

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Formal Minutes - Draft

Tuesday, October 4, 2011

7:30 PM

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

City Planning Commission

- 9-a 11-1249 University Bank Planned Unit Development (PUD) Supplemental Regulations Revision and PUD Site Plan - A request to revise the approved PUD supplemental regulations to increase the total number of employees and parking spaces allowed and a proposal to construct 14 additional parking spaces at the east corner of the site on the 2.10 acres at 2015 Washtenaw Avenue. Staff Recommendation: Approval
Dileo presented the staff report.

PUBLIC HEARING:

Dana Dever, attorney for the Serwers, neighbors of the property, said that there are two matters that still need to be addressed. He said there is nothing in the supplemental regulations prohibiting parking on the driveway and he feels this should be added. He said they are also asking for two no-parking signs to be placed along the driveway. He noted that Mr. Ranzini stated at an earlier meeting that parking on the driveway was not desirable, yet he subsequently encouraged employee parking along this driveway despite the prior site plan and the easement restrictions.

Ken Sprinkles, representative from University Bank, said that one reason cars are parking on the driveway is because there is a need for parking. He said that the easement language states that they must maintain one lane of traffic on the driveway. He said they will provide one sign, and they will enforce the no parking restriction. He said that they are working on an identification system for all employee cars. He said that, as of today, there was no parking on the driveway, even though there were more cars than parking spots.

Gerald Serwer, 2021 Washtenaw, said this zoning decision affects the financial viability and enjoyment of his home. He said that he would like two "no parking" signs to make sure no one misinterprets the use of the driveway. He also asked that no parking occur on the driveway during construction. He said that the wall that separates his property from the parking lot drive is requested to be faced with a material matching his house masonry. He emphasized safety, now, during the construction and into the future as their primary concern.

Stephen Ranzini, president of University Bank, said that since last month, his bank has hired 30 people, but only one was hired at the Ann Arbor location due to delays in getting this parking lot approved. He said that his preference is one "no parking" sign at the entrance. He said that the easement calls for keeping one lane of the driveway open, which allowed them to run the experiment to test the staff's suggestion from an earlier meeting. Because of the slowness of the process, it took a year

to get to where we are tonight. He hoped that the Commission would do its part to preserve this historic property by approving the PUD request.

Cheryl Serwer, 2021 Washtenaw, noted that it had also been three years for her since this project started. She read the language of the driveway easement to the Commission. She said that they were willing to compromise on the removal of the trees by having a taller wall to screen the parking lot. She said that she needs to get out of her driveway safely and that two "no-parking" signs should be posted to make sure that cars will not park there.

Public Hearing closed at 7:40 PM.

Moved by Pratt and seconded by Westphal that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the University Bank Planned Unit Development (PUD) Supplemental Regulations and Site Plan.

COMMISSION DISCUSSION:

Derezinski asked staff to respond to the petitioner and neighbor's concerns and how the issue could be enforced.

Dileo explained that the driveway on this site is not a public or private street, so City ordinances are not helpful in this case. She also noted that the number of "no parking" signs is discretionary. She said in regard to the driveway easement, the City does not enforce private agreements between two parties. She said the items could be included in the supplemental regulations if desired.

Derezinski asked the petitioner if he would be willing to put up a second "no parking" sign.

Ranzini said that until the Planning staff mentioned that parking on the driveway was an option, they did not have parking on the driveway because it is ugly. He said that they would put a second sign if required.

Derezinski asked staff how this additional sign requirement could be added to the agreement.

Dileo said that Section 4 (g) in the supplemental regulations could be revised to include limiting parking on the driveway and a requirement that two signs must be provided.

Gianolla asked if the no-parking would apply to all visiting vehicles even if they weren't bank employees.

DiLeo responded yes.

Westphal asked if parking did occur, which ordinance would it be violating.

DiLeo answered that it would be a violation of the zoning ordinance, since it would be a part of the Zoning Supplemental Regulations for this project.

Moved by Derezinski, seconded by Adenekan, to add to Section (4) (g) of the proposed supplemental regulations that no parking is allowed on the driveway and that two no-parking signs must be installed along the driveway.

Westphal asked whether this addition to the supplemental regulations would change the enforcement.

Rampson added that the City would not tow cars from a private property. She noted that the City could potentially ticket the property owners for allowing parking in that driveway.

Westphal asked if the signs would even matter, if the no-parking becomes a part of the supplemental regulations.

Derezinski said that it is unfortunate that this is becoming formal, since this should not be a problem between two neighbors. He said he is withdrawing his motion.

Motion withdrawn

Pratt said that the unfortunate problem with a PUD is that an owner has to take it as is. He asked whether staff had seen multiple submissions on this project which would've caused a delay?

Rampson said no, but the petitioner and neighbor had spoken on multiple occasions.

Pratt said that when an owner wants to change a PUD, the expectation is that there will be some give and take, and it sounds like there has been. He said he applauded the effort to try out the parking experiment, and he understands it was in an effort to minimize additional pavement and cutting down trees. He said that adding words will not really help, and enforcement may be through private efforts. It's a small concern to the public, and is really a private property matter.

A roll call vote on the motion was as follows, with the Chair declaring the motion carried.

Yeas: 7 - Evan Pratt, Eric A. Mahler, Tony Derezinski, Erica Briggs, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 2 - Bonnie Bona, and Wendy Woods