



# City of Ann Arbor

## Formal Minutes

### Planning Commission, City

301 E. Huron St.  
Ann Arbor, MI 48104  
[http://a2gov.legistar.com/  
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Wednesday, September 7, 2016

7:00 PM

Larcom City Hall, 301 E Huron St, Second  
floor, City Council Chambers

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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. 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 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**

*Chair Clein called the meeting to order at 7:05 p.m.*

#### **2 ROLL CALL**

**Present** 7 - Clein, Briere, Mills, Milshteyn, Gibb-Randall, Trudeau, and Weatherbee

**Absent** 1 - Woods

#### **3 APPROVAL OF AGENDA**

**Moved by Mills, seconded by Trudeau, that the Agenda be Approved as presented. On a voice vote, the Chair declared the motion carried.**

#### **4 INTRODUCTIONS**

#### **5 MINUTES OF PREVIOUS MEETING**

**5-a**      [16-1301](#)      August 16, 2016 City Planning Commission Meeting Minutes

Moved by Milshteyn, seconded by Mills to approve the minutes as submitted and forward to City Council. Approved unanimously.

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

**6-a      City Council**

*Councilmember Briere reported that at last night's meeting, Council approved Woodbury Club Apartments on Nixon Road and South Pond Village off Chalmers developments. She noted that Woodbury Club Apartments included a firm sale offer to the City of more than 23 acres to become parkland, and a hopeful commitment often not mentioned to donate 12 acres of parkland at South Pond Village.*

*Briere reported that members of Council are interested in seeing us move forward with updating the Master plan as Council had approved funds for this item to be included in the 2017 budget and she would like to see us get started.*

**6-b      Planning Manager**

*Planning Manager Brett Lenart reported the following:*

- Maple Shoppes is scheduled for consideration at the September 19th City Council Meeting to amend the Planned Unit Development site plan by extending the term of approval.*
- A Working session is scheduled for September 13th but with the anticipated heavy load of ZORO coming soon and nothing currently scheduled, he recommended cancellation of the working session meeting.*
- Brief Overview of an Area Plan -*

*An Area Plan is a mechanism in the Ordinance that is rarely used but has come up recently. Area Plans or Site Plans are required to accompany any rezoning request. In an upcoming agenda item the petitioner has provided an Area Plan to accompany the rezoning request on Packard Road. As a reminder, the effect of approval of an Area Plan by City Council is to provide a 3-year period in which the ordinances and regulations in effect at the time of approval shall remain, so long as the*

*Plat or site plan is consistent with the approved area plan. An area plan does not require the same level of detail as a full site plan and an approval of an Area Plan does not eliminate the need for future site plan approval.*

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

**6-d Written Communications and Petitions**

[16-1299](#) Various Correspondences to the City Planning Commission

**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.)**

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

[16-1300](#) Public Hearings Scheduled for the September 20, 2016 City Planning Commission Meeting  
*Chair Clein read the public hearing notice as published.*

**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](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.)

**9-a [16-1277](#) The State Theatre Project for Planning Commission Approval - A proposal**

to construct an 88.5 by 7.7-foot addition to the south side of the existing theatre building. The addition will be approximately 2,500 square feet and will house an elevator that allows barrier free access to the upper floor screening rooms. The site, located at 225 S. State Street is zoned D1 and is in the State Street Historic District. (Ward 1) Staff Recommendation: Approval

*Matt Kowalski provided the staff report.*

**PUBLIC HEARING:**

*Timothy Stout, representative for O’Neal Construction, 525 W. W. William Street, Ann Arbor, the petitioner was present to respond to enquiries from the Commission.*

*Noting no further public speakers, the Chair closed the public hearing unless the item is postponed.*

**Moved by Mills, seconded by Milshteyn that the Ann Arbor City Planning Commission hereby approves the State Theatre Addition Site Plan, subject to installation of a water main valve unless otherwise approved by the Public Services Area Administrator.**

**COMMISSION DISCUSSION:**

*The Commission took into consideration the presented petition and discussed the matter. [For a complete record of the discussion please see available video format]*

**On a voice vote, the vote was as following with the Chair declaring the motion carried unanimously. Vote: 7-0**

**Yeas:** 7 - Kenneth Clein, Sabra Briere, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Scott Trudeau, and Julie Weatherbee

**Nays:** 0

**Absent:** 1 - Wendy Woods

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

- 10-a**      [16-1278](#)      Circle K Gas Station Site Plan for City Council Approval - A proposal to demolish the existing 2,360 sf gas station/convenience store building, relocate the gas station pump island and construct a new 4,000 sf retail building and pump island canopy on this 0.86-acre parcel located at 1420

E Stadium Blvd. Two curb cuts are proposed to be removed: one on Packard and one on Stadium. A variance is being requested from the required drive width (Ward 4). Staff Recommendation: Approval  
*Matt Kowalski provided the staff report.*

**PUBLIC HEARING:**

*Mary Summers, 1815 Baldwin, spoke about concerns for safety and blind spots on the site. She suggested the Pedestrian Safety Task Force together with the developer look at the Federal Pedways recommendations on safety access as well as encouraged education, particularly for children and older adults.*

*Elizabeth Davis, 1421 Iroquois Place, spoke about remaining concerns with the revised development noting her property backs up directly to Circle K. She noted some of her concerns include ice and snow, pedestrian safety, the canopy that is set closer to the residential properties and she urged for a new plan. Her written concerns are included in the Commission packet.*

*Kathy Griswald, 3565 Fox Hunt Drive, spoke about her experience on various boards, including 4 years on the School Board, while they designed Sky Line High School, and made changes to Huron and Pioneer High Schools. She requested that a professional licensed Engineer review the site plan for site distance issues and the stop bar location.*

*Jill Schloff, 1423 Iroquois Place, spoke about the lack of visibility as a pedestrian or bicyclist when coming from Packard and crossing. She asked for large STOP signs and Child Crossing signs on the new building, if built, for cars to stop before entering the sidewalk.*

*Lindsey McDivitt, 1419 Iroquois Place, read a written statement from East Stadium Iroquois Neighborhood Group about concerns reiterated earlier. She didn't feel this site plan was in line with the City's Vision Zero adopted standard to help prevent pedestrian deaths and the developers mitigations don't go far enough on light, air pollution and noise.*

*Robin Adair, 1416 E. Stadium, spoke about concerns involving large building size, lighted canopy, air and noise pollution, increased traffic, and exiting traffic as they interact with pedestrians. He requested a revised site plan to address the issues.*

*Scott Diehls, 1414 Iroquois Place, spoke about the site plan being poor and unfortunate even while it meets the City's requirements. He expressed frustration about the involved process since this current plan reflects the least intrusiveness into the neighborhood, being a main issue of the neighborhood. He recommended an 8 to 10-foot tall screening wall as well as gas pump advertising be turned off.*

*Mark Newman, 1417 Iroquois Place, agreed with previous speakers on nuisance issues including light, noise, and air pollution. He noted he was in favor of upgrading the Circle K property but is not in favor of the size and freeway style gas station in his quiet neighborhood, and he felt the developer has not taken into consideration the neighbor's concerns.*

*Rudi Lindner, 1502 Morton Avenue, requested the lighting plan be reconsidered to include lighting below 3000 degrees Kelvin on health concerns of these LED lights, since he believes lower intensity would not impact the cost or functionality of the Circle K.*

*Donna Ainsworth, 1435 South Blvd, spoke about the current scary condition of the location as a bicyclist. She supported her neighbor's statements.*

*Noting no further public speakers, the Chair closed the public hearing unless the item is postponed.*

**Moved by Mills, seconded by Weatherbee, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Circle K Site Plan, subject to approval of one variance (driveway width) from the Zoning Board of Appeals.**

**COMMISSION DISCUSSION:**

*Todd Quatro Construction LLC, 201 North Park Street, Ypsilanti, noted the following;*

*There have been 14 various site plans created; the last petition was brought before the Planning Commission and the primary concern was proximity of curb cut to corner; the current revised plan was intended to respond to this request. After a meeting with residents at a coffee house in July, they listened to all concerns and brought the list to Circle K corporate offices.*

- *Converted 6' wood fence to 8' masonry wall*
- *Light pollution – are at bare minimum – provided a 3D rendering;*

*LEDs are bright white; worked with engineer about using yellow instead of white; Will tint the concrete gray to eliminate reflection; don't believe the yellow lights could read pump;*

- *Can look at possibly reducing lighting down to 3,000 degree Kelvin or less*
- *Sound at pumps would be motion-censored advertising on pumps*
- *Canopy – Short side of canopy facing Stadium is only side that will be lit*
- *Rubber rim around dumpster is not possible because dumpsters are standard and provided by the City.*
- *Petitioner is happy to provide additional signage on building as required*

*The Commission commented that having one usable door and window on Packard Street would help with street perforation.*

*The Commission took into consideration the presented petition and discussed the matter. [For a complete record of the discussion please see available video format]*

**Moved by Briere, seconded by Milshteyn, to postpone item to allow petitioner to return with a site plan to include a canopy design based on a warm white LED or a yellow LED (3000 degrees Kelvin) if yellow LED meets the requirements of the City; a change in the Packard façade that both strengthens the appearance of the Packard façade and includes penetration of window and door between the shown pilasters; silencing of TV noise on pumps; City review of the landscape buffer species on the southern side to make it more robust if possible. On a voice vote, the Chair declared the motion carried. Postponed Vote: 7-0**

**Yeas:** 7 - Kenneth Clein, Sabra Briere, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Scott Trudeau, and Julie Weatherbee

**Nays:** 0

**Absent:** 1 - Wendy Woods

- 10-b**      [16-1279](#)      2857 Packard Road Rezoning and Area Plan for City Council Approval - A proposal to rezone this 7.7-acre site from R1C (Single-Family) to R1E (Single-Family Zoning) with an Area Plan proposal to construct 56 detached single family homes with private streets. (Ward 3) Staff Recommendations: Approval
- Chris Cheng provided the staff report.*

*Staff recommends approval of rezoning and area plan since it is on a transit line and the Master plan recommends higher single-family residential density on the site.*

**PUBLIC HEARING:**

*Sandy Schopbach, 2926 Shady Lane, encourage preservation of wooded land, a break in development along the corridor; perhaps the City could retain the front portion of the property as open space and allow the rear of the site to be configured into homes.*

*Meredith McGehee, 2810 Hampshire Road, stated she was a bit excited about the project since Ann Arbor needs housing for people of modest means, and this is a good site. She encouraged a traffic study that includes pedestrians and bicycles; encouraged trash cans not be placed on curb; improve crosswalks on Packard as part of project; rate of motorists stopping at the crosswalk is very low. She expressed concern that the existing 1840 house is not being valued by the City and she liked the previous speaker's idea of the house being retained; perhaps the City could purchase the home and move it to Cobblestone Farm. She noted the scale of the project seemed strange for the neighborhood; houses are twice as big on lots half as small.*

*Sue Simmington, 2649 Carmel, reiterated her concerns as outlined in her letter from the last meeting. She spoke of the appealing site but noted her biggest concern is the density. She spoke of flooding issues on Easy street, swales added in the nearby park, and the need for a study to be done in advance of large projects in the area. She encouraged renewable materials instead of vinyl to be used in the development. She noted the daily high volume of traffic on Packard Road and the difficulty for new residents to exit onto Packard Road. She also noted the proposed 2-story homes would be scaling over the existing neighborhood, and said it would be helpful to see elevation drawings of the site.*

*Ron Lev, 2645 Easy Street, spoke about the scale of the neighborhood being small houses on large lots and any development on this parcel is going to change the character. He acknowledged that while the owner should be allowed to receive value from the property, 2-story homes are out of character with the surrounding neighborhood, and the traffic on Packard is already very difficult. He stated he was not sure of the basis for rezoning, but this plan seems too dense and it appears to transfer value from the surrounding neighborhood to this property. He also expressed*



*that the report doesn't adequately account for neighborhood opposition to the plan.*

*Paul Burghardt, 2811 Cranbrook Road, spoke of the need for more information regarding this plan, noting the neighborhood has had multiple inexplicable power outages lately. He expressed the need for more information on traffic patterns, explaining that the surrounding neighborhoods are used as cut-throughs, and vehicles drive fast even with a nearby school. He asked for consideration of the City's natural feature standard as it relates to this site since he felt it was not being met.*

*Jason Mann, 2765 Carmel Street, spoke of concerns related to zoning and privacy, with the Area plan showing 2-story homes with windows on adjacent properties he would lose his privacy with construction of homes on this site. He said he can't envision a berm or fence 25 ft. tall that would block such views and feels that single-story homes would be better suited. He said he would only be able to get privacy by shutting his blinds and such a situation might cause him to leave his home.*

*Neil Scove 2728 Cranbrook, spoke about a proposed retaining wall at the NE corner of the neighboring parcel, adjacent to his property. He said he is glad to see that as mitigation for flooding and would like to know what the proposed wall will look like and what's going on top. He noted a large hickory tree near their backyard that is proposed for removal and he would like to know how trees are decided to be preserved or removed. He echoed previous speaker comments that they have lengthy power outages that are not short but can last for days. He explained the outages are from the area where Packard curves around down to the University down to Platt and from Washtenaw down to Packard Road and that the additional houses will put more pressure on the infrastructure. He spoke of the higher density housing at this location and with at least 2 cars per household, only able to make a right-turn onto Packard Road, this will mean higher volumes of traffic to the already busy road.*

*Tom Covert, Midwestern Consulting, 3815 Plaza Drive, Petitioner's Agent, introduced his team; Tina Fix and owner Jim Haussler from Peters Building Company. He spoke of their desire to develop a stable housing neighborhood, ideally affordable with proximity to jobs and career generators, adding a new single family home typology on a connector road, with access to transit and parks, and they believe the R1E zoning is a good fit because it supports development costs and new typology. He explained they met with neighbors on two occasions and received their feedback, adding that they have not yet looked into the details of the*

*zoning and site, but expect to make modifications to the plan through the site planning process. He said the stormwater will be able to use infiltration on the site, but in order for them to move forward and commit the resources to the plan, they need to understand the need. He noted they plan to expand Packard ROW along frontage, and refuge carts will be pulled to main roadway for pick-up. He said they would perform a traffic study as well as look at utility infrastructure with power situation.;*

*Pete Benson, 2810 Easy Street, spoke of the scale of the proposed plan as being inappropriate for the neighborhood and that it seems backward that zoning would change before traffic issues are reviewed. He said he's concerned about a bait and switch.*

*Jim Haaeussler, Peters Building Company, 172 S. Industrial, Saline, stated that they agree with the neighbors that all the issues need study at the appropriate time in order to be evaluated; however, we need to understand the zoning in order to commit to the detailed analysis and would like the opportunity to perform the analysis.*

*Erica Dutton, 2416 Manchester, spoke about avoiding leaving her house during rush hour because of the traffic back-ups. She thinks there are too many houses proposed on the site and she has a basic skepticism on whether the project will move forward and if their concerns will be pushed aside.*

*Noting no further public speakers, the Chair closed the public hearing unless the item is postponed.*

**Moved by Briere, seconded by Mills that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Weber R1E (Single-family Dwelling District) Zoning and Area Plan.**

**COMMISSION DISCUSSION:**

*Briere encouraged builder not to build to maximum scale as it can be difficult for owners to modify homes in the future. She commented that if this development would become a Site Condominium it would require private stormwater management, snow removal, and road repayment, adding additional costs to the buyers. She asked the petitioner to indicate on the site plan how they will deal with snow storage.*

*Trudeau said without a site plan, the core question is, Can we support the density on the site; given its' location, diversity of housing. He said, I think*

*it's a good goal, but there will be challenges to site planning.*

*Gibb Randall asked if the site plan to come is confirming 56 lots laid out in various alternatives.*

*Cheng said, no, a full review will occur; I don't believe the layout responds to the site or the existing conditions. I think there's room for creativity, perhaps not detached single-family homes on single-family lots. He reiterated points from his Staff Report:*

#### *Area Plan Details*

*An area plan, or site plan is required when an amendment to the City Zoning Map is proposed [Chapter 57 5:121(1)]. In this case, the petitioner has proposed amending the City Zoning Map from R1C to R1E, Single-family Dwelling District with the proposed Area Plan. The purpose of an area plan is to demonstrate that the property could be developed consistent with the requested zoning classification. Area plans are required to provide a brief description of the development program, a community analysis, a site analysis, general information, and a schematic design for the entire development site (Land Development Regulations 1:3). Area plans are not required to include the number and type of dwelling units proposed; placement of proposed structures; front, side and rear open space and setback lines; number and dimensions of parking spaces; landscaping; soil erosion and sedimentation control plans; storm water management plans; utilities; the accurate location and description of all natural features; the location and extent of natural features open space; or a natural features protection plan, mitigation plan and alternative analyses. These are, however, requirements of site plans (Land Development Regulations 1:4).*

*The Weber area plan proposes 56 lots for future single-family units. Each proposed house has a maximum size of 2,000-square feet as required in the R1E zoning district. The lots are generally arranged in a grid pattern around private streets. As currently proposed, the residential density is 7 units per acre. For comparison, the maximum permitted density is 10 units per acre for R1E, 8 units per acres in the R1D district, 6 units per acre in the R1C zoning district and 4 units per acre in the R1B district.*

*Single-family residential uses are recommended by the Master Plan: Land Use Element. This proposal shows a density (minus right-of-way) of approximately 7 dwelling units per acre, whereas, the current R1C*

*zoning allows for approximately 6 dwelling units per acre without a limit to the house size. Staff supports the proposed density and rezoning as this site is located near bus stops, existing utilities, public parks and provides a housing product on smaller lot sizes with houses limited to no more than 2,000 square feet in size.*

*This proposal fits into the existing neighborhood context by capping the house sizes at 2,000 sq ft. Although the proposed lots are smaller than the surrounding existing lots located on Easy St., Carmel St. and Cranbrook Rd., per the City's Assessor's records, the majority of houses bordering the subject site are single-story homes ranging in size from 850-1400 sq ft. The existing R1C zoning on the development site requires minimum lot sizes of 7,200 sq. ft without a limit on house size. The exception to the existing surrounding housing stock is located adjacent to this site to the east. This is a two-story home located on an 80,000 sq. ft lot and has the potential to be split or development for increase density in the future.*

*It should be noted this Area Plan may not resemble the future Site Plan submission as review of the plans will be in much greater detail, with the benefit of additional information. An alternatives analysis showing different layouts of the site showing impacts on natural features will be required at this submission. Future development may be located on the north and central areas of the site away from the wooded areas and landmark trees. At the site plan stage, alterations to the lot configurations could result in a different density on the site, but not to exceed that of the R1E.*

*Mills said she likes the R1E for this site because it accomplishes clustering on the lot; smaller lots let you cluster the lots on the site and retain natural features; a compelling argument for rezoning is that it has a maximum square footage of homes (only district that has this). She noted that the Master plan calls for varied types of housing and she believed that varied types of housing can occur on this site. She would like to see 1,200 square foot homes as part of this plan, that's why she would support this zoning.*

*Mills said she was uncomfortable with the Area Plan because the lack of details; she is concerned that after rezoning occurs it comes back with a site plan request for 80 units. She reiterated, she supports rezoning to R1E, but would prefer it to accompany a site plan.*

*Weatherbee agreed with comments about appropriateness of R1E zoning*

*because of general location; however, without having more details would be helpful to know what the Commission is seeing.*

*Jim Haaeussler, Peters Building Company, 172 S. Industrial, Saline, explained building elevations have not been finalized yet, but house sizes would likely range between 1,200 to 2,000 square feet, and ranch designs are not out of the question, noting their company typically runs around 50% ranches, which is different than some other builders; Peters Building Company is the owner and developer and has been building since 1983 and has been active in development in the local community for a long time. He stated, We don't intend to flip the property.*

*The Commission took into consideration the presented petition and discussed the matter. [For a complete record of the discussion please see available video format]*

**On a voice vote, the Chair declared the motion carried. Vote: 6-1**

**Yeas:** 6 - Kenneth Clein, Sabra Briere, Alex Milshteyn, Shannan Gibb-Randall, Scott Trudeau, and Julie Weatherbee

**Nays:** 1 - Sarah Mills

**Absent:** 1 - Wendy Woods

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

**12 COMMISSION PROPOSED BUSINESS**

*Briere reminded the Commission that she will be absent at the next Planning Commission meeting; she also encouraged Commissioners to look for potential Planning Commission candidates and recommend they fill out an application from the Mayor's office.*

**13 ADJOURNMENT**

**Moved by Milshteyn, seconded by Weatherbee, that the meeting be adjourned by 10:38 p.m. On a voice vote, the motion passed unanimously.**

Ken Clein, Chair  
mg

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