



City of Ann Arbor

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

Wednesday, November 7, 2012

7:00 PM

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

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. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office at 734-794-6140 (V/TDD) at least 24 hours in advance. 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 at the top of the home page.

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1 CALL TO ORDER

Vice-Chair Woods called the meeting to order at 7 pm.

2 ROLL CALL

Present 7 - Bona, Pratt, Mahler, Woods, Derezinski, Giannola, and Clein

Absent 2 - Westphal, and Adenekan

3 APPROVAL OF AGENDA

Moved by Mahler, seconded by Giannola, that the agenda be approved. On a voice vote, the Vice-Chair declared the motion carried.

4 INTRODUCTIONS AND PRESENTATIONS

Vice Chair Woods welcomed the visiting AP Government students from Skyline High School.

5 MINUTES OF PREVIOUS MEETING

5-1 **12-1335** City Planning Commission Meeting Minutes of September 18, 2012

Moved by Clein, seconded by Bona, that the minutes be approved by the Commission. 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**

Derezinski noted that the Council will meet tomorrow, due to the election.

6-b **Planning Manager**

Rampson brought the Commission's attention to the November Meeting Calendar, noting that last week there were two citizen participation meetings for upcoming construction projects on Church Street and East Huron/Division Streets.

Rampson reported that on November 28, there will be the second public meeting on the draft 721 N. Main Street recommendations to City Council.

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

Bona reported that the North Main Huron River Vision Task Force has met several times since she last reported. She said the Task Force has made a preliminary recommendation for the 721 N. Main site. She encouraged those interested in following the Task Force's work to register for the City's email subscription service, GovDelivery, to get notices about upcoming meetings.

Bona reported that the Ordinance Revisions Committee continues to meet about the R4C/R2A Advisory Committee's recommendations. She said the ORC is working on a memo to City Council to ask for more time to provide their recommendations. She said they are making slow, but good progress.

Derezinski reported that the Ann Arbor Public Arts Commission has been discussing areas where they might be able to get involved in up front planning. He said they are interested in adding their input on the South State Street corridor study and the construction of the roundabout in Ellsworth Road. He noted that many of the stakeholders involved in the South State project had interest in improving signage, so this might present an opportunity for AAPAC. He said they want to know how they can be of assistance.

6-d **Written Communications and Petitions**

12-1339 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.)**

Arial Fleicher, a Masters Urban Planning student at the University of Michigan, said that students had just finished up with UM's first annual bike week. She said that two public bike stations were installed and are free for the whole community to use.

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

The Vice Chair read the public hearing notice, as published, for the November 20, 2012 City Planning Commission meeting;

The Summit Townhouses Site Plan for City Council Approval - A proposal to construct a 24-unit multiple-family residential development with 48 parking spaces and one access driveway on this 3.3 acre parcel located at 2081 East Ellsworth Rd.

Memorial Christian Church Special Exception Use for City Planning Commission Approval - A request to convert this existing office building to a church use, with worship space, educational area (non-school) and administrative support spaces. No changes are proposed to the 0.69 acre site located at 1900 Manchester Rd.

Seneca/Onondaga/Geddes Rezoning for City Council Approval - A proposal to rezone 6 parcels; 2014 Geddes Avenue (0.40 acre) 2024 Geddes Avenue (0.40 acres) 520 Onondaga Street (0.20 acre) 2025 Seneca Avenue (0.20 acre) 2023 Seneca Avenue (0.40 acre) 2019 Seneca Avenue (0.22 acre); totaling 1.82 acres, on this block from R1B (Single-Family Dwelling District) to R1C (Single-Family Dwelling District).

9 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.)

- 9-a 12-1336** Max Annexation and Zoning for City Council Approval - A request to annex this 0.15 acre parcel located at 2503 Victoria Avenue from Pittsfield Township and zone it R1C (Single-Family Dwelling District) to allow construction of a single-family home. Staff Recommendation: Approval

Cheng presented the staff report.

PUBLIC HEARING:

Noting no speakers, the Vice-Chair declared the public hearing closed.

Moved by Mahler, seconded by Pratt, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Max Annexation and R1C (Single-Family Dwelling District) Zoning.

COMMISSION DISCUSSION:

Derezinski asked if there was a timetable established for the completion of the

sidewalk extension.

Cheng said, yes, explaining that the Certificate of Occupancy for the new house would not be issued until the sidewalk was completed.

Derezinski asked when the project was scheduled to begin.

Cheng said that permits had already been issued and construction was under way.

Clein asked if the home being construction was single-family.

Cheng said, yes.

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

Yeas: 7 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Wendy Woods, Tony Derezinski, Diane Giannola, and Kenneth Clein

Nays: 0

Absent: 2 - Kirk Westphal, and Eleanore Adenekan

9-b 12-1337

The Shoppes at 3600 Plymouth Road for City Council Approval - A proposal to divide a 1-acre parcel from the existing hotel site and re-zone to C-3 (Fringe Commercial). Site plan includes a proposed 9,490 square feet single-story retail building with one drive-thru and 33 parking spaces. Staff Recommendation: Approval

Cheng presented the staff report.

PUBLIC HEARING:

Ken Hicks, Diverse Development, 1428 Alvine Road, Holland, OH 43528, developer of the project, introduced himself and offered to answer the Commission's questions.

Warren Attarian, a resident of the Orchard Hills/Maplewood subdivision, said he has a hard time believing this rezoning is consistent with the City's Master Plan. He said he has been involved in planning efforts where the community is concerned about beautifying entrances to the city. He said he also is a member of the Dean Fund, which works on beautifying areas of the City. He said adding fast food restaurants at the highway interchange is not appropriate. He noted that the developer is building this project with the face of the building on the inside, with the back of building facing the street. He said the slide that was shown displayed mature trees along Plymouth, which he would like to make nicer. He said this project is the opposite of what the City wants to achieve, and asked the Commission to vote no on the request. He noted that the Commission did not have to approve this, since it is a request for rezoning.

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

Moved by Derezinski, seconded by Pratt, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Shoppes at 3600 rezoning from R5 (Motel Hotel District) to C3 (Fringe Commercial District).

COMMISSION DISCUSSION:

Clein asked the petitioner about the colors in the image in the packet and if they will be using those colors.

Hicks said they use all brick in their developments with earth tone colors, because they want their project to be an upscale project, adding that they feel the more they put into the building and landscaping, the better the tenant they can get into their building. He said they are here to build a building and stay in the community.

Clein asked about HVAC systems for the building and where they would be located.

Hicks said they will be on the roof of the building. He said they intend to make the back of the building look like the front of the building, using awnings and insets that look like store fronts.

Giannola asked the petitioner what the advantage was with putting the front of the building onto the inside instead of the street.

Hicks said they had the building set back originally, but with the City's setback requirements they had to make modifications to meet those requirements. He added that most communities appreciate not having a sea of asphalt parking such as that surrounding the hotel.

Giannola said she had issues with the back of the building being located at the street. She said since the Commission didn't have elevation plans showing how the awnings and insets would look, she asked if there was any way that they could make the building look like it had two frontages with doors on both sides and not like it was the back of a building.

Hicks said they had not explored that possibility.

Derezinski noted that the public speaker had stated that he does not believe this comports with the City's Master Plan, yet the staff report notes quite the contrary. He asked staff to explain the request with the consistency of the Master Plan.

Cheng, responding to Giannola, explained there is a range of 10 to 25 feet setback requirement for C3 Zoning Districts, with this proposed project being set back at the maximum of 25 feet. He said it would be difficult to put a door on the back of the building, noting the drive-thru access. Cheng said there is a raised pedestrian path that comes off the service drive.

Cheng, answering Derezinski, said the Master Plan recommends commercial uses for this site. He showed the current zoning of neighboring and adjacent parcels, explaining that in order to transition from commercial to local commercial zoning, the fringe commercial zoning would be appropriate.

Derezinski asked if tenants have been nailed down?

Hicks said no, not yet.

Derezinski asked about the wall on the roof.

Hicks said it would be a parapet wall to hide the HVAC equipment.

Derezinski asked who the shoppers would be at the center and what would the hours of operation be, referencing the Tim Horton's restaurant.

Hicks said he believed Tim Horton's would open at 6:00 am with the other stores being open between 9:00 am and 7:00 pm. He explained that they are purchasing this parcel from the hotel, and hope to correlate their construction along with the proposed renovation of the hotel; starting construction in the spring, and when the projects are complete they will complement each other. He stressed that they are bound to not allow alcohol use in their building. He explained the image shown was intended to show where the existing parking lot is located, which will be removed.

Derezinski asked about parking changes.

Cheng said they will be removing approximately 51 parking spaces, currently used by the hotel, and they will be installing 33 parking spaces, which does meet code. He noted there will be cross easements so both the hotel and retail center will be able to use each other's parking as needed.

Derezinski asked if the code allows for such easements.

Cheng said yes.

Hicks said the parking is currently used for the Avis drop off.

Pratt asked about the rezoning, noting that this segment of the site is currently not split off and is zoned R5, which allows for more intensive uses than what is proposed.

Cheng said yes, that the rezoning request is subject to a land division, explaining that it is currently zoned R5, which allows hotel use with ancillary restaurants.

Pratt asked if a lesser intensity use was behind the rezoning request.

Cheng said that staff had met with the petitioner early on in the development when the petitioner wanted to know what the City's Master Plan was for this parcel and if their project would be feasible.

Rampson added that it was not the City's intent to have a lesser intensity use for this site, since the City is looking to increase use along the corridors, but rather that the site was a parking lot that could be put to better use.

Pratt said that he was glad they were not adding another curb cut. He said this area has been available for redevelopment for some time. He said as for the area being a gateway to Ann Arbor, he would like to see a more attractive entry way to the downtown, but doesn't believe the ordinance calls for anything specific for this site. He said he doesn't think that it would be useful to have doors on Plymouth Road, since most people would be accessing the building from south side; however he thought the building should look equally nice from both the south and north elevations.

Mahler asked about traffic concerns, referencing the comments from the City's traffic engineer. He asked if the development is put in, would it mean an appreciable level of traffic increase and possible accidents. He asked also if there will be something done about it now or do they plan on taking a wait and see approach.

Cheng said he spoke to the traffic engineer on the issue, who indicated the anticipated level of service [volume and accidents] would not get any worse than the existing conditions.

Mahler asked if this was the case with an additional curb cut.

Rampson clarified there would not be a new curb cut from Plymouth Road.

Cheng said they anticipate this project would be drawing from existing passerby traffic that is already on the road and not a destination that people will be driving out of their way to get to. He said there will also be better signage installed to direct cars to use the service drive to get to Green Road.

Woods asked for clarification on the proposed use of existing curb cuts on the site.

Cheng reviewed the slides with the Commission.

Bona said that one of the intents for the revised Area, Height and Placement ordinance was to get four-sided buildings, and that is why the Commission would like to see all elevation plans of proposed buildings. She said one of issues with working with this site is the 45-degree angle that creates the problem, noting it would be hard to position the building so it is along the east side of the property. She asked the reason why the right-of-way has a large corner cut out of the property.

Cheng noted that that was the property line for the parcel.

Pratt said MDOT usually clips the corners by freeway entrances at a 45 degree to allow for site distance.

Bona said that maybe this shaped site is not appropriate for the proposed project, which would seem to turn its back on customers. She questioned whether C3 is an appropriate zoning for this location, adding that she struggled with supporting the requested rezoning.

Derezinski asked staff what other uses would be appropriate for this property, given the surrounding uses.

Cheng said possible future development for the site would be up to the owners, and could include hotel expansions. He reviewed the proposed landscape screening along the drive-thru from Plymouth Road and the existing trees along US 23.

Giannola asked if there is no way to have the building facing the front given the setbacks.

Cheng said it would mean that the drive-thru would need to be removed, given that it would not be practical to have a drive-thru in the front of the building with an estimated 13 vehicle stacking.

Clein said the site is not ideal given the configuration, and the petitioner did not help his request by not showing elevation plans of the proposed building so the Commission can see how it is going to look. He said he feels the landscaping would be a better part of that view, as pointed out by staff. He said he feels if they were to look at the project from the sustainability criteria, he would hesitate to advocate for single story drive thru uses at entrances to our City. Realizing that the site is surrounded by similar uses makes it difficult to say that the proposed project is inappropriate for this site, which leaves the Commission with a conundrum for what is appropriate for entrances to the City when there already are established patterns of development, as in this situation. He said he would like to see more of what the end result will be on the building elevations. He said realizing signage review is a separate review, he would still like to see proposed signage, so they won't be surprised later as to what they end up with.

Bona said she would like to see a more direct sidewalk path leading from the hotel to the proposed building for people staying at the hotel. She also asked the petitioner to consider putting the back of the building to the entrance ramp with parking to the west. She said she believes the positioning of the building is what is causing the truncated corner of the site, and she believed that a Planned Project might be considered in order to put the building close to Plymouth Road, on the east side of the property. She said that this general use in this general location seems good in this location, but it currently seemed forced and jammed in. She suggested postponement.

Pratt asked if she felt rotating the building would be a solution.

Bona said while she didn't want to be too restrictive, she felt running it straight north south, would be the easiest, but positioning it at an angle might be okay as well. She said she would like to see something go here in this location, but had difficulty with the current design.

Woods said she would appreciate seeing elevations and would also be in favor of postponement.

Moved by Bona, seconded by Giannola, that action on The Shoppes at 3600 Rezoning be postponed to provide the petitioner the opportunity to address Commission questions and concerns.

Derezinski said he puts great weight on recommendation of staff, but the shape of the property is a difficult thing in this case and Commission members have raised legitimate questions. He said he will support postponement.

Mahler asked for what points the Commission is postponing.

Bona said she hopes for the petitioner to come back with a potential solution of moving the building. She said she is looking for a way to support the C3 zoning.

Mahler asked the petitioner if he is willing to engage in this examination.

Hicks said he doesn't know how the site could be redesigned, given the property configuration.

Rampson reminded the Commission that the request being reviewed is for a rezoning.

Giannola said she finds it hard to look at the zoning and site plan separately.

Mahler said that he could support the rezoning to C3, but disapproved of the site plan.

Clein said that the best course of action is to postpone to get additional information. He said he does not have a deep issue with the rezoning to C3, but he needs to understand what the City is going to get on the site.

On a roll call, the vote was as follows, with the Vice-Chair declaring the motion carried and the item postponed.

Yeas: 7 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Wendy Woods, Tony Derezinski, Diane Giannola, and Kenneth Clein

Nays: 0

Absent: 2 - Kirk Westphal, and Eleanore Adenekan

- 9-c 12-1376** An Ordinance to Amend Chapter 59 (Off-Street Parking) to Allow Temporary Parking of Motor Vehicles in the Front Open Space as Part of a Special Event. Staff Recommendation: Approval

Rampson presented the staff report.

PUBLIC HEARING

Noting no speakers, the Vice-Chair declared the public hearing closed.

Moved by Mahler, seconded by Derezinski, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve amendments to Chapter 59 (Off-Street Parking) Section 5:166 to allow temporary parking of motor vehicles in the front open space as part of a special event.

COMMISSION DISCUSSION:

Clein asked if City Council would set specific dates that would be associated with these special events, and if this amendment would make the process easier.

Rampson said the special events could include the annual Art Fair or annual runs that occur throughout the City or even one-time special events coming before the City Council that might require measures such as traffic control. She said the amendment would make the process more transparent.

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

Yeas: 7 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Wendy Woods, Tony Derezinski, Diane Giannola, and Kenneth Clein

Nays: 0

Absent: 2 - Kirk Westphal, and Eleanore Adenekan

- 9-d 12-1338** Resolution to Approve City Planning Commissioners to Attend the Michigan Association of Planning Conference (MAP) Staff Recommendation: Approval

Moved by Giannola, seconded by Derezinski, that the Ann Arbor City Planning Commission hereby approves the attendance of Commissioners Bona, Clein and Pratt at the 2012 Michigan Association of Planning Annual Conference on October 17-19, 2012 in Traverse City, Michigan and further approves the reimbursement of eligible expenses from the Planning Services conference and training budget. On a voice vote, the Chair declared the motion carried.

Yeas: 7 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Wendy Woods, Tony Derezinski, Diane Giannola, and Kenneth Clein

Nays: 0

Absent: 2 - Kirk Westphal, and Eleanore Adenekan

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

Colin Dylan, student at UM Taubman College of Architecture and Urban Planning, spoke about proposed 3600 Plymouth Road Shoppes, noting that while the project seems shoe-horned for the site, he felt more explanation was needed from the petitioner and he supported the request to postpone for more information.

11 COMMISSION PROPOSED BUSINESS

Derezinski asked guests where they were from, and said what they were doing was very important for the community. He said previously discussed issues are coming back strong, adding that several years ago they decided to prioritize transportation corridors into the City, which are now being discussed with developments on Washtenaw Avenue, South State Street, Plymouth Road and North Main Street.

Bona congratulated Pratt on becoming the County's new Water Resources Commissioner.

Bona also thanked Derezinski for serving as City Council member liaison to the Planning Commission.

Derezinski said it had been an honor to serve on the Planning Commission during the past four years. He said it had been his foremost request to serve on the Planning Commission, where he has learned so much. He said while the Commission didn't always agree on issues, they learned to disagree agreeably and he likes all of the Commissioners very much.

Pratt thanked the Commission for their comments, noting that this meeting would be his last meeting. He expressed his thankfulness to the Commission for the opportunity to serve and for all he had learned over the past eight and a half years on the Commission.

The Commission offered Commissioners Pratt and Derezinski a round of applause.

12 ADJOURNMENT

Adjourned 8:30 pm.

A motion was made by Clein, seconded by Pratt, that the meeting be Adjourn. On a voice vote, the Vice-Chair declared the motion carried.

WORKING SESSION IMMEDIATELY FOLLOWING REGULAR MEETING (In Council Work Room)

Wendy Woods, Vice-Chair
mg

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