



# City of Ann Arbor

301 E. Huron St.  
Ann Arbor, MI 48104  
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## Meeting Minutes Planning Commission, City

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Tuesday, December 3, 2013

7:00 PM

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

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Commission public meetings are held the first and third Tuesday of each month. Both of these meetings provide opportunities for the public to address the Commission. Persons with disabilities are encouraged to participate. All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: [cityclerk@a2gov.org](mailto:cityclerk@a2gov.org); or by written request addressed and mailed or delivered to: City Clerk's Office, 301 E. Huron St., Ann Arbor, MI 48104. Requests need to be received at least two (2) business in advance of the meeting. Planning Commission meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>) or on the 1st floor of City Hall on the Friday before the meeting. Agendas and packets are also sent to subscribers of the City's email notification service, GovDelivery. You can subscribe to this free service by accessing the City's website and clicking on the red envelope on the home page.

These meetings are typically broadcast on Ann Arbor Community Television Network Channel 16 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Wednesdays at 10:00 AM and Sundays at 2:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website ([www.a2gov.org](http://www.a2gov.org)).

### 1 CALL TO ORDER

*Chair Westphal called the meeting to order at 7:12 pm.*

### 2 ROLL CALL

*Rampson called the roll.*

**Present** 9 - Bona, Woods, Westphal, Giannola, Adenekan, Clein, Briere, Parekh, and Peters

### 3 INTRODUCTIONS

### 4 APPROVAL OF AGENDA

**A motion was made by Giannola, seconded by Councilmember Briere, that the Agenda be Approved as presented. On a voice vote, the Chair declared the motion carried.**

### 5 MINUTES OF PREVIOUS MEETING

5-a [13-1487](#) October 15, 2013 City Planning Commission Meeting Minutes

**A motion was made by Adenekan, seconded by Bona, that the Minutes be Postponed to the Planning Commission, and should be returned by 12/17/2013. On a voice vote, the Chair declared the motion carried.**

5-b [13-1488](#) City Planning Commission Meeting Minutes of November 6, 2013

Moved by Adenekan, seconded by Bona, that the minutes be approved by the Commission and forwarded to City Council. On a voice vote, the Chair declared the motion carried.

6 **REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING MANAGER, PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS**

6-a City Council

*Briere reported that at the previous night's City Council meeting, they discussed pedestrian safety and improvements, and as the Commission goes through the Capital Improvements Plan [ CIP], they are encouraged to discuss added pedestrian improvements as they move forward. She noted that is not generally part of Planning's purview, but given the Commission's discussions about walkability and pedestrian access, she felt it was worth talking about.*

6-b Planning Manager

*Rampson reported that at last night's Council meeting, the Running Fit site plan was approved, as was the Traverwood Apartments site plan. Council also accepted the land donation from Traverwood Apartments and the 2+ acre parcel will be added onto the Stapp Nature Area.*

*She further encouraged the Commission to look at the monthly meeting calendar for upcoming meetings, noting there are several meetings regarding transportation. She reviewed the calendar with the Commission.*

6-c Planning Commission Officers and Committees

6-d Written Communications and Petitions

[13-1489](#) Various Correspondence to the City Planning Commission

Received and Filed

7 **AUDIENCE PARTICIPATION (Persons may speak for three minutes about an item that is NOT listed as a public hearing on this agenda. Please state your name and address for the record.)**

*None.*

8 **PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING**

[13-1490](#) Public Hearings Scheduled for the December 17, 2013 City Planning Commission Meeting

*Chair Westphal read the public hearing notice as published.*

**9 UNFINISHED BUSINESS**

- 9-a**     [13-1491](#)     Downtown Zoning Evaluation Recommendations - The Planning Commission has conducted an evaluation of the downtown zoning changes that were adopted in 2009 and will consider a set of recommendations for changes to the zoning ordinance. These recommendations will be forwarded to the City Council for its action. Background information on the evaluation project may be found at [www.a2gov.org/downtownzoning](http://www.a2gov.org/downtownzoning) <<http://www.a2gov.org/downtownzoning>>.

*Rampson provided the staff report.*

**PUBLIC HEARING:**

*Ted Annis, 414 South Main Street, stated he lives right next to area C and as he had followed the discussion in November he was very pleased to hear that the Commission recommended that the area C should be zoned D2 and not D1. He said most of the downtown citizens that he works with agree with him that the area should be zoned D2.*

*Andy Klein, co-owner of 425 South Main, stated that a re-zoning of the parcel from D1 to D2 would mean a 70% reduction in height which he felt was not planning but rather a knee jerk reaction to reduce height given that people are not happy with other developments. He pointed to the consultant's recommendation for his parcel and informed the Commission that he has hired a company to give some ideas for the parcel.*

*Scott Bonnie, Neumann Smith Architects, presented a power-point presentation of potential building height options for the site at 425 South Main, and asked the Commission to consider a third option for the site.*

**Motion by Briere, Seconded by Clein, that The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council adopts the "Resolution Regarding Recommended Downtown Zoning Amendments" dated December 3, 2013.**

*Continuing discussion from the November 19th meeting:*

*Clein asked if the Commission would only be discussing item 4 or all items.*

*Briere asked if the Commission was to meet with the Design Review Board when could that be scheduled, since she felt timing was of the essence.*

*Rampson said the first Planning Commission meeting in January [7th] would be a possible date or during the working session, on January 14th.*

*Bona expressed a desire to have a discussion again on the possibility of making the Design Review Board standards mandatory.*

*Peters felt the Commission was making a set of recommendation to Council and specifics such as the Design Review Board standards didn't need to be buttons down at this point.*

*Clein concurred with Peters and was in favor of leaving the recommendation in the*

*resolution transmittal to Council with details being worked out later.*

*Bona said that she was in favor of leaving the item in the resolution, noting that the draft language stated that the Commission is recommending the following change; 'to require compliance'. She said the Commission was not recommending to consider to require compliance, but recommending compliance, and if the Commission felt they wanted more input, given the feedback from the Design Review Board, they might want the language to be more vague.*

*Westphal said if it was a simple matter of changing a word, such as adding, 'considering required compliance' he was in favor of it.*

*Woods said she was not in favor of changing the language at this point but she hoped for the possibility of having a conversation with the Design Review Board and Council regarding the issue, since she felt if they change the language they might end up with the same voluntary compliance, as currently. She said in the future the City might have another Design Board whom might be totally okay with being the 'sole gate-keepers' in this regard.*

*Briere said that from a practical point of view the Commission might want to use the recommendations from the Design Review Board as a tool to determine whether someone has met the requirements of the ordinances when they bring proposals before them. She said the Design Review Board was designed to be a voluntary board that gave advice but not a board that had any ability to recommend to Council, unlike the Planning Commission that has the ability to recommend to Council. She said the Planning Commission could use the recommendations as a set of criteria that the letter of the ordinances have been met and should receive premiums on their projects.*

*Peters suggested the following language for number 5; Revise the premium conditions to allow the Planning Commission to use Design Review Board recommendations for a project to receive any premiums in the D1 or D2 districts.*

*Westphal said that his understanding is that the consultant and the public feedback want to make design review a requirement for a premium, in some form and that is what the Commission is trying to capture. He said whether the Design Review Board is empowered to be the gate-keeper or consider the site plan or whether it is the Commission using their vote or feedback would be the same thing and he didn't want to go down the road of writing which process works the best.*

*Clein noted that depending where the word consider is added, it changes the intent. He felt putting the word consider at the beginning of the phrase makes sense to him since it means the Council is considering making the requirement, not which Board. He brought concerns about the possibility of unclear expectations on the developer, with multiple Boards and Commissions involved.*

*Westphal asked the Commission if they felt the language, if left as suggested in the draft, would allow anyone, even staff to be the ones to make sure compliance with the Design Review Board recommendations had been met.*

*Bona agreed with Westphal that the language didn't state whom could be the one to determine if the recommendations had been met. She said her concern is with the direction of the intent when they wrote the voluntary Design Guidelines and how they were different than if they would have been mandatory. She stated that she didn't feel that everything in the bucket should be considered mandatory, while at the time there were things that they were not ready to make mandatory, but now they are. She said*

she didn't think it should be up to any 'government body' to decide which things they are going to require and which ones not, given that they are recommendations and given the interpretation of compliance.

Bona suggested that the language be, 'Consider requiring mandatory compliance with some design guidelines', which would allow them to step back and consider which ones of those should be made mandatory and which ones should be left alone. She said as to which body will be the one to make the determination is not something that could be included in the same sentence.

Giannola asked if the draft language was referring to the Design Review Board report with their recommendations on each project which includes a suggestive list but didn't necessary include everything.

**Moved by Bona, seconded by Adenekan, that number 5 read: Revise the premium conditions to consider requiring mandatory compliance with core design guidelines for a project to receive any premium in the D1 or D2 districts.**

Woods said she supports the suggested language but expressed a danger in losing the essence of what they really want to say given the many stipulations included.

Westphal said he felt comfortable through the broadening of not specifically stating the Design Review Board, yet including what the public wanted and what their intent is. He asked if the word 'consider' could be removed from the suggested motion.

Bona said she was all onboard to say they want to require some things to be mandatory, and included the word consider out of respect for the Design Review Board comments. She noted that the committee had held an earlier discussion whether the design guidelines should have been mandatory and they decided not to make them mandatory at that time.

Peters said he liked the suggested language for this point, since it gives Council the option of deciding if this should be in the purview of the Planning Commission or the Design Review Board or a new group in the future.

Giannola said that she feels that it will fall on staff to decide if the projects met the guidelines during the design phase of their projects, since she didn't believe developers would wait until they came before the Commission to find out if they would receive a premium.

Parekh said the Commission simply wants to relay that the petitioner will have to undergo a review that must meet requirements.

Peters commented that code design guidelines would be decided on along the process.

Bona asked for clarification regarding the Design Guidelines [standards] that are already in existence and used by the Design Board, as voluntary if they could be made mandatory.

Rampson said one of the initiatives that Council has started and yet has to complete is the evaluation of the Design Guidelines and to update them, noting that the intent was that the Committee and the Guidelines go hand in hand. She said the guidelines are fairly subjective and qualitative so there would definitely be the need for clarification on which of them should be mandatory and which ones should remain as recommendations.

Briere said knowing that she will be on the Commission another year, she would ask

*the Mayor if the City could begin the review of the Design Guidelines so they can be done in a timely fashion.*

*Woods commented that if the purpose was to be nebulous when referring to the design guidelines at this stage of the process, she was fine with that; however, wanted the Commission to realize that clarification would be needed along the process.*

*Clein commented that he was fine with any of the suggested variations on this recommendation.*

*Briere noted that a language phrase often used is, 'As they may be updated from time to time'.*

**Friendly Amendment offered by Adenekan, Accepted by Bona, to remove the word 'consider', and have number 5 read: Revise the premium conditions to require mandatory compliance with core design guidelines for a project to receive any premium in the D1 or D2 districts.**

*Bona noted that there was a project involved in deciding which guidelines would be mandatory, stressing that the committee would not take this lightly, nor leave it nebulous.*

**On a voice vote, the vote was as follows with the Chair declaring the motion carried.**

**Yeas:** 9 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Sabra Briere, Paras Parekh, and Jeremy Peters

**Nays:** 0

*Discussion on item 4 of the Draft Resolution to Council*

*Westphal asked staff for background zoning information on the 425 South Main parcel, followed by the recommendations of the ENP @ Associates [Perdu] report.*

*Peters commented that getting a background review of the parcel would be most helpful to the Commission in their attempts to reaching a recommendation.*

*Rampson gave a review of the parcel, noting that the parcel had previously been zoned C2B/R. She explained that in 1963 the zoning categories had been established with C2A being what is now being called the core area, and C2B more of the fringe area in the downtown. After several high-rises were built, including Campus Inn, Tower Plaza, and University Towers, there was a study commission conducted by JJR about high-rises. She noted that during that time they did not allow residential use within the downtown code area; even though it existed, it was not allowed by zoning. She said there was the creation of the /R district, C2B/R districts and some others to allow for the residential use in the commercial districts. During the time from 1963 to 2009 there were no height limits in the C2A, C2B, and C2B/R districts, and they had the same type of floor area ratio [FAR] that we currently have for the core. The C2B/R had a 300% by-right, and 600% with premiums. After the premium revisions in the '90s that went up to 660%.*

*Rampson explained that the zoning that is being discussed for this site is really similar to what had been in place before, with the exception of the height limit and the premiums slightly changing because of the pre-requisites.*

*Briere asked staff to explain why between 1985 and 2005 there was an increase in*

*the use of PUDs in the downtown.*

*Rampson responded that it was due to the floor area ratio [FAR] limitation and that the projects exceeded the FAR, noting that some were 700 and 800% FAR.*

*Westphal asked if this parcel was called into question when the discussion was ongoing on the D1 and D2 zonings with the idea of having D2 surrounding the downtown.*

*Rampson said, yes, that all of the edge parcels abutting residential were discussed. She showed a map of all the D1 and D2 parcels, pointing out the concern with adding more density in an area constrained by the floodplain, and Kerrytown having a lower-rise given its proximity to the residential neighborhoods. Her recollection of the discussion regarding this particular parcel was that it wasn't debated by the public with the same intensity as other parcels.*

*Westphal asked about height limitations.*

*Rampson explained that there were height limits created for all of the districts. In trying to try to address some of the impacts of being adjacent to a residential the height limit was reduced in the South University area and the East Huron district.*

*Westphal asked about some of the recommendations of diagonals and split zoning which would have a differential impact between the upper half and the lower half of the block. He asked staff for a review of the parcels along Fourth Avenue and East William and their uses.*

*Rampson reviewed the parcels with the Commission.*

*Briere asked for verification that the East William Historic District extended to Fifth Avenue.*

*Rampson said she wasn't sure, but explained that with the D2 zoning they tried to follow the historic district boundary to incorporate them within the same character area.*

*Bona asked what the floor area ratio [FAR] was for the yellow area [referencing the map on the screen] south of William that was in a historic district and zoned D2, given that they cannot use premiums.*

*Rampson said 200% FAR.*

*Bona said a clarification was needed to the sketch provided to the Commission, since it showed a 600% FAR, filling the site, along the south side of William. She explained that if you go 5-6 stories with 200% FAR you would fill less than half the site.*

*Rampson further explained that the particular site of 425 S. Main, as with many properties along the edges were planned for a higher density. As part of the A2D2 process a number of properties were down-zoned, with the idea of reducing the density in some areas to the D2 designation. This parcel was kept as D1 because it was considered part of the Main Street character area.*

*Westphal asked about the discussion of split-zoning for this parcel. He said to him the result of that would look like what had been proposed during the public commentary; having a diagonal with a stepping down towards Packard Road. He asked if that would have to happen with a half diagonal; half of the parcel medium*

*[allowable height] and the other half high, with the high portion pushed towards William Street or could they choose to slide that anywhere. His concern was that a developer could put the diagonal in the 'wrong' place.*

*Rampson responded that the concept with a diagonal is to just have slender towers, so whether they were at the south end or the north end of the site, without any further guidance in the zoning it could go anywhere.*

*Giannola asked if the parcel was split-zoned [D1 and D2], if a tower would have to go on the D1 zoned parcel.*

*Rampson said yes.*

*Peters said he walked down the street lately and was wondering how tall the Bethlehem United Church of Christ was, since it seemed a lot taller than the residential structures in the neighborhood.*

*Rampson said it is definitely taller than the residential structures, but not as tall as the Ashley Mews Syndico building.*

*Bona gave some background information of when she sat on a zoning committee created by Council. She explained that when they looked at this site they were only looking at the zoning and there were no overlay districts at that time. She said the group decided that the entire core area, D1 should be surrounded by D2, and that was the recommendation that the task force sent back to the steering committee and ultimately to Council. She said the steering committee changed.*

*Bona further explained that the zoning boundary discussion at the time was whether a district should change in the middle of a street or block. She said on East Huron Street the committee said there shall be D2 between D1 residential around the entire core. She said they did not say that relevant to the University, since they felt no need to create a transition to the University and that they could build what they liked. What happened to change that recommendation on East Huron was the idea that when you are driving up East Huron the building should be the same on both sides. She said the problem is the shallow site between East Huron and the Old Fourth Ward. And when she looks over at East William she just has to assume this property [425 S. Main] was D2 out of the task force committee, because they literally had a boundary around the whole property. She thought it probably got changed because of its' history and because its' two sides of Main Street; Ashley Mews is on one side and we should have D1 on the other side also. The idea being that was the way one enters a downtown. She stressed that she didn't agree with that idea, adding that there were a lot of similar changes done on South University and it was difficult with everyone on Planning Commission and City Council having their favorite spot that they wanted to protect and had to compromise on others.*

*Bona continued that when she looks at the site between Packard and Maynard on Main Street it looks like D2 to her; and it looked like D2 before and looks like it now. She said if she was to split-zone it she would only split-zone it way up in the corner, next to the Beer Depot, which is hardly worth doing, adding that 60 feet is a tall transition to smaller residential buildings and anything more than that would be unfortunate.*

*Adenekan thanks Rampson and Commissioner Bona for the great history lesson they provided to the Commission.*

*Westphal asked for another close-up overview of the D2 parcels along William,*



*noting that if the southern half was zoned D2 then the residential structured exposed to D1 would be the parcels between the DTE substation and the D2 on William. He said it's interesting seeing how context changes when one sees what is possible, versus what is currently on the parcels.*

*Giannola said she likes the idea of split-zoning, visually, given Ashley Mews across the street and what worried her with D2 zoning for the whole block is getting a long 60 foot building with a 'mass of a wall', since she would rather have taller, more compact buildings which she felt they would get with D1 zoning. She stated she would rather leave it as D1 zoning or she would support a split-zoning.*

*Briere said she did a calculation of how many square feet are in the parcel and what a [300 and 400] 200 FAR would equal when it came to base zoning, stressing that the site is massive. She said if one takes the site, as is, and adds another layer, it becomes a very massive building, even without premiums, because of the parcel being so very large. She said if they are talking about proposing a split-zoning they ought not only to place a height restriction on the parcel but they ought to consider mandating an open space for the parcel so the whole parcel wouldn't be build on. Briere said it was very frustrating discussing the issue since she felt no one knew what was the right thing to do and so much depended on the quality of the developer.*

*Bona asked if this parcel were zoned D2, could the property owner request a PUD [Planned Unit Development] zoning if they wanted to go up to a 400 FAR [Floor Area Ratio] and potentially build more square footage in exchange for other community benefits.*

*Rampson said yes.*

*Bona said in trying to predetermine what such a negotiation might bring might leave out some interesting opportunities that a PUD, including open space, might bring.*

*Westphal asked if PUD's are something that they want to encourage.*

*Rampson said, no; as a part of the A2D2 process, one of the stated goals was to eliminate the trend of going to PUDs in trying to develop in the downtown, but rather accommodate growth within the existing zoning.*

*Westphal commented that one of their recommendations was for step-backs to be used, which could be a tool used for this site.*

*Clein asked for verification that the current zoning of this parcel is D1 with a 400% FAR, and if it were re-zoned to D2 it would be 200 FAR by-right and 400 FAR with premiums.*

*Rampson said yes.*

*Giannola reiterated her desire to split-zone the parcel in order not to get a massive building covering the site.*

*Bona said one way to get that is through diagonals, but questioned at what point does a residential district not become an R district, pointing out that the residential houses had a right not to be over-powered.*

*Westphal referenced the Master-plan and the Purdu report that encouraged density in the downtown, noting that this parcel is definitely downtown and close to the transit center. He said having people live so close to transportation access and not have to*

*depend on reliance of cars is quite compelling, when the discussion is about taking off 60 feet here or there on this size parcel means 200 people missing the opportunity to live downtown. He said he was struggling with the equality for both, the residential district as well as the downtown district and wrapping it in D2, since he didn't feel that D2 belonged on this site.*

*Clein said that he felt this parcel was the most difficult one to review from all the parcels. He thanked the property owner and their architect for putting together the massing scales of the parcels adding they were helpful to look at. He said with D1 one could place 2-3 buildings the size of Zaragon West on this site because they would be less than the diagonal massing. He said he wouldn't be sure that three taller masses sticking up would be worse than one lower one. He said the process they are going through is balancing the rights of everyone in the area. He felt personally he would feel comfortable having it all be D2.*

*Clein continued that there were viable solutions he would support. Having split-zoning would offer a compromised solution to allow greater density and height at the corner, alternatively the language about changing the height and inserting a diagonal in the Main Street character district would be acceptable. He said he would support the down-zoning to D-2 but in light of the history of the parcel he would be willing to seek a compromise that left part of the site in D1 that would allow greater height, especially in the corner of William. He would be more reluctant to extend that all the way down to Packard.*

*Bona referenced the previous Downtown plan, written in 1988, which was the first introduction of the interface zones between the downtown and the neighborhoods, and when they took on the plan 17 years later, none of the plan had been enacted. She pointed out that this isn't a new issue that has come up now, but rather out of the 1988 Master plan and the neighborhoods around the downtown have been fighting for an interface zone since 1988. She added that the A2D2 zoning was started on the core of the 1988 Downtown plan. She said they have yet another opportunity before them to provide an interface to a parcel between the residential and the downtown. She reiterated that she felt the parcel must be zoned D2.*

*Westphal said he was open to compromise and wondered about adding step-back stipulations along with the height restriction, specifically towards the 2 residential structures.*

*Parekh said he finds compelling what they had written in their number 2 recommendation that would align with several scenarios discussed from the Commission as well as the property owner.*

*Bona commented that she agreed with refining and detailing zoning when it applied for the whole downtown, but she was not in favor of setting overly refined zoning requirements on a site by site basis.*

**Moved by Bona, Seconded by Briere, that item 4 should read; Rezone the parcel at 425 South Main from D1 [Downtown Core] to D2 [Downtown Interface] and establish a maximum height of 60 feet for the D2 zoning in the Main Street Character District.**

**DISCUSSION:**

*Westphal asked staff to review the height limit of the D2 zoning.*

*Rampson explained that the height limit is set by the Character District and not by the D2.*

*Westphal asked what the height limit was for the Main Street Character District.*

*Rampson said currently there was none and the recommendation was to establish a maximum height limit of 60 feet since all the current districts associated with D2 have 60 feet.*

*Giannola asked if the amendment excluded diagonals.*

*Bona said yes.*

*Woods asked if Bona was referring to the entire parcel.*

*She offered a friendly amendment that would include split zoning as suggested by the owner.*

*Bona responded that such an amendment would be using the second part of the recommended change in number 4.*

*Clein asked if there would be any possibility of adding a split height restriction to the site, with D2 zoning.*

*Briere asked for verification that there was a minimum of 200 FAR in D2 zoning, and 400 maximum FAR with premiums.*

*Rampson said there was a 2-story minimum.*

*Briere said she felt they needed to discuss these perimeters, given the very large parcel.*

*Clein said he believed the FAR, even with premiums, would control the height which would likely not be higher than a 4-story building.*

*Briere said theoretically they could build a 2-story building on one end and a much taller building on the other end, depending on how much of the parcel would be used, and the height limitation.*

*Westphal said he didn't want to fault the owner in any way due to the size of the lot, and he wouldn't be able to support such a drastic decrease in FAR for this parcel.*

*Bona commented that 400 FAR is still a lot and more than the R4C districts that surrounds the downtown, noting that 60 feet is a tall building that belongs downtown and not in the neighborhoods. She said massing is very important and something that the Design Guidelines attempted to address and something that they have been unsuccessful in getting so far. She said they should look to the Design Guidelines to try to help them address this site as with any other site, and such guidelines should be made mandatory. She said setting specific height limitations for this parcel felt too much like spot zoning to her.*

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

**Yeas:** 5 - Bonnie Bona, Wendy Woods, Eleanore Adenekan, Sabra Briere, and Jeremy Peters

**Nays:** 4 - Kirk Westphal, Diane Giannola, Kenneth Clein, and Paras Parekh

*Briere said from her perspective she is a person who anticipates problems and she*

*sees problems here, but given that this was not part of Council's charge, and that the Commission was adamant to sticking to the Council's charge she hoped that the issue could be resolved through the design guidelines in the character districts.*

**Vote on Main Motion:**

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

**Yeas:** 9 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Sabra Briere, Paras Parekh, and Jeremy Peters

**Nays:** 0

**10 REGULAR BUSINESS - Staff Report, Public Hearing and Commission Discussion of Each Item**

(If an agenda item is tabled, it will most likely be rescheduled to a future date. If you would like to be notified when a tabled agenda item will appear on a future agenda, please provide your email address on the form provided on the front table at the meeting. You may also call Planning and Development Services at 734-794-6265 during office hours to obtain additional information about the review schedule or visit the Planning page on the City's website (www.a2gov.org).)

(Public Hearings: Individuals may speak for three minutes. The first person who is the official representative of an organized group or who is representing the petitioner may speak for five minutes; additional representatives may speak for three minutes. Please state your name and address for the record.)

(Comments about a proposed project are most constructive when they relate to: (1) City Code requirements and land use regulations, (2) consistency with the City Master Plan, or (3) additional information about the area around the petitioner's property and the extent to which a proposed project may positively or negatively affect the area.)

**10-a [13-1492](#)** FY 2015-2020 Capital Improvements Plan (CIP) - The FY2015-2020 CIP is comprised of updated financial data for FY2015 contained in the approved FY2014-2019 CIP. Upon adoption by the City Planning Commission, the CIP becomes a supporting document for the City's master plan. The CIP is also used as the source document for the City's capital budget planning.

*Deb Gosselin, Systems Planning Department, presented the staff report.*

**PUBLIC HEARING:**

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

**Moved by Adenekan, Seconded by Peters:**

**Whereas, Section 1:185 of the Ann Arbor City Code requires that the City Planning Commission annually prepare a Capital Improvements Program for the ensuing six fiscal years;**

**Whereas, The FY2014-2019 Capital Improvements Plan (CIP) was approved by the Ann Arbor City Planning Commission on December 18, 2012 as a supporting document for the City's Master Plan and the basis for the FY2014 Capital Budget;**

**Whereas, The second year of the FY2014-2019 CIP has been adjusted based on current conditions to create the FY2015-2020 CIP; and**

**Whereas, A duly-noticed public hearing was held by the City Planning Commission on December 3, 2013;**

**Resolved, That the City Planning Commission hereby approves the FY2015-2020 Capital Improvements Plan as a supporting document for the City's Master Plan; and**

**Resolved, The City Planning Commission recommends that City Council use this document as its basis for the FY2015 Capital Budget.**

*COMMISSION DISCUSSION:*

*Briere asked about the Main Street lights and if there was a lighting subsection in the CIP.*

*Gosselin said these are in Transportation Other.*

*Briere asked about flashing beacon and hawk lighting at crosswalks.*

*Gosselin said these are generally from outside funding sources and would likely go in with a street construction project.*

*Briere said she was mostly concerned about funding source and being able to include information in the report to Council.*

*Woods asked about the Housing Commission's federal grant.*

*Gosselin said the CIP includes a number of new projects that include green energy and energy efficiencies.*

*Woods asked about the chart showing changes at the airport*

*Gosselin said there are no changes; just ongoing federal aviation requirements.*

*Parekh asked about park acquisition showing \$60 million over the next several years and if this budget is available to allocate and what happens to the reserve funds.*

*Gosselin said the fund is what is budgeted but not necessarily spent and any reserve funds are carried over to the fund reserve.*

*Westphal asked if the park budget included the Greenbelt Acquisition.*

*Rampson said yes.*

*Briere clarified that the City tries to spend one third of the funds within the City limits on park's acquisitions [Greenbelt] and two-thirds the funds outside the City limits.*

*Bona said the colors in the report are helpful. She asked the source of the projects.*

*Gosselin said some are initiated by staff, for instance with main breaks or street fixes. Projects can also be added by commissions or even citizens, such as the Scio Church sidewalks. She said 75% of the projects come from staff.*

*Bona asked if some come from the Master plan.*

*Gosselin said yes, when looking at the prioritization tool.*

*Bona said the prioritization tool is important. She noted the news story about jurisdiction's growing need to maintain infrastructure and asked how City staff assesses the entirety of assets and needs and how they are staying on top of things.*

*Gosselin said no community is where they want to be. She said she looks at the CIP as a short term planning tool, noting that 6 years is not a long time when it comes to infrastructure. She explained that the City is now getting into long term asset planning, for example, reviewing the water system. She said they look at long term pavement asset management plan and how they can get the most out of every dollar spent. She said the City has not begun reviewing the sanitary, but it's probably in the best shape, while the water will be the most challenging because so much of it was installed around the same time. She stressed that the City is privileged to have a street millage which allows them to be fortunate to have a more stable funding source than other communities.*

*Woods asked about large University projects that begin without much prior notice to the City, such as the new residence hall on Division, and how such projects have impact on street surfacing and infrastructure improvements.*

*Gosselin said the challenge for UM is to share and provide lead time on projects given they must work with the regents. She explained that they try to treat them as the City does, private developers, in that if they create a new need they also need to pay to move forward to meet that need.*

*Westphal asked about investment in infrastructure from developers.*

*Rampson said they require developers to up-size infrastructure capacity, such as sanitary sewers, before they build, if their development will impact the system. She said the Landmark development was an example of such up-sizing. She further explained that on other improvements to traffic and intersections the City will determine a fair share contribution that will be included in a Development Agreement, and those funds will then be matched with State and Federal funds on projects such as the Plymouth Green intersection. She explained that developers can request to have such improvements added to the CIP and wait to have them completed or they can pay for them and move ahead with their projects.*

*Clein asked about the prioritization model rank and how it is arrived at.*

*Gosselin said projects are prioritized within their own asset group and are ranked by a team of people who all have something to do within that asset group. They match up priorities with funding options with larger projects, if too large they may have to hold off until a funding source is available. She said Council funds projects based on the use of the CIP as principal document.*

*Clein asked about the 415 West Washington use.*

*Gosselin said Council commissioned a study that is currently being reviewed by the City Administrator and she was not sure what Council will do. She has a figure in for preserving the building for basic safety levels, since she feels the report will get to Council before budget.*

*Westphal said it was helpful to test out priorities and asked if the modeling is being tweaked.*

Gosselin said it's been five years since they did any major tweaking, with the exception last year of incorporated the sustainability framework. She said they are reviewing the rating since they already have an energy rating and want to make sure they are not double-counting that one. She said this winter she will do a review to verify any overlapping priorities as well making sure they are not missing any. She said she doesn't anticipate big changes, but there will be some.

Peters said, as a member of the Capital Improvements Committee, staff has been very open to comments from the general public and in passing along ideas, they have received detailed responses back from staff in a timely manner. He said the Housing Commission project is an exemplary project. He said he is glad to see the Housing and DDA improvements shown as delineated in the report which makes them easier to read.

Rampson said it is important to bring ideas and needs forwards so they can be added to the CIP list. She encouraged the Commissioners to speak with associates in gaining a better understanding of the needs in the community and forwarding those needs either to Deb Gosselin or herself.

Gosselin said the Commissioners and Council members might hear things from their constituents that staff won't hear.

Westphal said as the adjustment of the plan moves forward over the next year, he would like to learn more about the benchmarking; how are we as a City spending as a portion of total investment and where are we in comparison to other cities our size.

Rampson asked if it would be helpful to the Commission to learn more about best practices in the industry or if such information is already available.

Gosselin said doing a benchmarking study is not something that has been given any concerted effort, but she is always checking other communities and what they are doing. She said a benchmark of sorts can be measured by the amount of calls she receives from other communities asking about the prioritization model used in Ann Arbor and where they got it, so she knows what they are doing in that area is cutting edge. As far as looking at dollars per asset review is not something that she had done but she is interested in knowing how those dollars are spent.

Westphal said the roads seem to be the most important because they are so visible. He said he would think benchmark for the roads would be looking at how they are constructed for longevity.

Gosselin said what they are looking at is a "mix of fixes" which is to see what types of repairs have certain life-spans. She said they are right now evaluating various literature that looks at the conditions in our climate and the expected life of certain materials and repairs. The City anticipates coming up with a set of criteria that they can use for various situations. She said she feels the City is doing a good job, but there is always room for improvement.

Westphal asked about financial returns on projects noting that some of the larger projects such as non-motorized projects also have the benefit of increasing property values, enhancing development potentially for certain areas of town.

Gosselin said this is where policy direction feeds into the technical aspect.

Briere said every year, there is a group that does assessments of road condition

throughout the cities of Michigan and every year it somehow never makes the City look good.

Gosselin said SEMCOG rates certain classifications of roads using a system called PAZER, which is a windshield survey. They have pictures of what roads should look like at various classifications. The City uses PCI ; pavement condition index rating, which is more complex. She explained that they are looking to get a company with the needed equipment to do the rating while at the same time do a sign survey within the City, where all streets would be rated at the same time and keep doing it every three years.

Briere said other ideas that would be helpful to include in the details of the report that goes to Council would be the condition of the roads and when they were last reconstructed. She noted there are members that enjoy that level of detail and are looking for that to understand that there is also an objective measure to the ice potholes in the spring.

Parekh said that there are so many great things included in the CIP plan and he felt the citizens would get more excited if they knew about these plans and when they were completed. He asked how the general public finds out when projects are done.

Gosselin explained that they attempted last year to get information added through the GIP on the ward by ward map but were not as successful as they had hoped. She said she is trying to add more onto the CIP page and together with the City's revisions to the website things will be easier to find and see.

Parekh said while the website is a good place to have it, we should be using the social media tools we have, such as Twitter, Pinterest, and Instagram, to really publicize some of the great completed projects within the City.

Adenekan asked about the sidewalk gaps in the City.

Gosselin said there are a lot of sidewalk projects going on and Council funded a sidewalk gap plan that will work hand in hand with the pedestrian safety throughout the City. She said until the study is done there won't be projects showing up in the CIP related to this. She explained that they will develop a prioritization model specifically for the sidewalks, pointing out that if all the sidewalk gaps throughout the City were filled it would cost the City between \$25 50 million.

Briere said the City is trying to roll sidewalk gap work into street projects. She explained that there will be a sidewalk initiative in the Newport Road neighborhood with proposed sidewalk sections from Riverwood to Wines Elementary. She said it will have taken close to 3 years for this one initiative to happen due to the many hurdles involved and receiving home-owners permission.

Westphal asked about a future rail station.

Gosselin said this is included as Ann Arbor Station in Alternative Transportation.

Westphal asked if the station is considered a City asset.

Briere said this determination has not yet been made, since the current station is owned by Amtrak. If another station is built, where it's built and the funding used will determine who owns it.

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



**Yeas:** 9 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Sabra Briere, Paras Parekh, and Jeremy Peters

**Nays:** 0

**11 AUDIENCE PARTICIPATION (Persons may speak for three minutes on any item.)**

**12 COMMISSION PROPOSED BUSINESS**

*Woods raised the issue of how to bring young people from the community into the Planning process and getting involved on the Commission. She said given that members are appointed by Council they would have to explore the idea.*

*Westphal said he had coffee today with young person who had sent comments to the Commission and there seems to be a renewed interest in connecting with the Commission. He noted there is a regular connection with the Urban Planning Program and it would be a great asset to have more involvement from them, adding that the topic could be for a future working session.*

*Rampson asked about the status of bylaw suggestion.*

*Peters said he was planning on meeting with Briere to get the Council model of bylaws but had been unable due to sickness, but he expressed a desire to bring the topic to a working session.*

*Briere said she could supply Council rules to the Commission for them to review and determine if they liked them.*

*Westphal said they got close last time and might be able to talk more about best practices.*

*Adenekan asked about potential meeting dates with City Attorney, Kevin McDonald.*

*Ramspson said she was hoping for next week's working session but found out he had a scheduling conflict so they would try for the following meeting.*

*Adenekan asked about the possible Design Review Board joint meeting.*

*Rampson explained it would be most expeditious if they met after Council takes action in the Downtown Zoning Recommendations.*

**13 ADJOURNMENT**

**A motion was made by Bona, seconded by Peters, that the Meeting be Adjourned at 10:40 p.m. On a voice vote, the Chair declared the motion carried.**

Kirk Westphal, Chair  
mg

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