

MINUTES

ANN ARBOR CITY PLANNING COMMISSION

BUSINESS MEETING

7:00 p.m. – May 6, 2008

Time: Chair Pratt called the meeting to order at 7:00 p.m.

Place: Council Chamber, Second Floor, 100 North Fifth Avenue, Ann Arbor, Michigan.

ROLL CALL

Members Present: Bona, Borum, Carlberg, Emaus, Lowenstein, Mahler, Potts, Pratt, Westphal

Members Absent: None

Staff Present: Foondle, Kowalski, Pulcipher

INTRODUCTIONS

None.

MINUTES OF PREVIOUS MEETING

a. Minutes of April 1, 2008.

Moved by Westphal, seconded by Potts, to approve the minutes as presented.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Lowenstein, Mahler, Potts,
Pratt, Westphal

NAYS: None

Motion carried unanimously.

b. Minutes of April 15, 2008.

Moved by Carlberg, seconded by Potts, to approve the minutes as presented.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Lowenstein, Mahler, Potts,
Pratt, Westphal
NAYS: None

Motion carried unanimously.

APPROVAL OF AGENDA

Moved by Borum, seconded by Mahler, to approve the agenda.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Lowenstein, Mahler, Potts,
Pratt, Westphal
NAYS: None

Motion carried unanimously.

REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL,
PLANNING AND DEVELOPMENT SERVICES, PLANNING COMMISSION
OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS

Lowenstein stated that a public meeting was held to solicit input on the proposed citizen participation ordinance, adding that public input was also sought through electronic mail. She stated that the information received was currently being reviewed and that a draft ordinance would soon be prepared.

Bona reported that a presentation on the proposed parking structure at the Library Lot would be made at the May 13 Planning Commission working session, at which time Commission members could provide feedback.

Pratt stated that Commission would be asked to provide feedback on the Planning and Development Services Manager in the month of May, noting that he would be seeking feedback from Commission members on this in the near future.

AUDIENCE PARTICIPATION

None.

PUBLIC HEARINGS SCHEDULED FOR NEXT MEETING

Pratt announced the public hearings scheduled for the May 20, 2008 Planning Commission meeting.

REGULAR BUSINESS

a. Public Hearing and Action on 121 North Division Street Conditional Rezoning, 0.12 acre. A request to rezone this site from R4C (Multiple-Family Dwelling District) to O (Office District) with conditions – Staff Recommendation: Approval

Kowalski explained the proposed rezoning.

Jeff Crockett, 506 East Kingsley Street, speaking on behalf of his wife, Christine, president of the Old Fourth Ward Association, read a prepared statement, which stated that this rezoning petition should be denied. He said this house was part of the original Division Street Historic District, which was established to maintain the historical and residential character of Division Street. All of these houses have been residences for over 100 years, he said, noting that historic preservation in both local and state law reinforced the preservation of the original use of the building. He stated that there have been no zoning changes in the neighborhood, as the Planning Commission and City Council have consistently adhered to the policy against spot zoning. Once again, he said, the Planning Commission and Council were faced with following this policy. He stated that the proposed office use for this property did not seem to be related to the Old Fourth Ward; rather, it was related to the owner's commercial use at Huron and Division Streets. Perhaps the petitioner should look for a suitable office building for this use, he said, noting that the City's adopted plans and policies were committed to protecting these older neighborhoods.

Kristi Gilbert, a resident of the Old West Side, said she was thrilled to be in a district where historic resources were protected. She referred to a letter by Louisa Pieper, previous Historic District Commission director, which was supported by the Preservation Alliance at its March 19 meeting. She read a letter from the Preservation Alliance opposing this rezoning. She stated that zoning must be relied upon to make sure that the historic character of structures were maintained. Even if the appearance were maintained, she said, the office use would give the neighborhood a different feel, which could result in potential residents choosing other areas that were more stable. She urged the Planning Commission to deny any request for a rezoning from residential to office or commercial in this historic district.

Sonia Schmerl, a resident of the Old West Side, read a statement by Christine Brummer, President of the Old West Side Association, which was provided to the Planning Commission in the packet for the meeting this evening (letter on file). She said the letter stated that Ann Arbor needed to recognize the value of its neighborhoods if the efforts of the A2D2 project were to be realized. The key, she said, was that the residences be filled with people, whether in an historic district or not. She said the neighborhoods near the downtown were vibrant because they were filled with residents and changing the zoning of a residential house to allow office use would be a taking from the neighborhood, which was unacceptable.

Peter Pollack, 515 Detroit Street, referred to page two of the staff report, where the zoning conditions offered by the petitioner were listed. He spoke to the condition that said any structural modifications would have to be approved by the Historic District Commission. He stated that this was not a new condition; it already existed. He referred to the condition that said any interior modifications would not be allowed without Planning Commission approval, noting that it was not the role of the Planning Commission to deal with the interior of buildings, nor was there a process in place for the Planning Commission to do this. Another condition, he said, dealt with minor modification terminology, which was language borrowed from Chapter 57 of the City Code (site planning). He said this was an official term

that dealt with the exterior of buildings, not the interior. He stated that the proposed conditions had no standards and there was no process to deal with what was being suggested. He expressed concern about the conditions being meaningless and suggested that the attempt to control impacts implied a negative action. He stated that the City has had adopted plans for decades, as well as planning principles and collected community comment that guided the evolution of the downtown in relation to adjacent neighborhoods being protected from business intrusion. He asked that this property remain zoned for residential use.

Norm Tyler, 126 North Division Street, showed a birds-eye drawing of the neighborhood which contained the boundaries of the three historic districts that were basically all part of the character of this neighborhood. He also distributed a photograph of this property within the neighborhood to show its residential and pedestrian character. He stated that all three of the historic districts blended together and this house was recognized as a key part of that district. He referenced the Charleston Principles, which were a set of principles established in 1990 to represent how communities should deal with historic preservation. One of the key principles, he said, was to ensure that the policies and decisions on commercial growth and development respect a community's heritage and enhance its overall livability. He emphasized "livability" because this proposed rezoning would take away from the livability of this neighborhood. He also referenced the Secretary of the Interior guidelines, which have been adopted as standards by the State of Michigan. He noted that the first standard was that "property will be used as it was historically." This rezoning would violate that standard, he said. He acknowledged that the architectural significance of the building would not change, as agreed upon by the petitioner, but said the historical significance of the building was very important and the proposed office use would change that. He stated that this rezoning would be a continuation of the chipping away of the edges of the three historic districts and should not be allowed. He said there needed to be a balance between the 150-year heritage and the substantial concession to commercialism.

Ellen Ramsburgh, 1503 Cambridge, said she agreed with everything that had been said by the previous speakers. After a presentation at Kerrytown on the A2D2 recommendations, she said, someone asked staff if the City wanted to increase the commercial area and the answer was no, that was not what the City intended. She also heard a comment during the historic preservation awards at the last City Council meeting from a resident of a downtown neighborhood, who said it seemed strange that the very things the City was trying to preserve were continuously being chipped away. She said it was very discouraging to feel like you were constantly fighting battles against these types of development proposals. It was her hope that the City would let these residential areas stay residential in use and maintain their livability.

Ray Detter, of the Downtown Development Authority Citizens Advisory Council (CAC), stated that the CAC supported good planning and strongly respected historic residential neighborhoods that bordered the downtown. He said the group believed this proposal, whether it contained conditions or not, violated the commitments, standards and policies the Planning Commission should be supporting. He believed this rezoning was a conflict with the proposed amendments to the Downtown Plan and the existing Central Area Plan. He said both plans advocated the protection of residential neighborhoods bordering the downtown, adding that this particular site was part of the section identified for protection. He stated that this house was built in 1861 and has been residential in use for over 140 years. He said the Secretary of Interior standards should be followed and he hoped the Planning Commission would recognize that. He noted that the petitioner indicated potential redevelopment of the Ahmo's site at Division and Huron Streets, so he questioned what would happen to the parking spaces on that site that would be used for this proposed office use. He did not believe there was any way for the City to enforce the proposed zoning conditions.

Dana Dever, attorney representing the petitioner, stated that the petitioner and the neighbors would not be able to agree on the matter of principle of keeping the residential use of this building intact. He

believed that putting this one residence on a municipal lot with commercial and office use was spot zoning. He stated that Division Street served as a “moat” between this property and the residential neighborhoods across the street and that he did not consider a 999-square foot office use in this building “creeping” into the neighborhood. He stated that they would be required to protect and preserve the historic garage structure and suggested that the petitioner be allowed to use it for parking, which was how garages were intended to be used. He said an agreement would be created by the City Attorney’s Office, containing the conditional uses and enforcement mechanisms. He noted that there already were office uses that existed in the Old Fourth Ward and that he believed this particular piece of property was appropriate for office use as well. It was the only residentially zoned structure on this block when the DDA district was created, he said, adding that this was not a residential block. It was a municipal block that would be increased in size if a new municipal building were built, he said. He did not believe the issue was with the immediate neighborhood, which contained office use, or the entire block, which was a mix of office, commercial and parking uses. He believed the issue was whether the City must preserve residential use as something that could never change or if the City should recognize that circumstances changed. The historical character of this building would be preserved, he said, and this rezoning would not destroy any of the historic districts in the area. He said they had no problem adding evening lights to the property.

Ilene Tyler, 126 North Division Street, stated that there were qualities in this neighborhood that were different from other suburban neighborhoods because of the diversity with rental units and student residents; however, she said, it was a delightful place to live. One of the things that happened in this neighborhood on weekends was yard sales, she said, noting that the students who have lived in this house have had interesting sales. She stated that there was an exchange between residents on the weekends that would not happen if this building were changed to an office use. She stated that the four corners of this intersection were designated as part of the Division Street Historic District for a reason, as they all contained important historical structures. It was important, she said, that the four houses at the intersection retain their residential use. This rezoning would be a major impact to the integrity of the neighborhood and the walkability for residents in the downtown, she said. She could see perhaps allowing a special exception use for an office if used by the owner living in the structure, but a permanent change to a zoning other than residential was counter to the efforts to maintain the residential use of the neighborhood.

Noting no further speakers, Pratt declared the public hearing closed.

Moved by Carlberg, seconded by Westphal, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 121 North Division Street Conditional Rezoning from R4C (Multiple-Family Dwelling District) to O (Office District), subject to the conditions contained in the Conditional Zoning Agreement prepared by the City Attorney’s Office.

Moved by Carlberg, seconded by Westphal, that the Ann Arbor City Planning Commission hereby waives the requirement for an area plan because no new construction is proposed.

Carlberg asked the petitioner how this building would work with offices in part of the house and sufficient living space for residents. She also asked about the office use maintaining security.

Dever stated that they were not proposing a duplex at this time. What they intended to do now was create 999 square feet of office space and then evaluate the situation for residential use. He suspected

that this may be prohibitive because of the separation requirements between the two uses in City Code. Part of what they were proposing in the zoning conditions, he said, was a requirement to come back before the City for approval to make interior modifications if it turned out that they could use some of the building for residential use.

Carlberg assumed the petitioner had a plan for where the office use would go in this building.

Dever stated that the office would be located primarily on the first floor, but said they were not making the building a duplex.

Carlberg questioned how security for a residential use could be provided to go along with the office use.

Dever stated that they did not intend to provide residential and office uses at the same time, unless they could do so while following the City's housing guidelines.

Carlberg stated that what she found intriguing about this proposal was a live-work situation, which she thought was appropriate in the downtown. Since a residential component was not being proposed, she found it difficult to support the rezoning, even though she thought it would be appropriate in this location. She stated that this was a very large historic district that extended from Huron Street to the Huron River, adding that the historic standards made it difficult to make changes to the exterior of structures, which in turn maintained the character and integrity of the buildings. She did not agree that the use could never be changed, stating that there were some buildings in this area that have been beautifully restored yet never been occupied, so she did not see this as a fragile neighborhood. She mentioned the Zingerman's site, a commercial use in the middle of this district, which created a great deal of charm in the neighborhood, so it was her belief that mixing commercial with residential was appropriate in many cases. It could enliven and enhance a neighborhood, she said. However, she did not see this particular proposal as a workable option because the building would require considerable change to provide for residential use. She previously supported the straight office proposal, but said she was not happy with this description tonight.

Potts stated that the conditions offered as part of a conditional zoning request presumably would be desirable to the City. However, she said, the conditions offered in this conditional zoning request already existed as requirements, such as maintaining the building per the Historic District Commission standards. She pointed out that the City had no way of enforcing an office used by the owner only, nor did the City perform regular inspections to regulate the interior use of the building. She did not think there was any way for the City to enforce the proposed conditions. With regard to parking, she saw two legal spaces on this site: one in the garage and one in the driveway. She believed the other parking space in the front open space in the driveway was not allowed. She did not think the proposed conditions were of any use to the community. She stated that historic districts were extremely important and this particular district was being whittled away at the edges. She believed that the historic districts enhanced the downtown's vitality and architectural quality of the City and should be protected.

Bona said she could appreciate the arguments on both sides of this issue. Her issue was much broader, she said, having to do with the Master Plan, which stated that the City would protect the residential neighborhood edges. This was the whole idea behind the A2D2 project, she said, expanding the DDA boundary adjacent to commercial neighborhoods, excluding residential properties. She could see justification for this property being residential or office use. If this rezoning were approved, she said, ultimately the City would end up with spot zoning even though the property was adjacent to two office districts because they would be rezoned to either D1 or D2 as part of the A2D2 project. She said she would not be able to support the change in use or the rezoning based on the A2D2 recommendations and what the City was trying to accomplish in the downtown.

Emaus stated that he favored the rezoning to office and that he thought D1 zoning would be consistent with what was on this block. What concerned him about this particular proposal, he said, were the conditions that were proposed. He stated that living and working arrangements would be restricted so much that the life would be strangled out of it and it did not seem useful to either party now or anyone else in the future. He thought a live-work arrangement would work well here. He was disturbed about people who had negative attitudes about office uses close to residences, as he found it very useful to be able to walk to the dentist, the doctor, and other offices. People living in neighborhoods without any office uses had to drive to get to the office uses, he said. He thought allowing some variety of uses in residential neighborhoods, even historic districts, was valuable.

Westphal echoed the comments of Commissioner Bona. For him, he said, the entire argument for or against this proposal hinged on what was planned for the site. He thought there was a lack of any overwhelming support to change the zoning of this property, adding that it would be inappropriate to contradict the master plan. He could not support this proposed rezoning.

Borum agreed with Commissioners, Bona, Carlberg and Emaus. He thought he could support a live-work situation with the character of the building being preserved, but said he could not support the conditional zoning proposed this evening.

Pratt said there was historical evidence of offices being operated out of homes, or even perhaps where the primary use was office. However, he said, it would difficult, on a lot-by-lot basis, to determine if anyone ever ran a business out of their home. When he first heard of this proposal, he said, it sounded like an innocuous use. He knew there were areas where the DDA boundary has been questioned and said he did not know where the edges used to be and what had been encroached on. Many good points were made tonight, he said, but there was a lack of overwhelming support or evidence to go along with this proposal.

A vote on the motion showed:

YEAS: None
NAYS: Bona, Borum, Carlberg, Emaus, Lowenstein, Mahler, Potts,
Pratt, Westphal

Motion failed.

b. Public Hearing and Action on Amendment to Chapter 55 (Zoning Ordinance) to add personal services (beauty salons and day spas) as allowable uses in the Office Zoning District – Staff
Recommendation: Approval

Kowalski explained the proposed amendments.

Noting no further speakers, Pratt declared the public hearing closed.

Moved by Carlberg, seconded by Lowenstein, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendment to Chapter 55, Section 5:10.12, to include beauty salons and day spas as special exception uses in the office zoning district.

Carlberg stated that the limitation of no more than 150 square feet of retail space was barely enough room to put two tables on adjoining walls with associated storage. She noted the retail space at the

Bellanina Spa on Fourth Avenue, which seemed adequate, and wondered if there were a different option to use for the provision of retail space.

Kowalski stated that the intent was to limit something like the Bellanina Spa from happening in the office zone. The intent was to allow some space for accessory sales but keep it at a minimum to prevent a large commercial component, he said.

Carlberg suggested that perhaps the ordinance language could say that limited sales space may be made available without specifying a minimum or maximum, and then the amount could be determined as part of the special exception use. Depending on the size of the project, she did not see anything offensive with Bellanina's retail space.

Kowalski said it would be important for an actual amount of retail space to be specified for enforcement purposes.

Potts said she favored including a limitation in the ordinance, adding that she did not think a 12-foot by 12-foot space was too small. This amount of space would allow a couple of counters and storage cabinets for retail products, she said. She also noted that the Ordinance Revisions Committee did not see this as a problem. She did, however, think there would be a problem if a larger retail component was allowed because it would not be fair to other retail uses that would not be permitted as part of this ordinance amendment. She would like to keep the retail component small, as a secondary use in an office building.

Emaus said there was confusion about what the principle uses were and what they allowed, noting that a doctor's office on Huron Parkway also contained a retail store (Castle Remedies), a chiropractor's office with retail items, and non-doctor services such as massage therapy. It did not appear that these uses would be allowed; however, he believed the community was better for having them. He had no problem allowing beauty salons with 150 square feet of retail space as a special exception use in the office district.

Pratt asked if there were a definition for day spa in the ordinance.

Kowalski replied no.

Pratt wondered if that might cause any difficulty.

Kowalski stated that staff has not experienced any problems.

Pratt wondered if people might push the envelope if this use were allowed in the office district, stating that the 150-square foot retail space limitation would only be enforced through complaints being made to the City.

Lowenstein questioned the special exception use requirement. When this issue was raised before the City Council, she said, it was because of a local stylist who wanted to rent space in an office building. It seemed to City Council members that allowing this type of use in an office district was reasonable, she said. She stated that beauty salon professionals usually did not have a great deal of money and the ordinance amendment proposed this evening would require them to come before the City with a special exception use and site plan, which was quite costly. It likely would not be worth it to these professionals, she said, because it would be difficult to recoup that cost by operating a small salon. It seemed to her that a domino effect has been created here, making the original intent impossible. She believed that the City should decide whether or not a salon matched other kinds of office uses and eliminate the special exception use and day spa components.

Bona asked what the difference in parking requirements was for a beauty salon or day spa and a medical office and a bank. She stated that banks were comparable to retail uses and they were allowed in the office zone.

Kowalski stated that beauty/barber shops required one parking space per 100 square feet of floor area. The requirement for medical/dental offices, he said, was one space per 220 square feet as a minimum or 1 space per 180 square feet maximum. The parking requirement for banks was identical to medical/dental offices, he said.

Bona stated that beauty salons were just slightly more retail in nature than banks or medical offices. She personally did not have a problem with mixing up all kinds of uses so the ordinance would tend to be more inclusive than exclusive. She did not have a problem allowing beauty salons as a principle use. With regard to the 150 square feet for retail operations, she pointed out that most beauty salons displayed their retail products on the walls and used floor area for other things. Because of the parking requirements, she believed salons locating in office districts would be naturally small in size.

Westphal viewed this as a potentially desirable change and said he would not want to over regulate it. He suggested that it might be advisable to take a closer look at allowing salons as a principle use, such as investigating the use in other municipalities. He noted that strong fumes were sometimes emitted from these types of salons and said this also might need investigation. He was not sure that he could articulate his concerns in more of a final fashion without further consideration.

Borum stated that the office district currently allowed artist studios with a limit on the sale of items to 25 percent of the studio area, suggesting that perhaps this was something to consider for a limit on retail space for beauty salons. The retail space would then be incidental to the size of the salon, he said. He supported allowing beauty salons in the office district, stating that it was interesting that he could get his dog groomed but could not get his own hair cut in an office zone.

Moved by Carlberg, seconded by Borum, to amend the language in Section 5:10.12(2)(b)8 to remove the words “150 square feet” and replace them with “25 percent.”

A vote on the amendment motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Lowenstein, Mahler, Potts,
Pratt, Westphal

NAYS: None

Motion carried unanimously.

Moved by Lowenstein, seconded by Borum, to amend the main motion by removing the words “and day spas as special exception” and replacing them with “principle.”

Carlberg expressed concern that salons did sometimes use very toxic products and did sometimes generate heavy traffic. Keeping the use as a special exception use would allow the City to review each situation carefully, she said. She knew that State of Michigan regulations had to be followed, but said exhaust from toxic fumes in an office building could be quite problematic.

Pratt asked if a site plan were required to go along with a special exception use.

Kowalski stated that more of a detailed survey would be required if no exterior improvements were being made to the building. He said the petitioner would still need to pay the site plan review fee, but would not have to incur all of the costs involved in having a detailed site plan prepared if no exterior modifications were proposed. He said staff would still need to review the site for adequate parking.

Potts stated that if the only way to control the emission of noxious fumes from a salon were through the special exception use process, she would support the special exception use process remaining in the ordinance. Otherwise, she thought making this a principle use would be acceptable, as long as there was some way to regulate fume emissions. She believed there were performance standards for the emission of noise and fumes in the ordinance, but she thought this may apply only to manufacturing uses.

Westphal questioned the wisdom in regulating this to the extent that it was defeating the original intent. Perhaps the salon/day spa community might like an opportunity to comment on the proposal to remove the special exception use component from the ordinance, he said. He also stated that he would be hesitant to allow this use as a principle use until more research was done with other communities.

Mahler said he favored the special exception use process for the purpose of analyzing traffic patterns or the character of the area, but he was not sure it was appropriate to require a special exception use to analyze whether or not the use would create noxious fumes in the building.

Bona asked how the City would know the parking was adequate if special exception use approval was not required. She wondered how the parking would be evaluated.

Kowalski stated that the operator of the salon would need to obtain a permit from the City to change the use. He said staff, while reviewing the application to make sure the use met current zoning regulations, would catch any parking discrepancy at that time. He stated that a special exception use was not needed to review just the parking.

Bona suspected that any salon would require a permit because of the interior modifications. Her main concern would be if there were adequate parking and if that could be handled administratively. She could not imagine that a business like that would cause a problem. She pointed out that there were new development proposals that were regularly submitted that did not require traffic studies. She did not have a problem allowing the salon as a principle use.

Pratt said he had the sense from City Council that the salon use seemed to be acceptable in an office zoning district and that the Planning Commission should determine how to allow this with the fewest consequences.

A vote on the amendment to the main motion showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Westphal
NAYS: Emaus, Mahler

Motion carried.

A vote on the main motion as amended showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Mahler, Potts, Pratt, Westphal
NAYS: Emaus

Motion carried, reads as follows:

Moved by Carlberg, seconded by Lowenstein, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendment to Chapter 55, Section 5:10.12, to include beauty salons as principle uses in the office zoning district.

c. Public Hearing and Action on Master Plan Review (whether elements should be studied for possible change or new elements added to the Master Plan) – Staff Recommendation: Approval

Pulcifer explained the proposed resolution.

Jim Mogenson, 3780 Greenbrier, said he previously brought up the City's General Development Plan that was created in the 1970s and that he recalled the Planning Commission suggesting the plan be revisited. He did not believe this had been done. He said the General Development Plan was not a thematic plan; rather it was more of a generalized idea of what should happen in the City and he thought there was value in having that part of the planning process, even though circumstances may have changed and the plan may be outdated. He stated that there were some thematic plans, such as transportation and natural features, that were being done on a regional level and he thought they needed to be part of the City's conversations because they could be influential. He did not want to see the City lose track of the various things that were happening outside of the municipal level.

Bruce Thomson, owner of 413 East Huron Street, and resident of 2682 White Oak Drive, said he has reviewed the proposed amendments to the Downtown Plan, stating that there has been an enormous amount of work done, which was quite impressive. Since November 2007, when he learned of the recommendation to remove the block of East Huron Street between Division and State from the core district and downzone it to an interface district, he has been speaking to many different people who were involved in the process. He thought this recommendation was seriously flawed. He believed it was unfair and unrealistic to create a one-block section of Huron Street that would contain significantly less density, especially given the fact that this same block already contained tall buildings and was just a half a block away from City Hall. He said the change from core to interface district would dramatically impact the value of the land on this block. He believed changing the block would effectively be spot zoning. He said he has spoken to many people and understood the concerns, noting that he was open to compromise, suggesting that perhaps the design criteria could push the density toward Huron Street. He stated that his grandfather bought this property on Huron Street 78 years ago and passed it on to his children. He asked that the value of the property not be taken away before he could pass it on to his children.

Noting no further speakers, Pratt declared the public hearing closed.

Moved by Carlberg, seconded by Mahler, that the Ann Arbor City Planning Commission hereby approves the "City of Ann Arbor Master Plan Resolution," dated May 1, 2007.

Potts stated that the General Development Plan was the City's own policy plan, setting the groundwork for policies. She recalled discussing this plan with the Planning Commission and suggesting that the Master Plan Review Committee take a look at it. The committee briefly discussed it, she said, but review of the plan did not occur because of a different focus the committee was taking at the time. She said the people who wrote the plan was a group of naturalists, economists, people with various levels of expertise. They researched other plans from other cities, she said. She suspected that the plan was full of important policies that the City has been ignoring. She stated that if anyone could think of a way in which

to bring it up again, she would be willing to do some of the basic work to see if the contents were worthwhile. She thought the plan was too important to continue to set aside.

Carlberg stated that staff currently was working on creating one basic general plan for the City. She believed the master plan resolution contained adequate policy, adding that older principles have been refined with more up-to-date master planning. She felt adequately protected by the current list of planning documents in the master plan resolution.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Lowenstein, Mahler, Potts,
Pratt, Westphal
NAYS: None

Motion carried unanimously.

AUDIENCE PARTICIPATION

None.

COMMISSION PROPOSED BUSINESS

None.

ADJOURNMENT

Pratt declared the meeting adjourned at 9:15 p.m.

Mark Lloyd, Manager
Planning and Development Services

Jean Carlberg, Secretary