



City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION

301 East Huron Street | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647
p. 734.794.6265 | f. 734.994.8312 | planning@a2gov.org

TO: Ron Mucha, Petitioner
Tom Covert, Petitioner's Agent

FROM: Alexis DiLeo, City Planner

DATE: March 31, 2017

SUBJECT: **1140 Broadway** Rezoning with Conditions, Site Plan with Planned Project and Landscape Modification Requests (Z17-003, SP17-009)
Planning Review #2

Planning staff has reviewed the revised materials submitted on March 22 and offer the following comments. As before, your responses and revisions must correct or address comments provided by all service units.

- 1. Required Revisions** – The revised plans acknowledge or address our Planning Review #1 memo except where further discussed below.
- 2. Master Plan** – Staff disagrees with your casual dismissal of the relevancy of Chapter Six Lower Town in the Master Plan: Land Use Element. Just because the Broadway Village at Lower Town PUD was not realized does not mean that the underlying, general land use recommendation and design guidelines are irrelevant, outdated and not worthy of consideration. The detailed statement regarding “the former Kroger site” contains sound, fundamental planning and land use principles that should be taken into account.

Our previous comments paraphrased the specific land use recommendations and design guidelines. Here is the complete recommendation:

The former Kroger site and surrounding properties are appropriate for a low rise (2-4 stories) to mid-rise (5-8 stories), mixed-use urban village. A redeveloped village center should consist of a mixture of residential, office, retail and public land uses. Residential uses such as townhouses and apartments are appropriate. Neighborhood retail uses will provide an opportunity for area residents to walk to nearby services and minimize the need for off-street parking. Small professional offices will provide opportunities for area residents to walk to work and provide mid-day customers for retailers. Only residential uses are recommended near Traver Creek to minimize the impacts of non-residential uses on the neighbors north of the creek. The height of new residential buildings near Traver Creek should not exceed 4

stories in height to minimize visual impacts to adjoining neighbors. Most new buildings in the remaining portion of the village center should be between 3 and 5 stories in height with some buildings as tall as 8 stories. Taller buildings should be slender instead of massive to minimize their visual impact. Buildings that exceed 5 stories in height should have a building scale that is generally consistent with three buildings in downtown Ann Arbor that function as community focal points.

Those buildings include the Washington Square Building (200 East Washington), the First National Building (201 South Main), and the Glazier Building (100 South Main). If proportions of buildings exceed five stories in height, the taller portions should also have a building scale similar to these downtown buildings. Taller buildings should provide strong emphasis on an attractive appearance since they will be more visible. Building materials such as brick and stone can enhance the appearance of taller buildings and convey a sense of permanence. The height allowed for mid-rise buildings can encourage redevelopment opportunities while not exceed the height of the two existing mid-rise buildings in Lower Town. A Planned Unit Development should be part of any major redevelopment proposal in the Village Center.

Village Center Design Guidelines – the following specific elements should be included in a design for the village center:

- *Buildings located at or near sidewalks to encourage pedestrian access.*
- *Ground floor retail for some buildings to provide necessary services and promote vitality.*
- *Public plazas and/or village greens to encourage a sense of neighborhood and provide places to relax.*
- *Parking that is provided in on-street locations or underneath or behind new buildings to minimize imperviousness and encourage pedestrian access. Off-street surface parking should be minimized and included shared parking arrangements.*
- *Sidewalks that can accommodate outdoor seating to enhance a pedestrian atmosphere.*
- *Direct pedestrian and bicycle connections to surrounding neighborhoods, downtown Ann Arbor, the Huron River and University of Michigan facilities.*
- *Vehicular access should be provide from Maiden Lane, Broadway and Neilsen Ct.*
- *Restoration of Traver Creek with a pedestrian path provided along the length.*
- *Extensive landscaping should be installed to provide shade and beauty.*
- *Design measures that minimize the amount of vehicular traffic on upper Broadway.*
- *Public art and benches to add elements of beauty and comfort.*
- *Appropriate lighting of public areas.*

- *Additional design guidelines are described on page [54] of this chapter.*

3. Fundamental Concerns. Staff has two fundamental concerns with the proposed development. First, the buildings are massive and out of scale with Lower Town. Second, the development is essentially a single use – residential – with an accessory retail space. It is not a mixed use center.

- a. **Massing** – Building A’s footprint is in the ballpark of 80,000 square feet, approaching two acres in area. Buildings B and C’s footprints are in the lower and upper 30 thousands respectively, each closer to a full acre than a half acre. Building A’s diagonal dimension of over 360 feet, twice the 180-foot maximum diagonal allowed East Huron One character overlay district downtown. Building B and C’s diagonal dimensions, roughly 260 feet and 300 feet respectively, also significantly exceed that maximum diagonal dimension. Like the subject site, the East Huron One character overlay district is zoned for mixed uses directly abutting a historic residential neighborhood. The maximum diagonal dimension was introduced in the East Huron One overlay district to ensure new development was slender and minimized impacts to the adjacent neighborhood.

In staff’s opinion, the proposed development does not adequately take advantage of the C1A/R’s lack of an established height limit to create taller, slender buildings. To be clear, staff is not suggesting downtown core heights – but rather eight stories, perhaps even ten stories, along Maiden Lane and two to four stories along Broadway Street and facing Traver Creek better fits the context with the surrounding neighborhood.

The Master Plan specifically identified three existing buildings to emulate. Staff further suggests that the Ashley Mews development is an example of transitional scale from mid/high-rise to low-rise buildings.

- b. **Mixed Uses** – Excluding the parking structure, the proposed development is 99% residential and 1% retail. As stated above, it is not a mixed use center.

Other than two party stores, four restaurants (three of which specialize in take-out and delivery), an a few businesses (bike shop, frame shop, pottery studio), there are no retail uses to serve any of the existing or future residents in the neighborhood. A full grocery supermarket thrived at this site only 10 years ago, without the 600 additional dwelling units proposed and before the expansion of the Kellogg Eye Center and other UM Health System facilities on Maiden Lane. There has never

before been so many residents and employees in Lower Town and the neighborhoods immediately north and so few retail uses.

4. **Natural Feature Open Space Activity.** Thank you for providing responses to support the proposed natural feature open space activity for removing the existing construction fence and installing a grass paver system for vehicle access to a fire hydrant.

You have expressed interest in adding a paved or woodchip path along the creek as an amenity to the future tenant as well as the surrounding neighborhood. Please note the intent of the natural feature open space, per Section 5:51 of the Zoning Ordinance, is require open space, often referred to as a buffer, adjacent to certain natural features “in order to prevent physical harm, impairment or destruction of or to a natural feature.” And, “prohibited and permitted activities for natural feature open space shall be the same as the prohibited and permitted activities regulated or allowed in or on the natural feature.”

Planning staff will not support any disturbance within the natural feature open space for a paved or woodchip path. A path may be a site amenity and appreciated by the neighborhood but it is not in the public interest to allow disturbance to the natural feature open space to accommodate it. The purpose of the open space is to prevent physical harm, impairment or destruction. Staff does not feel the benefit of a path within the open space is greater than reasonably foreseeable detriments of activity within the buffer, the basic determination of being in the public interest per Section 5:51(6).

The fact that the only place where a path may be located on the current site plan layout is within the natural feature open space reinforces staff’s fundamental concern about the proposed development’s massing. The future land use recommendations and design guidelines, and the public benefits achieved from the PUD zoning district, were immediately dismissed as irrelevant, and little forethought was given to on-site public amenities.

5. **Planned Project Modification.** Planning staff do not support the request to reduce the front setback for Building A. The solid brick wall, over 80 feet in length and estimated to be eight feet tall, is not in keeping with an active street frontage, urban character, or pedestrian friendly design.
6. **Site Plan.**
 - a. Please clarify the proposed improvements in the open space of Building C on Maiden Lane. Based on Sheet LA-01 landscape plan it appears to have a wall and a furnished outdoor patio. Is the amenity open to the public, an enclosed private

- space? What are the proposed improvements in the center of Building C? Provide a detail.
- b. Please clarify the proposed improvements immediately adjacent to the retail space. Note that sidewalk occupancy permits for outdoor seating or sales are not issued outside of the Downtown Development Authority boundaries.
 - c. The sidewalks within the site serve as the site's dominant areas of active open space for the residents and are likely to be heavily congested. Most of the sidewalks are parallel or perpendicular to parking stalls, as well, and therefore should be widened from five feet as currently proposed to at least eight feet.
 - d. The comparison chart indicates that 1,379 square feet of floor area has been swapped between the residential portion of the development and the parking portion, and the retail portion has remained the same, but the total floor area has increased by 6,000 square feet, from 138,035 to 144,035. Please clarify.
- 7. Building Elevations.** The color perspective renderings provided separately are very helpful to supplement the site plan. However, the drawings provided in the plan set remain hard to read. Please enlarge each elevation and consider providing one full sheet for each building elevation, twelve sheets of elevations in all.