C may have a maximum size of 6". Additionally, this service lead connection shall be made via a new manhole or cut in wye fitting. Clarify the proposed method of connection on the plans.

The sanitary lead is now proposed to connect in Maiden Lane through a wye connection.

- v. Building C appears to show an additional sanitary lead connection to the sanitary sewer in Maiden Lane. If this lead is shown in error, remove it. If a lead is intended to connect to the sanitary sewer in Maiden Lane, label it with size and proposed method of connection.

It is proposed that the building will have two sanitary leads. All connections will be through a wye connection unless otherwise noted.

- c. Proposed sanitary sewer flow mitigation calculations shall be revised to include the proposed swimming pool.

The sanitary sewer mitigation calculations have been updated to include the pool.

- d. Remove the Footing Drain Disconnect Summary from the Sanitary Sewer Mitigation calculations. Mitigation requirements are referenced in terms of gallons per minute.

Footing drain calculations have been removed from the sanitary sewer mitigation calculations.

- e. It appears there is a proposed private storm main east of Building A. This proposed storm main shall be placed a minimum width from the sanitary sewer main such that it will not be undermined in the event excavation of the sanitary sewer is required.

The private storm sewer has been relocated.

- f. City records do not show a storm pipe south of r-26. Label this pipe with size and type.

The presence of the pipe has been confirmed and labeled on the plan set.

- g. Clarify the location of the 3" g dead in Maiden Lane, as it appears to be shown along the same line as the 6" water main.

The location of the gas and water main has been clarified.

- h. It appears that the 12" water main along Broadway Street is labeled as "4" g dead".

The 12" water main in Broadway has been labeled appropriately.

- i. The water leads for Building A shall connect to the 12" water main in Broadway Street.

The connection has been revised.

- j. Valves will be required on the long hydrant lead off of Maiden Lane and to the east of that tee for hydrant separation.

Valves have been added as requested to the plan set.

- k. Dimension and label the proposed water main easement for the water main located near the northwest corner of the site.

The water main easement has been labeled and width indicated.

- l. Label the use of each water service lead as DOMESTIC or FIRE.

The water leads have been labeled

m. Show and label Fire Department Connection locations on each building.

The Fire Department Connections have been labeled.

n. A supporting fire hydrant shall be located within 100' of a Fire Department Connection. The fire service tap and the supporting fire hydrant tap shall be separated by a main line valve.

The FDC's have been located within 100 feet of a fire hydrant and with valving to provide separation from the fire service tap.

o. Indicate with a note on the plans if booster pumps will be used for the buildings water service leads.

A note has been added.

6. Sheet 15 – Site Details: The asphalt mixes identified within the 3.5" Asphalt Pavement detail is not acceptable for use within the public right-of-ways. Clarify that this will be used on the private property.

Clarification has been provided indicating the use

7. Sheet 16: Photometric Plan: Include Maiden Lane on this plan.

The photometric plan has been revised.

8. Sheet LA-01 – Landscape Plan: Fire hydrants shall be located a minimum of 15' from permanent structures and other objects such as trees. It is noted that three proposed fire hydrant locations are less than 15' from proposed tree locations.

The Landscape Plan has been revised.

Urban Forest and Natural Resource Planning Coordinator – Ms. Kerry Gray – March 9, 2017

Natural Features

1. Sheet 02. Landmark Trees. Based on the tree list, it appears that landmark trees #663 and #665 are located on the site, however, after reviewing the plans these trees are off-site. Revise tree list to include a note that these trees are off-site.

The tree list has been revised to identify trees which are located off-site.

2. Landmark Trees.

a. On every sheet the landmark trees are light gray and hard to identify on the plans. Revise plans to darken the weight lines of the landmark trees proposed to be preserved.

The line weight for the critical root zone of landmark trees has been revised.

b. The plan proposes disturbance in the critical root zone of landmark tree #674. Disturbance to the critical root zone of a landmark tree is considered a disturbance to a natural feature and must be noted on the natural features impact statement.

Impacts to the critical root zone of the landmark tree have been added to the Natural Features Impact Statement on the Natural Features Overlay Plan.

c. Sheet LA-01. Landmark trees and proposed landscaping. New trees are not permitted to be planted in the critical root zone of any preserved landmark trees. Relocate proposed trees to outside the critical root zone of preserved landmark trees.

The Landscape plan has been revised to avoid planting new trees within the critical root zone of the landmark tree.

3. Traver Creek.
 - a. Please show the boundary of Traver Creek. The plan shows the wetland boundary but not the actual boundary of Traver Creek; if the boundaries intersect show both boundaries.
A wetland delineation was performed on December 6, 2016. The limits of the watercourse/wetland (Traver Creek) were delineated and no wetland was identified outside the limits of the watercourse. The plans have been revised to reflect the watercourse/wetland limits.
 - b. Per the Chapter 57 companion Land Development Regulations, the following information must be provided about Traver Creek, "...depth, normal water levels, shore gradients, type of bank retention and shore vegetation."
See the attached Wetland Delineation Report by ASTI Environmental dated December 7, 2016.
4. Wetlands.
 - a. Per the Land Development Regulations, Section 1:4(19)(g) please identify the boundary and character of all wetlands in accordance with Chapter 6o.
 - i. The boundaries of the wetland must be delineated and flagged on the site, has this occurred?
A wetland delineation was performed on December 6, 2016. The limits of the watercourse/wetland (Traver Creek) were delineated and no wetland was identified outside the limits of the watercourse. The plans have been revised to reflect the watercourse/wetland limits.
5. Natural Features Open Space. The Natural Features Open Space is listed as "25' Wetland Buffer" on the plans—revise label to read "25' Natural Features Open Space." (Note: The 25' Natural Features Open Space is required around wetlands and watercourses).
The label has been revised on all the plans.

Landscape

1. Sheet LA-01. Natural Features and Landscaping.
 - a. On the landscape plan clearly show all preserved natural features and the location of the Natural Features Open Space buffer.
The Natural Features Open Space buffer and Natural Features have been better defined on the Landscape Plan.
 - b. Add a note to the landscape plan that no wheeled power equipment or vehicles are permitted in the 25' natural features open space. All landscaping must be done by hand.
Note 1 has been added to the Landscape Plan.
2. Sheet LA-01. Vehicular Use Area
 - a. Tree Species. The landscape plan proposes planting *Platanus x acerifolia* (London Planetree) and *Aesculus octandra* (Yellow Buckeye) in the vehicular use area. These species are not suitable for planting in a parking lot; both trees have large fruit which can become a nuisance in these areas. Select different species of shade trees that are more suitable for a vehicular use area.
The species in the Vehicle Use Area have been revised.
 - b. Square Footage. Label the square footage of all the interior landscape islands.
The area of the interior landscape islands have been labeled.

3. Sheet LA-01. Utilities and Trees. The landscape plan shows stormwater inlets, utility service leads, fire hydrants, and stormwater and sanitary lines under landscaped areas, including interior landscape islands and the conflicting land use buffer; this is not permitted. Areas where staff noted landscape-utility conflicts are shown in the landscape plan at the end of this memo (note: these may not be all of the locations where conflicts exist).

A 5-foot clear/15' tree zone has been shown at the areas of conflict noted and trees have been relocated to avoid these conflicts. The utility has been removed from the conflicting land use buffer.

- a. Per Chapter 62, 5:606 (15), a 5-foot clear space must be maintained around the circumference of fire hydrants, and any access points to utility systems (i.e. water shut-off valve box, sanitary/storm sewer manhole). The mature size of the plant material must be taken into consideration to ensure that it does not encroach within this 5-foot clear space at maturity.

A 5-foot clear/15' tree zone has been shown at the areas of conflict noted and trees have been relocated to avoid these conflicts.

- b. The storm and sanitary lines/service leads should not be located under proposed tree. Trees that are growing above these lines may be damaged or removed when future maintenance is needed.

Noted and revised.

4. Sheet LA-01. Overhead Utilities and Trees. Ensure that trees planted along the conflicting land use buffer where overhead utility lines are present will not interfere in the future with these lines. DTE maintains at least 10 feet of clearance between vegetation and the utility lines and if DTE prunes these trees to maintain utility line clearance they will not be meeting the intent of the trees in the conflicting land use buffer.

Noted and species revisions were made.

5. Sheet LA-01. Conflicting Land Use Buffer. In the southeast portion of the 15-foot conflicting land use buffer there is vehicular use area is shown this is not permitted. Revise plans.

The trash-pick up location has been revised and is now located outside the Conflicting Land Use buffer.

6. Sheet LA-01. Tree Planting Detail. Tree planting detail does not meet City standards. The City of Ann Arbor Tree Planting detail has been provided as reference (separate file).

The tree planting detail has been replaced with the City of Ann Arbor Tree Planting detail.

7. Sheet LA-01. Species. "2-CA" is shown adjacent to Building B along Maiden Lane, however, this species is not shown in the planting chart. Please add to chart.

The label for these two trees has been revised.

8. Landscape Plan. Per Chapter 62, 5:607 the following information must be included on the landscape plan – referred sections are in ():

- a. (3) Plant list including caliper size, root type, height, botanical and common name, type and amount of mulch, ground cover and grasses.

The plant list provides caliper size, root type, botanical and common name, and height as applicable. See Note 6 for information on mulch requirements.

- b. (4) Specifications for treatment of compacted soil on the entire site

See Note 4 and 5 on the Landscape Plan.

- c. (5) Specifications of planting media

See note 5 on the Landscape Plan.

- d. (10) Include irrigation plan, if using on the site.

No irrigation is proposed.

- e. (12) Identification of landscape maintenance program including a statement that all diseased, damaged or dead material be replaced in accordance with Chapter 62 by the end of the following planting season, as a continuing obligation for the duration of the site plan. (13) Indicate snow storage areas and include note on plan that snow shall not be pushed on to interior landscape islands unless designed for snow storage.

See note 2 on the Landscape Plan.

- f. (13) Indicate snow storage areas and include note on plan that snow shall not be pushed on to interior landscape islands unless designed for snow storage.

Snow storage areas are labeled on the plan. See note 3 on the Landscape Plan.

9. The City of Ann Arbor has adopted an ordinance limiting phosphorus in fertilizer. To assist in compliance with the State mandated TMDL for phosphorus within the Middle Huron River basin; please include an additional note stating that applications of fertilizer beyond the initial topsoil and seeding shall be a fertilizer with no phosphorus.

A note has been added to the landscape plan.

Parks and Recreation Comments – Ms. Amy Kuras – March 9, 2017

The formula for parks contribution is the number of units x the acreage desired to keep pace with existing parkland density x the average cost for parkland/acre or $607 \text{ units} \times .0125 \times \$50,000 = \$379,375.00$

This is a large dollar amount, however, there is no space allocated on the existing site plan to incorporate open space, so the desire would be to improve surrounding parks that the incoming residents would utilize. There are a number parks in this area that would benefit from significant improvements, such as Riverside Park, the Farmers Market (which is the closest opportunity to purchase fresh, local produce and goods), Argo Canoe Livery, Broadway Dog Park, etc. that would improve recreational opportunities for the residents. If you have any ideas for incorporating recreational amenities on site, we would like to see your proposals.

Discussions are taking place with the Parks Department regarding the possibility of creating a public access easement over the Traver Creek wetland buffer. In addition, the plan proposes to improve and revitalize the streetscape of Broadway Street at Maiden Lane from one of dead-end parking to an area that can be utilized for public gathering and events.

Land Development Coordinator, Systems Planning Unit – Mr. Peter Stephens – March 7, 2017

SOIL EROSION AND SEDIMENTATION CONTROL

1. Provide a note stating that both internal and external streets will be cleaned of any tracked mud immediately following each mud-tracking occurrence.

A note has been added to the plan set.

2. Revise the grading limits to include the soil disturbance proposed within Broadway Street.

The grading limits include the work within Broadway Street.

3. Provide erosion control cost estimates on the site plan.

A cost estimate has been added to the plan set.

4. Provide costs to stabilize the site if construction should cease.

The cost to stabilize the site has been added to the plan set.

5. Provide an estimate of the amount of excavation and fill involved on the site plan.

An estimate of the cut and fill has been added to the plan set.

6. Per Chapter 63, Section 5:654(4), detention facilities must be installed prior to the issuance of building permits. This should be reflected in the sequence of construction. If an alternative sequence is desired, provide a plan for temporary stormwater management until the permanent system is online.

The storm water detention system is integral to the Building A foundation system and therefore will require simultaneous construction of both. Notes have been added to the plan set describing this relationship and the construction schedule reflects the sequence of construction.

7. Please consider modifying the proposed construction and soil erosion and sedimentation control sequence to leave as much existing pavement in place as long as possible during construction. This will reduce the potential for soil erosion and be consistent with Chapter 63, Section 5:663(6), which requires earth changes to be designed to limit exposed areas for the shortest possible period of time within the construction sequence. Since there is no existing pavement on the site, staff would like to see the first course of asphalt and curbing installed prior to start of vertical building.

The construction sequence has been adjusted to allow for the pavement to remain as long as possible.

8. This site will exceed 5 acres in disturbance, and therefore will require an NPDES/NOC permit from the State of Michigan. Per the requirements of the NPDES permit, inspections will be performed by a certified MDEQ Storm Water Operator at least once a week and immediately following each precipitation event. The written reports must be maintained onsite. Please note these requirements on the plans.

Noted.

9. Per Chapter 63, Section 5:664(10), permanent soil erosion controls are required to be installed within five (5) days after final grading or final earth change. Include a note to reflect the required 5 day time frame.

A note has been added to the plan set.

10. Confirm that silt fence is proposed for the perimeter of the site.

A note has been added to the plan reflecting the placement of silt fence on the low perimeter of the site.

11. After the site is graded, stabilize all areas that will not immediately be under construction. Provide a note on the plans stating this.

A note has been provided.

12. Include the green roof in the “permanent maintenance tasks and schedule”.

The green roof maintenance has been included.

13. Provide a detail for where the stormwater system will discharge to Traver Creek.

The secondary emergency overflow of the detention system will utilize the existing outlet to Traver Creek. This outlet was

the outlet utilized previously from the developed site. No new construction is proposed at this outlet.

14. The two catch basins, on the northeast corner of the site, are required to be connected to the stormwater management system.

The elevations in this area does not allow for inclusion into the storm water detention system. The purpose of the additional inlet connecting to the existing inlet is to intercept the current discharge of stormwater to the adjacent property to the east. This proposed installation has been reviewed by the Washtenaw County Water Resources Commissioner's office for acceptability.

15. Confirm whether there will be any footing drains on the site, and if so, where the discharge point will be.

Footing drains shall be connected to the stormwater system and a note to this affect has been added to the plan set.

Solid Waste and Recycling Program Coordinator – Ms. Christina Gomes – March 9, 2017

1. Page 02, Site Plan Requirements, (10), "The dumpsters will be rolled to refuse pick-up areas identified on the site plan layout." City staff were unable to locate within the site plan "refuse pickup areas." The Petitioner must place "refuse pickup areas" within the petitioner's property, areas such as parking spaces, sidewalks and right of way will not be approved.

The refuse pick-up areas are identified on the Site Layout Plan

2. Please the attached Solid Waste Details Sheet.

The refuse will be stored inside the buildings and dumpsters will be rolled to the curb for pick-up. The refuse pick-up areas are identified on the Site Layout Plan.

Fire Department – Ms. Reka Farrackand – March 10, 2017

- Site Access: Storage area for construction materials shall not interfere with fire/emergency site access.
A note has been added.

- Hydrant coverage:
 - Hydrants shall be in service during construction.
A note has been added.

- Hydrants providing protection coverage for the buildings shall be in service and approved by both Planning and Fire Department before Fire Department will support permit issuance for new construction phase and before combustible materials are placed on the job site.

A note has been added.

- Building C Turnaround: Fire Code required a 96' diameter cul-de-sac for Broadway Street near building C. Removal of the cul-de-sac will met the maximum 150' dead-end requirement for Broadway Street and will not require a turnaround.
The cul-de-sac is to allow for a plaza area for the neighborhood and also to provide a driveway access to an existing drive.
- No Parking – Fire Lane: Should cul-de-sac remain, signs shall be posted in the Broadway Street turnaround near building C.
No parking signs have been proposed surrounding the cul-de-sac.

- Fire Department Connection (FDC): Label all FDC's on Fire Protection Plan (sheet 14)
FDC's have been labeled.
- Fire Command Center: A fire command center is required for this development.
Fire Command Center locations have been identified on the plan set.
- Knox Box: Shall be mounted on an exterior location of each building for emergency access to the buildings and mechanical rooms.
Knox box locations have been shown on the plan set.

Public Services Area – Traffic – Ms. Cynthia Redinger – March 3, 2017, and March 10, 2017

A formal response to traffic concerns will be submitted under separate cover from the Transportation Consultant, Fleis & Vandenbrink.

Planning Department – Ms. Alexis DiLeo – March 10, 2017

1. Lot Combination – The proposed site includes eight parcels. All eight parcels must be combined into a single parcel prior to issuance of any permits. A simple request form is available from the City Assessor's Office and should be returned to that office when complete.
Noted. A request will be submitted prior to detail engineering review.
2. Master Plan – Chapter Six of the Master Plan: Land Use Element is devoted to Lower Town, which is roughly centered around the intersections of Broadway, Plymouth Road, and Maiden Lane. Chapter Six includes a discussion on the issues facing Lower Town, a vision, specific land use recommendations and design guidelines.
 - a. Land Use Recommendation. The proposed site is within, and is the largest component of, the Village Center of Lower Town. In the land use recommendation/design guidelines for the Village Center, the proposed site is identified as "The Former Kroger Site." Its detailed land use recommendation and the Village Center Design Guidelines begin on page 51. In summary, the detailed recommendation calls for a mixed-use urban village including residential (both apartments and townhomes), offices, retail and public areas. Only residential uses are encouraged abutting Traver Creek. Building heights and massing should start low near the creek and increase to mid-rise or slender high-rises on Maiden Lane. Low is defined as two to four stories, mid-rise is defined as five to eight stories and any slender high-rise should be modeled after the Washington Square Building (200 E. Washington), the First National Building (201 S. Main) or the Glazier Building (100 S. Main). A PUD district is recommended for the future zoning designation. Click [here](#) for a link to the Master Plan: Land Use Element.

The 1140 Broadway plan takes into account the Master Plan, which essentially defines the previous developer's site plan, approved in 2003. The proposed 1140 Broadway use mix is reflective of current market conditions, land planning objectives, and City of Ann Arbor community benefit goals.

- b. Design Recommendations. Design guidelines throughout Lower Town provide recommendations for building height; Traver Creek; transportation analysis; pedestrian and bicycle facilities; parking facilities; design amenities, elements and materials; landscaping, lighting and signage; and underground utilities. In addition, some specific design guidelines are offered for the Village Center area of Lower Town. In summary, buildings should be more slender than massive and more vertical than horizontal. Pedestrian,

bicycle and transit access should be of primary importance. On-site parking should be provided under buildings or in parking structures. Design amenities, elements and materials should identify Lower Town as a special place.

The 1140 Broadway plan takes into account the Design guidelines. Rendered architectural perspectives will be provided under separate cover to supplement the elevations contained in the site plan set. These perspectives are "in-progress" and will be updated prior to the Planning Commission staff report.

- c. Zoning District Consistency. The requested C1A/R with Conditions zoning designation is not a Planned Unit Development district, the recommended zoning for the site. However, the C1A/R district allows the uses recommended by the future land use plan (residential, office and commercial). The C1A/R district also has a floor area ratio (up to 300%) that enables the mass of development envisioned by the recommendation. The C1A/R district is an appropriate traditional zoning designation for the site and is generally in keeping with the Master Plan: Future Land Use element recommendation. Nevertheless, be prepared to respond to why the proposed zoning designation deviates from the Land Use Element recommendation.

We agree that c1A/R is an appropriate traditional zoning designation for the site and are prepared to respond to questions regarding why the zoning designation deviates from the Land Use Element recommendation.

- d. Design Guidelines Consistency. The proposed site plan layout incorporates several of the key design guidelines for throughout Lower Town as well as the Village Center. Building heights transition from lower near the creek to highest along Maiden Lane. However, the plan calls for no more than four stories in height for buildings that front Traver Creek yet Building A's north wings are five stories. Traver Creek itself and its 25-foot natural features open space is protected from development and will be restored as part of the project. Parking is provided under buildings and in a parking structure that is completely wrapped by Building A for the best possible pedestrian experience. Some ground floor retail is proposed, yet not enough to create a village center. Vehicular access from all three surrounding streets is also proposed as recommended. Buildings are located near the sidewalks for good pedestrian access and an appealing streetscape.

Please consider lowering Building A's five-story northern wings to four stories, consistent with the land use recommendation design guidelines, and increasing the height of the southern wings of Building B and C by one or two stories, also recommended in the Master Plan.

The 1140 Broadway plan takes into account the Master Plan, which essentially defines the previous developer's site plan, approved in 2003. The proposed 1140 Broadway building heights and placement are reflective of current market conditions, land planning objectives, and City of Ann Arbor community benefit goals.

3. Zoning Conditions. Please clarify your offer to condition the rezoning to limit building height "to XX feet" as noted on your letter to Brett Lenart dated February 27, 2016. If it is your intention to establish a maximum height limit that would allow the proposed site plan and a modest amount of flexibility for architectural features and mechanical units to be added when construction plans are prepared, staff suggests the following language for your consideration to present to Planning Commission and City Council:

The height limit in this C1A/R district shall be a maximum of five stories and 70 feet for all areas within 100 feet from Traver Creek and a maximum of seven stories and 90 feet anywhere else on the site. The maximum height limit shall include architectural features such as parapet walls, railings, sky lights and similar structures, but exclude chimneys, ventilation pipes, and antennas which may project above the 90-foot maximum height.

A letter addressing the conditional zoning is provided separately to this response letter.

4. Site Data, Comparison Chart

- a. The proposed site meets the minimum lot size (none) and minimum lot width (none) required for the requested C1A/R zoning designation.
Noted.

- b. Any lot line that abuts a public right-of-way is a front lot line – the site has more than one front lot line. The rear lot line on this site generally follows Traver Creek and the single side lot line is along the east side of the site. Please correct the labels on the layout plan and revise the comparison chart accordingly.
Labels on the site layout plan have been revised. The Comparison Chart notes each street as a front yard.

- c. The minimum required front setback from any lot line that abuts a public-right-of- way is 10 feet. Building A provides a 15-foot front setback on Broadway. Buildings B and C do not provide the minimum required front setback to Broadway and Maiden Lane, and Maiden Lane, respectively; planned project modifications are requested to allow these reduced front setbacks.
Noted.

- d. As noted in the comparison chart, the side and rear setback requirements equal the side and rear setbacks required by the abutting zoning districts. The site abuts R4A zoning to the north and R4C zoning to the east. However, the required setbacks provided in the chart do not include the additional setback dimensions when buildings are over 50 feet in length and 35 feet in height, per Section 5:62 of the ordinance. Please note the following in the comparison chart and consider adding to your planned project modification request:

Side Setback: Building A length = 288 feet

Additional setback required due to length over 50 ft = $(288 \text{ ft} - 50 \text{ ft}) \times 1.5$
in = 357 in additional

Building A height = 80 feet

Additional setback required due to height over 35 ft = $(80 \text{ ft} - 35 \text{ ft}) \times 3$ in
= 135 in additional

Total additional setback = 357 in + 135 in = 492 in = 41 ft Building A side
setback required = 12 ft + 41 ft = 53 ft

Rear Setback: Building A length = 265 ft

Additional setback required due to length over 50 ft = $(265 \text{ ft} - 50 \text{ ft}) \times 1.5$
in = 322.5 in

Building A height = 80 ft

Additional setback required due to height over 35 ft = $(80 \text{ ft} - 35 \text{ ft}) \times 3$ in
= 135 in

Total additional setback = 322.5 in + 135 in = 457.5 in = 38 ft 1 in Building A rear setback
required = 30 ft + 38 ft 1 in = 68 ft 1 in

The comparison chart has been revised. Please note that Section 5:62 of the ordinance requires additional rear setback for 1.5" for each linear foot of height above 35 feet not the 3" as noted in the calculations above.

- e. The C1A/R district allows up to 300% FAR. The comparison chart indicates the proposed FAR is 284%. If this figure is not based on measurements from the exterior face of exterior walls to the exterior face of exterior walls for all buildings and structures without any exclusions, describe and provide a detail of all excluded floor area.
The Comparison Chart has been revised to note exclusions from the floor area in the calculated FAR.
- f. Include the open space figures provided on sheet o8 in the comparison chart. There is no minimum open space requirement in the C1A/R district. Staff notes that establishing a minimum open space requirement is proposed as a justification for the planned project modifications.
Open Space calculations have been added to the Comparison Chart.
- g. You have correctly noted that one off-street parking space for each dwelling unit and a minimum of one off-street parking space for 310 square feet of retail store are required. It appears that 607 dwellings and 4,400 square feet of retail space are proposed, and would require $(607 + 15 =) 622$ off-street parking spaces. The comparison chart and site plan requirements note #5 on sheet o2 conflict in the number of parking spaces required and proposed. Please correct.
The Comparison Chart and Note #5 n the Site Plan Requirements on Sheet o2 have been revised.

5. Site Layout.

- a. Other than the natural feature open space adjacent to Traver Creek, the site layout lacks meaningful public open space. Both the future land use recommendation in the Master Plan and the current PUD Supplemental Regulations call for a village-like design with plazas and open spaces available to the public. Please reevaluate the proposed layout to incorporate one or more plazas or open spaces for public use.
Improvements to Broadway Street are proposed to provide a public open space for use by the residents and local community.
- b. The patio and enclosure surrounding the pool encroach into the minimum required 10-foot front setback on Broadway. Please revise the site plan layout.
The proposed pool wall setback is in keeping with the overall design intent as shown, and is in balance with the retail setback. A planned project request will be made for the encroachment.
- c. Extend the sidewalk system to serve the bay of four surface parking spaces at the southeast corner of Building A.
The four parking spaces have been eliminated in the revised plans due to the revised trash pick-up location.
- d. Rather than use pavement markings to reserve space to store solid waste and recycling carts near the northwest corner of Building C, create a storage area as an extension of the sidewalk. As currently designed, drivers will assume the area is for stopping or standing since it within the driveway and continuous to the parallel parking spaces.
The refuse pick-up areas have been revised to be concrete areas separated from the main access drives by mountable curb.
- e. What features are proposed to slow, minimize or prevent cut through traffic?
The drive entries from public roads have been revised with type M curb openings to provide the appearance of a private drive opening rather than a roadway. Further the plan includes on-street parking and access drives that are narrower than the standard public street.

6. Off-Street Parking. A minimum of 622 off-street parking spaces are required, 577 spaces are proposed. As you noted, a variance of 45 spaces must be granted by the Zoning Board of Appeals. Jon Barrett is the Zoning Coordinator and staff for the ZBA. He can assist with any matters related to variances.

Noted.

7. Building Design. Staff have applied the applicable Downtown Design Guidelines to the proposed project and offer the following comments:

- a. The proposed buildings lack a distinct base, middle and top. Given the long exposures of each building onto a public street, a distinct base and – most importantly – a distinct, unique, a variable top are essential to visually dividing each building into smaller modules that provide a sense of scale for pedestrians.

The architecture has been designed to have a successful sense of scale, both for the pedestrians walking along them as well as the view from further down the street. Rendered architectural perspectives will be provided under separate cover to supplement the elevations contained in the site plan set. These perspectives are "in-progress" and will be updated prior to the Planning Commission staff report.

- b. The south elevation of Building A does not front a public street but is at the termination of a perpendicular street view from Maiden Lane. That portion of Building A should have enough presence and detail to make that view noteworthy.

The Architecture has been designed to carefully work with the site plan to ensure the various view corridors are successful. Rendered architectural perspectives will be provided under separate cover to supplement the elevations contained in the site plan set. These perspectives are "in-progress" and will be updated prior to the Planning Commission staff report.

- c. The Downtown Design Guidelines include many recommendations related to identifying and reinforcing the positive characteristics of adjacent sites. The proposed designs appear to be overwhelmingly influenced by the institutional buildings east of the site. It is difficult to immediately ascertain the proposed development is residential.

The architecture has been designed to create a residential character. Rendered architectural perspectives will be provided under separate cover to supplement the elevations contained in the site plan set. These perspectives are "in-progress" and will be updated prior to the Planning Commission staff report.

- d. Note our Design Guidelines Consistency comments above.

Noted.

8. Natural Feature Open Space Activity. A fence and some underground utilities are shown as existing within the natural feature open space, the 25-foot required buffer adjacent to the Traver Creek watercourse. A proposed mud tracking mat is shown on sheet o6 (but no other sheet) that partially encroaches into the natural feature open space. Please clarify, confirm and identify all existing and proposed encroachments and activity, both temporary and permanent, within the natural feature open space. Provide the area in square feet of each instance of encroachment or disturbance.

The existing utilities within the natural features open space are not altered with the proposed development. The mud tracking mat referred to on the Site Layout Plan is actually a proposed grass paver for reinforced access to the proposed fire hydrant. There will be temporary impact to the natural features open space as identified on the Natural Features Overlay Plan. The existing construction fence around the perimeter of the property will be removed after construction. A note has been added to the Removal Plan that the fence within the natural features open space shall be removed by hand. This will minimize any potential impact to the area to the greatest extent possible.

Authorization from the Planning Commission is required for any activity in the natural features open space including both temporary and permanent. Please address the nine criteria applied by the Planning Commission, paraphrased below from Section 5:51 (6)(a) to (i) of the Zoning Ordinance:

- a. Relative extent of the need for the proposed activity.
The location of the fire hydrant is necessary to maintain fire coverage for the three buildings. The reinforced grass paver is necessary to support the emergency vehicle access to the fire hydrant.
 - b. Availability of alternative locations and methods.
An alternative location for the fire hydrant is not possible given the required distances for fire coverage for Building A.
 - c. Extent and permanence of effects the activity may have.
The disturbed area will be stabilized after the installation of the grass paver and therefore, will be a temporary impact to the Natural Features Open Space
 - d. Probable impact of activity in relation to other activities nearby the wetlands and watercourse.
No impact to other activities near the wetland/watercourse are anticipated.
 - e. Probable impact on other specific values.
No impact to specific values to the natural features open space are anticipated.
 - f. Size and quantity of the natural feature open space being considered.
Approximately 30 square feet of the natural features open space will be temporarily impacted.
 - g. Amount and quantity of the remaining natural feature open space.
There is a total of 7,694 square feet of natural features open space adjacent to the wetland/watercourse. Approximately 0.3% of the natural features open space on-site will be temporarily impacted.
 - h. Proximity of the activity in relation to the natural feature.
The temporary impact is 21 linear feet from the edge of Traver Creek. This impact is located near the wing wall for the existing culvert for Broadway Street on the upstream side of the existing construction fence.
 - i. Economic value of the proposed activity if permitted compared to if not permitted.
The coverage by the fire hydrant is a requirement for the proposed development.
9. Planned Project Modification.
- a. You have petitioned for planned project modifications to reduce the minimum required front setback in the C1A/R district. The petition meets the standards for approval including providing one or more of the acceptable benefits.
Noted.
 - b. Please include in your request a reduction to the side and rear setbacks as mentioned above, per Section 5:62 of the Zoning Ordinance, in addition to the front setback reduction already requested.
The planned project modification request has been revised to include the setback reductions.

- c. Note that required parking is not actually being provided in accordance with Chapter 59 Off-Street Parking. Please revise your statement 5 on page 4 of the petition.

The statement has been revised.

10. Architectural Drawings and Renderings. The architectural drawings provided in the plan set are hard to read. Please decrease the scale of the drawings. Consider providing one full sheet for each proposed building elevation. Please also provide perspective sketches of each building individually and the entire site.

The plans have been revised.

11. Petition Notarization. After revising your planned project petition and, if applicable, the Chapter 62 Landscape Ordinance Modification petition, please arrange for your signature to be notarized. Notarized petitions must be uploaded to the project file in order to schedule the proposal for a public hearing by the Planning Commission.

Noted. The notarized requests will be delivered to the City.

- All infrastructure in the direct vicinity of the project must be shown on the plans. This includes the full intersection of Plymouth Road/Broadway Street/Maiden Lane/Moore and all non-motorized infrastructure in between intersections. It is expected that gaps in infrastructure, such as sidewalk gaps, in the direct vicinity of the project will be filled to promote access to the site by all modes of transportation.

The intent of the project is to provide complete pedestrian access along the frontages of the project as well as through the project.

- The site plan is proposing to completely reconstruct Broadway Street. Access management improvements must be proposed as part of the proposed design effort.

The plan for Broadway is to resurface the area, and include a four way intersection at the project entry. The demolition and layout plans have been revised to better depict the intentions with Broadway Street.

- Broadway Street is a local street with traffic calming devices that were installed through the City's traffic calming program. Any changes to the street must continue to be context sensitive and be consistent with the traffic calming program.

Noted.

- The driveway approach to Broadway Street has been presented to appear as a public street; however, many features are inconsistent with a public street. Many of the features are consistent with a parking lot. The current design leads to concerns about public safety. Specific items include:
 - Removing pull-in parking and using back-in angle parking instead
 - Removing parking from intersection areas
 - Creating complete non-motorized networks on private streets

The entries have been revised to the project to be "M-Type" opening which will aid in delineation or transition from public to private space. Minor adjustments to the layout have been completed to remove an internal intersection to the service area of Building A. The plan continues to propose for a continuous and complete pedestrian network around and through the site.

- It is anticipated that the proposed site design will promote cut-through traffic.

Please consult traffic analysis / study for response to this concern.

- Sidewalks shall be maintained across all driveways.

Noted, and plan revised.

- Intersection sight distance triangles shall be shown on the landscaping plan to assure clear sight lines.

The triangles have been added to the plan.

- Comments regarding the shown public intersections are incomplete until the full TIS is provided.

Noted.

Floodplain – Mr. Jerry Hancock – March 16, 2017

Floodplain Management

1. The floodplain boundary shown on the site plan at the south property corner (Maiden and Nielson intersection) represents a flood elevation of about 767. However, the flood profile suggests a flood elevation above 769 in this area. Please adjust the flood boundaries on the proposed site plan to conform to the elevations shown on the flood profile found in the Flood Insurance Study for Washtenaw County.

The offsite floodplain boundary has been revised. Floodplain boundary outside of our survey limits have been removed.

2. Please provide cross section graphics along with the flood cut and fill analysis.

A cross section has been provided.

3. Please provide building elevations and notes demonstrating that the lowest floor will be elevated 1 foot above the BFE, and that the required openings will be provided at the ground level floors of both building A and B.

Notes have been added. FFE's are shown on the grading plan for further information.

4. The ground floor uses for building A and B will be limited to parking, ingress and egress, and storage. Any enclosed spaces will have to have the required number and area of flood openings. Please acknowledge these requirements on the site plan.

A note has been added to the plan set acknowledging the requirements.

City Green Streets Policy

5. On February 18, 2014 the Ann Arbor City Council approved a resolution adopting a Green Streets policy for all public street construction and reconstruction. It will be necessary for this project to comply with this new green streets policy since a portion of Broadway Street is proposed to be reconstructed. The policy requires a certain level of stormwater infiltration for the runoff generated from the public right-of-way. Please review the City's green street policy and identify how this standard will be met for the areas of the public streets that will be reconstructed.

It is not the intent of the proposed project to reconstruct Broadway, the project is a resurfacing project. Additional clarification has been added to the plan set noting the milling and resurfacing and removal of impervious areas to provide a net decrease in impervious area as proposed.

Washtenaw County Water Resources Commissioner's Office – Ms. Theresa Marsik – March 13, 2017

1. A drain use permit application will be required for any work within the Traver Creek drain easement and any discharge to the Traver Creek drain. However, the permit application can be submitted once the design is finalized.

Noted

2. The plans should be signed and sealed by a registered, professional engineer.

The plan set has been signed/sealed.

3. The engineer's certificate of outlet must be accompanied by calculations or other documentation that verifies that the receiving channel is adequate for the proposed discharge.

Calculations for the certificate of outlet have been provided.

4. The plan should clearly identify the existing storm sewer line downstream of the catch basin at Nielsen Court, where the detention system discharge is received.

The downstream sewer line has been shown on the plan set.

5. The drainage narrative references the Swift Run drain, but that drain is not located near the site.

The reference to Swift Run Drain has been revised.

6. Information about the proposed mechanical forebay should be provided for our review.

Typical detail for the proposed mechanical forebay has been included. Final sizing of the unit will follow in construction plans.

7. The long-term storm water maintenance plan should include an estimated budget and identify the responsible party.

The owner has been identified in the long term maintenance plan.

8. Current review fees total \$25.00 with no outstanding balance. Please remit these fees upon receipt of the accompanying invoice. As requested, the invoice is being sent directly to Morningside Equities Group, Inc.

Noted.

Should you have any further concerns or have further questions, please feel free to contact me by phone at 734.389.5303 or email at tjc@midwesternconsulting.com. We look forward to your feedback.

Sincerely,

MIDWESTERN CONSULTING

A handwritten signature in blue ink that reads "Thomas J. Covert". The signature is stylized and includes a long horizontal line extending to the right.

Thomas J. Covert

Senior Associate / Senior Project Manager