



**City of Ann Arbor**  
**Formal Minutes - Draft**  
**Planning Commission, City**

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

---

Tuesday, November 19, 2013

7:00 PM

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

---

**9-a 13-1455**

Briarwood Restaurants Site Plan for City Council Approval - A petition proposing construction of two new free standing restaurants on the east side of the Macy's building at Briarwood Mall located at 700 Briarwood Circle. One restaurant would be 6,470 square feet, the other 7,068 square feet. The parking lot north and east of the new restaurants will be reconfigured. (Ward 4) Staff Recommendation: Approval

*Angeline Lawrence presented the staff report.*

**PUBLIC HEARING:**

*Scott Richardson, representing the owners of Briarwood Mall, was present to respond to the Commission's enquiries.*

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

**Moved by Woods, seconded by Bona, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Briarwood Restaurants Site Plan and Development Agreement, subject to approval by the Washtenaw County Water Resources Commissioner prior to City Council action on the site plan.**

**COMMISSION DISCUSSION:**

*Bona asked for clarification on the changes that were made to the site plan.*

*Lawrence explained that staff had the petitioner separate the sites and show all improvements done to each site.*

*Bona asked if the additional improvements such as landscaping were required by the City because of the new buildings.*

*Lawrence said yes, and pointed out that the petitioner has reconfigured a lot of the parking lot islands and made them bio-swales and added numerous trees.*

*Bona asked how the parcel configuration of the mall came to be.*

*Rampson explained that the mall lots never went through a formal land division, resulting in individual parcels with parking for the main anchor stores in the mall.*

*Bona asked the petitioner to explain how the proposed plan would not preclude them from having a progressive development in the future.*

*Richardson said that in any shopping center in America they look at the big picture, and where there is a win-win outcome there is always a deal that can be structured to allow grand development. He said even though you may see some parcel lines changing today, there is nothing that is being done today that will limit what they can do in the future. He added that they have at least quarterly portfolio meetings with all the key department companies to discuss the on-going retail situation and possible tenant changes that impact the future.*

*Bona thanked Richardson for his optimism. She asked staff about the bio-swales and how the other sites impact the proposed development.*

*Lawrence explained that staff calculated that they needed 169 trees, and staff allowed the developer to include some of the existing smaller trees to be counted towards the total 169, which will require them to add 133 trees total.*

*Bona asked about how the regional detention works and if it is for all the parcels.*

*Lawrence said the detention pond number 5 is just north of the site, with another pond on the other side of Briarwood Circle. She explained that they will redesign the pond and dredge it, given the sediment, and they will add another pipe, and will be able to restrict the outflow.*

*Bona said with the retrofitting of the existing pond, they will be able to make it work better than what it was designed for originally, which she liked better than adding a new pond.*

*Woods said the aerial view provided with the staff report showed all the detention ponds and was helpful in understanding the layout.*

*Peters asked the petitioner if they see any problems with possible new anchor tenants who might move in or have to leave, due to bankruptcy, in regards to the proposed property lines.*

*Richardson said the property lines don't have anything to do with that type of a situation, adding that they have legally binding documents between holding stores and themselves, and they would do what they*

*could to enforce their rights in such a situation or even purchase the outgoing holding store's property because they have a larger investment stake in such situations.*

*Peters commented that he was glad to hear that the petitioner had been able to work out an agreement with the Solid Waste Department on being able to get the trucks in and out of the site.*

*Richardson said they got creative and work proactively in approaching situations.*

*Adenekan enquired about the availability of handicapped parking and van accessibility at the site.*

*Richardson said that he could assure that all of the spaces that they are touching, on both the Macy's parcel as well as the site adjacent to the restaurants, will be designed to ADA code and he was 99% sure that the balance of spaces at the mall had been upgraded to be compliant with the current code.*

*Clein asked about the site plan and the detention pond that was submitted at the first Planning Commission meeting.*

*Lawrence described the originally submitted plans and the revised plans.*

*Clein asked if there were changes to the site lighting and if they had been reviewed and approved for photometrics and energy efficiency.*

*Lawrence referred the question to the petitioner's team.*

*Gary Tressel, petitioner's engineer, explained that the existing Briarwood parking lot lighting would be retrofitted with LED fixtures, and the new parking lot lighting will have all new poles and fixtures that are LEDs.*

*Woods asked the developer if there would be a new skating area at Briarwood, since she had read something about it recently.*

*Richardson said that there was a skating rink with artificial ice inside the mall, located close to the JC Penney entrance.*

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

**Yeas:** 9 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Sabra Briere, Paras Parekh, and Jeremy Peters

**Nays:** 0