



# City of Ann Arbor

## Formal Minutes

### Planning Commission, City

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

---

Tuesday, October 7, 2014

7:00 PM

City Hall, 301 E. Huron St., 2nd Fl.

---

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 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 days 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 'Subscribe to Updates' envelope on the home page.

#### 1      **CALL TO ORDER**

*Vice Chair Clein called the meeting to order at 7:11 p.m.*

#### 2      **ROLL CALL**

*Matt Kowalski called the roll.*

**Present**    5 -    Bona, Westphal, Clein, Briere, and Franciscus

**Absent**     3 -    Woods, Adenekan, and Peters

#### 3      **INTRODUCTIONS**

##### **Update on Adoption of New Washtenaw County Water Resources Commissioner Rules - Jerry Hancock**

*Jerry Hancock, Stormwater and Floodplain Program Coordinator, City of Ann Arbor, reported that City Council had adopted the new rules of the Washtenaw County Water Resources Commissioner at their meeting the previous night. He gave a brief overview of the changes and explained how they impact the City.*

*A brief question and answer period followed.*

#### 4      **APPROVAL OF AGENDA**

**Moved by Bona, seconded by Westphal, that the agenda be approved as presented. On a voice vote, the Vice Chair declared the motion carried.**

**5 MINUTES OF PREVIOUS MEETING**

**5-a [14-1387](#)** June 17, 2014 City Planning Commission Meeting Minutes

**Moved by Briere, seconded by Westphal to approve the minutes.**

*COMMISSION DISCUSSION:*

*Briere said given how few Commissioners were present, she was fine with postponing action on them. She requested staff to forward draft minutes to Council for any items going before Council, noting that Councilmembers can benefit from discussion found in the minutes. She would like that to happen from now on and forever.*

*Westphal said he felt bad about holding up the minutes, given the lengthy verbage from lengthy meetings. He requested a hard copy of the July 1, 2014 Planning Commission meeting minutes.*

*Clein said he too was in favor of postponement since there were Commissioners absent, pointing out that he believed the next meeting would be a lengthy one and postponment of the minutes would make it longer.*

**Moved by Westphal, seconded by Briere, that the minutes be postponed to the 10/21/2014 Planning Commission meeting. On a voice vote, the Vice Chair declared the motion carried.**

**5-b [14-1388](#)** July 15, 2014 City Planning Commission Meeting Minutes

**Moved by Westphal, seconded by Briere, that the minutes be postponed to the 10/21/2014 Planning Commission meeting. On a voice vote, the Vice Chair declared the motion carried.**

**5-c [14-1462](#)** July 1, 2014 City Planning Commission Meeting Minutes

**Moved by Westphal, seconded by Briere, that the minutes be postponed to the 10/21/2014 Planning Commission meeting. On a voice vote, the Vice Chair declared the motion carried.**

- 5-d [14-1464](#) August 6, 2014 City Planning Commission Meeting Minutes

**Moved by Westphal, seconded by Briere, that the minutes be postponed to the 10/21/2014 Planning Commission meeting. On a voice vote, the Vice 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 the previous evening, City Council approved the rezoning of the Platt Road Housing Commission, noting that the zoning was not accompanied by a site plan. She said they also were notified through a memo from the City Administrator that the Parks Advisory Commission [PAC] has looked at the ways it uses to determine parcels for parkland acquisition. She said they looked at the Glendale site and the Burton Commons site and determined that the Burton Commons was not suitable for acquisition given PAC criteria and the property owner of Glendale was not responsive to queries.*

**6-b Planning Manager**

**6-c Planning Commission Officers and Committees**

*Bona reported that the Ordinance Revisions Committee met the previous day, and they completed a request from City Council and Planning Commission's recommendation revisit the recommendations regarding the parcel at the corner of Main and William. She said they have decided on some changes, which will go directly to Council, per their request.*

*Bona reported that the next item up for discussion was ordinance language for the zoning on East Huron between State Street and City Hall.*

**6-d Written Communications and Petitions**

- [14-1465](#) Various Correspondences 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.)**

*Carole Rycus, 2726 Winter Garden Court, Ann Arbor, said she is a 20 year resident of Ashford Place and formerly 32 year resident of Bromley Subdivision, both of which partially front on Nixon Road. She said they chose to live on the northeast side because of the green spaces, and when they moved there they realized that those green spaces would not remain and that property owners have the right to develop their land. She said she has concerns about the development that Toll Brothers is proposing to build and feels it is too dense to retain the natural features of the land and neighborhoods of the northeast side. She said she feels the proposed siding along Nixon should be changed to be a berm, which would be more in line of what is currently there and then have the housing set back. She said when she attended the citizen participation meeting, Toll Brothers said they plan the development to take place over a 5-7 year time frame, which she said is too long and hard on the patience of residents. She had issues with the water run-off from the site and traffic issues along Nixon Road and hoped that the issues could be resolved to the satisfaction of the developer as well as the residents in the area.*

*Bernard Lugauer, 26 Haverhill Court, Ann Arbor, said he has lived at this location for the past 32 years. He said he lives across the street from the proposed development. He said he has similar concerns as the former speaker, and said he has concerns with the lack of concern for the integrity of the existing neighborhood, pointing out the solid wall of 3-story buildings compared to 2-story buildings that are there now and the ample green space that is there now and setting those buildings back from the roads. He said an overall issue with the project is the traffic, given the fact that Nixon is currently having an issue picking up all the feeding traffic, as is Plymouth Road, and widening the road isn't going to help. He said having a middle school in this location with children walking to school right off the site, the traffic is a real issue. He said they live in a special community, a quality community and that quality should be maintained. He said it is also an expensive community and to make short sighted decisions that will in the long run deteriorate from that impact just for a quick financial gain that over time will end up costing the City more and the existing residents will have to pay for after the developer has moved on is really a consideration that needs to be kept in line. He said let's vote carefully and maintain a community and the integrity of this particular part of town.*

*Tiiu Sefcik, 2920 Lakehurst Lane, Ann Arbor, said she has concerns about the natural features inventory and what impact the Toll Brother's development will have on wildlife habitats. She said developments like this one can often fragment and eliminate feeding areas and migration*

*patterns. She said the fact that the wetlands are being affected is of special concern since 1/3 of all threatened species in the US live on wetlands areas. She said no survey of the wildlife has been done of the area by the Toll Brothers, however the City of Ann Arbor has identified several reptiles on the site. She said she would like to see a comprehensive study of the land having been conducted.*

*David L. Ruess, 16 Westbury Court, Ann Arbor, co-owner in the Northbury Condominium Development, located just east of the South Farms development, said they have been working with their committee and have submitted two letters to the City. He said he wanted to draw the Commission's attention to the perimeter structures and the landscaping of the South Nixon Farms proposed project, which is the more dense of the two developments. He read from a prepared statement.*

*Lisa Dusseau, 2740 Lakehurst Lane, Ann Arbor, said she lives in the Traver Lakes subdivision, which is directly southwest of the proposed Toll Brother's development. She said she shares the same concern as her neighbors and doesn't want to see a castle wall along Nixon Road. She read from a prepared statement and asked the Commission to consider zoning the parcels R1 or R2 rather than the dense development suggested in the Master Plan. She said the residents can't support it and the infrastructure can't support and neither can the environment.*

*James D'Amour, 2771 Maplewood Avenue, said he lives in the southeast Ann Arbor area and is somewhat familiar with the issue as a City Planning Commissioner from 2003-2006 and before that he worked extensively with the Planning staff on the Northeast Area Plan. He said he believes there were some assumptions that were made that all growth is good and that all problems could be solved by greater density, even in the outlying areas. He said he thinks that is a fallacious assumption and believed that there is a zero sum game in the long term because all the residential homes need the infrastructure that needs continuous maintenance. He said it's not really a bargain for the City and he now believes these assumptions made while they were working on the Northeast Area Plan should be challenged and giving those assumptions to the Toll Brothers are not accurate assumptions. He said he strongly urges the Commission to re-consider the underlying assumptions that are there and hear what this neighborhood has to say and treat them as partners not merely as people to be heard.*

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

[14-1466](#)

Public Hearings Scheduled for the October 21, 2014 City Planning

Commission Meeting

*Clein read the public hearing notice as published.*

**9 UNFINISHED BUSINESS**

**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](http://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 14-1467** Temporary Telecommunications Facility - Cell on Wheels - Planning Commission approval is requested to locate a cell-on-wheels (COW) in the northwest corner of the existing parking lot at Ann Arbor Golf & Outing, located at 400-402 East Stadium Boulevard, during the University of Michigan football season. The cell on wheels will be set back 215 feet from East Stadium Boulevard and 530 feet from South Main Street. The temporary tower is approximately 75 feet tall. (Ward 4)  
Staff Recommendation: Approval

*Kowalski presented the staff report.*

***PUBLIC HEARING:***

*T.J. Garrett, Haley Law Firm, PLC, 10059 Bergin Road, Howell, MI, representing the petitioner, was available to respond to the Commission's enquiries.*

*Noting no further public speakers, the Vice Chair closed the public hearing.*

**Moved by Westphal, seconded by Briere, that the Ann Arbor City Planning Commission finds the petition to substantially meet the standards contained in Chapter 55 (Zoning Ordinance), Section**

**5:82 (Wireless Communication Facilities), and therefore approves the Temporary Telecommunications Facility – Cell On Wheels at 400 East Stadium Boulevard for a monopole designed without the ability to co-locate additional antennae.**

*COMMISSION DISCUSSION:*

*Bona asked how this is different than the tower that was placed here before.*

*Garrett said that one was Verizon and this one is Sprint.*

*Bona asked if the cell phones can work with other carriers.*

*Garrett said, no, they can't work together, and this request is to help cover the need for additional coverage during games.*

*Bona asked if the cell-on-wheels would remain in place during the whole season or if it would be moved in between games.*

*Garrett said it would remain in place during the entire season and would be removed as soon as the season is over.*

*Franciscus asked if the antennae would be directed towards the stadium area or if it could be moved in a 360 degree movement.*

*Garrett said there are actually 3 antennae on the COW, which is currently set up on location at the permitted height of 30 feet. She said the 3 antennae are in a tri-sector with 2 of them being focused mainly at the stadium with the third one mainly for traffic in the area.*

*Clein asked about the support of the base and what keeps it from overturning.*

*Garrett said it has very large outriggers that come in on the trailer and then go out about 10-15 feet, which is what supports the trailer. She said this specific COW only goes up to 65 feet.*

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

**Yeas:** 5 - Bonnie Bona, Kirk Westphal, Kenneth Clein, Sabra Briere, and Sofia Franciscus

**Nays:** 0

**Absent:** 3 - Wendy Woods, Eleanore Adenekan, and Jeremy Peters

- 10-b**    **14-1468**    Resolution to Approve Commissioner Attendance at the Michigan Association of Planning Conference

**Moved by Briere, seconded by Franciscus, that the Ann Arbor City Planning Commission hereby approves the attendance of Commissioners Adenekan, Peters and Woods at the 2014 Michigan Association of Planning Annual Conference, October 8-10, 2014 on Mackinac Island, Michigan, and further approves the reimbursement of eligible expenses from the Planning Services conference and training budget.**

**On a voice vote, the Vice Chair declared the motion carried.**

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

*A member of the audience asked when the Pittsfield Retail development would come before the Commission.*

*Kowalski said he could speak with the audience member about the matter after the meeting.*

**12**        **COMMISSION PROPOSED BUSINESS**

**13**        **ADJOURNMENT**

**Moved by Westphal, seconded by Franciscus, that the meeting be adjourned at 8:12 p.m. On a voice vote, the Vice Chair declared the motion carried.**

Wendy Woods, Chair  
mg

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)).

The complete record of this meeting is available in video format at [www.a2gov.org/ctn](http://www.a2gov.org/ctn), or is available for a nominal fee by contacting CTN at (734) 794-6150.