



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

301 E. Huron St.  
Ann Arbor, MI 48104  
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Tuesday, October 21, 2014

7:00 PM

City Hall, 301 E. Huron St., 2nd Fl.

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**10-b 14-1546**

Woodbury Club Apartments Annexation, Zoning and Site Plan - A proposal to annex this vacant 54 acre parcel located, at 3380 Nixon Road, from Ann Arbor Township, zone it R4A (Multiple-Family Dwelling District), and construct 282 apartment units in 4 buildings and a clubhouse on the western portion of the site. (Ward 2) Staff Recommendation: Approval

*Kahan presented the staff report.*

**PUBLIC HEARING:**

*Ann Attarian, 3490 Gettysburg Road, said she was happy to see effort is being made to retain the wetland and wetland systems. She said in the past there have been drainage and flooding problems on the Windemere and Barclay sites, in part because of insufficient knowledge of wetlands. She said she hopes this won't happen now and that care has to be taken. She said the last NAP newsletter highlighted Oakwoods Nature Center, noting that this is a lovely place and will be an asset to the City.*

*Jesse Osborne, 2805 Windwood Drive, resident of Windemere Park, said that she has previously served in governmental positions that dealt with creating laws for wetlands. She asked why the developer is asking the city to pay for the land when they should be donating it. She would like to see oversight of the developer to make sure substantial trees are planted that will do well and withstand storms. She asked if the traffic study conducted included traffic from other sites, since she felt the City needs to look at the whole area, not piece by piece.*

*Richard Osborne, 2805 Windwood Drive, said they moved here two years ago from New Hampshire, where he was a member of the Council Planning Board for 14 years. He asked the Commission to take into account the total scope of what is happening in this part of the city, with his estimated 1000 units of housing, including this project, Toll Brothers twin projects, Traverwood, and Pontiac Trail. He said it represents a major impact on this portion of the city and the city as a whole. He said he had not seen any mention of affordable housing for this project which was of concern to him. He said he likes to look at usable land to figure density and on the 54 acre site it becomes less than half that, resulting in 10 units per acre. He said that becomes the upper limit, so it is*

concerning. He said this is a strategic entry point to Ann Arbor from other areas, and the proposed buildings are massive, with 70 units per building. He said they won't know what solution the city will propose for the DhuVarren/Geen/Nixon Road intersection until after approval is given for this project and other projects coming along.

Roger Coleman, 2421 Placid Way, said he is not sure why the city would want to add more people in a high density condition since it did not seem environmentally responsible to him. He said this project is going to be destroying a lot of natural areas. He said he is surprised by the fact that liberal Democrats seem to be very cozy with developers, which doesn't fit in with environmentalism, and adding people destroys wetlands. He said he felt the redevelopment of the intersection of Dhu Varren and Nixon should be paid for fully by the developer and that it would seem strange to put the cost on taxpayers.

David Cooke, 2815 Leslie Park Circle, said he has lived in the area for 15 years. He said they were attracted to this area because it was less developed, with natural areas and wetlands which their children have enjoyed. He said this project, along with others, will represent massive change to this part of town and felt it needs to be seriously considered and will be an environmental issue, quality of life issue as well as a neighborhood character issue. He applauded the developer for making significant efforts to try to preserve some of the natural features, but didn't feel that this changes that this will be a completely different area. He said he felt the Commission will need to consider what we are doing to this part of town and the character. He said his additional concern is with traffic. He said he knows that there are plans to upgrade the intersection, but is not sure this will address the existing traffic, much less the new. He said the roads are not adequate in size and speed limits and he fears it will be difficult to get around this part of town if this development is approved.

Crosby Beene, 1 Westbury Court, echoed the comments made already. He said the projects coming before the Commission tonight are not being looked at as to their overall impact. He said one other project that will affect the area, the Northville project off Joy Road, the Builtmore development, will affect the traffic. He said traffic is unbearable getting out of driveways now for several hours of the day, and if the annexation of the Whitmore Lake public school goes through, there will be 1800 more homes whose traffic will come down Joy Road to Nixon, which will then be 3000 more homes that will impact the area. He said there is no easy way to come in from the north, as most people use Whitmore Lake Road now .

Maris Vinovskis, 13 Westbury Court, Northbury Condominiums, said they

*have lived there for 35 years and have watched the traffic grow, and felt that the City is out of touch with this part of Ann Arbor. He said they need to stop doing it piecemeal and instead re-work the Master plan. He said whomever drew up the Master Plan and said the traffic wouldn't increase, he would love to invite them to see why they were wrong. He said since the City has done lots of wonderful things downtown now is the time for them to look at the Master Plan. He said the City can't annex more and more properties and think that traffic will not have an impact. He said he can't walk across Nixon Road to catch a bus to the University. He said the intersection can be better, but will not reduce the amount of traffic. He said the City needs to look at the amount of traffic and if it is not done now, it will never be done. He said he feels for the Nixon family, who has been a big part of Nixon Road, but the proposed changes will not be making it a good part of Ann Arbor anymore. He said he would not like to live there anymore if all of these developments go through. He felt there was a disconnect between various groups and how the City operates. He said the staff discussion of traffic is inadequate.*

*Robert Darvas, 17 Southwick Court, Northbury Condos, said they have lived there for 30 years and it would be naive to believe that no one is ever going to develop this land on Nixon Road. He said in looking at the site plan, he can say that the plan is about as tight-packed as he has ever seen, as a structural engineer and professor of architecture emeritus. He said traveling on Nixon Road during rush hour, specifically after the traffic circle, sometimes takes 6-7 minutes to travel 1/3 mile. He said Nixon Road is a major artery road, and to think that with the added developments you will just dump more cars into the area is disturbing. He said he is bothered by the vague statement that there will be a restudy and reconfiguration of the corner of Nixon Road and Green Road and Dhu Varren Road. He said what the reconfiguration will mean no one has ever seen, just words written down without knowing what people have in mind and if it will help ease the traffic flow of the intersection that feeds into a very, very narrow artery.*

*Carole Rycus, 2726 Winter Garden Court, Ashford Court Condo resident, said she has lived off Nixon Road for 54 years. She said they chose the northeast side of Ann Arbor for its beautiful open green spaces and limited commercial areas. She said they have been very fortunate to have lived near wetlands, farmlands and open fields for all these years. She said when she first saw the for sale signs go up she called Don Nixon and they shared their pleasant experiences of living in such a lovely area as the northeast side. She said she even asked him to reconsider selling his property and donating it to the City of Ann Arbor, which was wishful thinking on her part. She believes Mr. Nixon was conflicted because he set the price very high back then and he had no*

buyers. She said she realizes that property owners have the right to develop their land, but they do not have the right to destroy the integrity of an area. She said the Commission and City Council have a responsibility to make sure this does not happen; we have to review and evaluation any future building plan to ensure that they do not adversely affect the quality of life and the environment. She wished all parties well in coming to a fair and reasonable solution to the problems with the properties on Nixon and Dhu Varren Roads.

Bernard Lugar, 26 Haverhill, Northbury Court, said they have lived there for over 30 years. He said during this discussion and during several other discussions he hears reference to the Master plan. He said what they don't hear is that the Master plan was developed when no one had the full picture and is full of faults. He said the Master plan is not taking into consideration what is being built and what is coming up and we are destroying the integrity of the City if we move forward shortsighted with piecemeal plans just for a profit motive and not looking at the whole picture what this community is all about.

Scott Betzoldt, Midwestern Consulting, Civil Engineer and representative for the petitioner, introduced the Bleznak team, a family-owned company for 50 years. He said they have managed more than 5000 apartment units in the area, including Woodbury Garden complex at the corner of South Industrial and Stadium Blvd. He said the existing site consists of two contiguous parcels that they have asked for annexation and to be zoned R4A. He said the sites have been owned by the Nixon family for over 100 years and consists of approximately 32 acres of uplands and is loaded with natural features. He said they very quickly realized the natural features were important to work around and have consolidated their development to only 17 acres of the site. He said currently the Bleznak group is talking with the City of Ann Arbor Greenbelt Committee in hopes of trying to bring in the eastern portion of the site under their dedication. He said they are proposing R4A zoning which would allow 540 units, but only build 282 units in four buildings that would be built in 2 phases. Three buildings would be built in the first phase. He said the unit mix and pricing associated with the units will be market rate; 132 one-bedroom units, with approximately 750 square feet which will rent for approximately \$1,100 per month. There will be 126 two-bedroom units, with approximately 1,100-1,300 square feet which will rent for \$ 1,300-1,600 per month. There will be 24 three-bedroom units, with 1,400 square feet which will rent for approximately \$ 2,000 a month. He said they put effort into minimizing woodland and wetland impacts and chose to put the detention pond in the wooded area of least quality woods while maintain the higher quality woodland to the north. He showed the small wetland finger impact to the south to get the required parking spaces, noting that the wetland was not of great significance as it is

*currently tilled land. He said there will be carports and parking on site for all units.*

*Mitchell Bleznak, developer, said their intent is to bring an asset to the local community by bringing affordable and safe housing in a wonderful area, by enhancing the neighborhood despite of the traffic conditions that exist today. He said they feel they can be part of the solution to improving traffic flow in the area. He said they are long-term owners of real estate in Ann Arbor, having purchased and developed the 538 unit Woodbury Gardens complex, which was formerly the UM botanical gardens. He said he is sensitive to the traffic situation but the other perspective is that the traffic is coming because there are jobs. He said the City has worked hard to develop a Master plan that they are trying to be a part of and the jobs will keep growing. He said the available walk-ability and bike paths in Ann Arbor only enhances less desirability to drive. He said in building this community, and in preserving the natural features, they have travelled the country in looking for a design that would take up the least amount of land while giving affordable density. He said the only correction he wanted to make was that Mrs. Spurway does not still own the land.*

*Noting no further comment the Chair declared the public hearing closed.*

**Moved by Westphal, seconded by Adenekan, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve Woodbury Club Apartments Annexation, R4A Zoning, Planned Project Site Plan, and Development Agreement.**

**COMMISSION DISCUSSION:**

*Bona said that those who are interested in the future of Ann Arbor should look at SEMCOG statistics. She said the population is at a little over 110,000 but with the added workers it elevates to 170,000. She said the traffic they experience on their corridors is mostly commuting, including the project mentioned in Northville, outside of the City. She said she works on North Main Street and you cannot get out of their driveway between 4-6 pm, because of the traffic heading north to 23. She said it is every one of the City's corridors, not just Nixon. She said the Master plan talks about how do we give people alternatives so they don't have to use cars, adding that this site was probably too far for walking, but they hope that in the future the whole City can be 'walkable'. She said cycling is growing, but a real source of alleviating traffic is mass transit, which means we need bus routes that operate longer hours with more frequent service. She said in order to help those who live on new bus routes, we need to increase density to help support that. She said even though we are a generous community, we can't keep subsidizing bus service. She said she wanted to try to put these things into context*

*and hopes that when the Master Plan comes up for review again that many will participate in the process since the City's Master Plan is a result of those who participate. She said there was much thought that went into the Master Plan for this particular area, where the intent was to create a livable community with more choices where people didn't have to commute in from outside. She said there is no way that they are going to create housing for 70,000 additional people who drive into Ann Arbor every day and adding 1,800 or 5,000 units will also not solve that issue. She said research from California has shown that the easier you make it for the traffic [as adding more lanes], the more you encourage traffic. She said SEMCOG projects continued growth of commuters into the City. She suggested that those interested should look at the City's policy for Complete Streets, noting that the design of the streets and the building's proximity to the street has much to do with the traffic speed on the street, such as narrower lanes and buildings closer to the street. She explained that adding housing inside the City limits actually alleviates traffic than if we get the units built outside. She said it is the realization that Ann Arbor is a desirable community; people want to live here, there are lots of jobs here and we can't be elitist and build a fence around Ann Arbor and say 'no more'. She said we already have a lot of people who live closer and should be able to commute to work.*

*Bona asked about the affordability of the units and what income level would be able to rent the apartments.*

*Bleznak said for rents that start in the \$1100, they would expect customers to be making 3 times the rent, so \$40,000 at least.*

*Bona suggested that when the project moves on to Council, the developer have the figures relating to median income available, since it doesn't seem to fall under low income.*

*Bona asked about the flooding and drainage, in the Barclay development, as referenced by a public speaker, and if the proposed development would help or hurt them.*

*Betzoldt said the projects are not in the same watershed and are not connected, and the only issue he is familiar with in Barclay Park is a small kettle wetland. He said as the Windemere buildings made modifications to their gutters and downspouts and installed underground black plastic connectors out to their property line, it drained right to the wetland and made the small wetland inundated, which then resulted in the trees dying since they were not used to being mangroves.*

*Bona asked how wetlands will function properly without being overwhelmed.*

*Betzoldt said the wetlands will get a higher volume but not greater run-off, since the detention will slow down the water run off from impervious surfaces that would normally rush off in a flash flood. He said the pond will capture that water and release it at the rate of the undeveloped site would release it. He explained that the central wetland was not a wetland in 1940, but a narrow ravine in 1940, and when they put in the expressway they put in a culvert, that changed the outlet elevation. He said what has happened over time is that the culvert has silted in and the water surface has expanded over time to what it is now. He said the ultimate reason for the wetlands is the 72 inch culvert that goes underneath M14, and drains to the north and then in turn drains back under M14 to a smaller wetland and then goes under Nixon Road and goes out to the water course on the Nixon Farm to the west. He said since the culverts are so large, there will not be any inhibiting the flow of water and in theory the flow will be identical to current flow. He said it will not cause additional erosion and there will be pretreatment devices in place to protect from silting.*

*Bona asked about the process of management over time.*

*Betzoldt said the detention pond has a maintenance schedule for items that must take place every 6 months, every year, every two years, which includes inspection of the discharge and replacement of the filter rocks.*

*Bona asked if the City monitored the maintenance schedule.*

*Betzoldt said only on a complaint basis.*

*Westphal asked about the planned project benefit that the project would contribute to the community, and how the open space calculations would change if the eastern part were to be donated or acquired and how the timing affects how we consider open space.*

*Kahan said currently the 54 acre site has 86.2% open space and, if the eastern parcel were to be acquired as public parkland, it would shrink the western parcel down to 73%, which is in excess of the 65% required open space. He said the project is still providing open space in excess of the requirement in order to qualify for the planned project standards.*

*Mills asked what is considered open space.*

*Betzoldt said general open space is everything but pavement and rooftops.*

*Mills clarified if wetland is considered open space.*

*Betzoldt said yes.*

*Mills asked about wetland impact.*

*Betzoldt pointed out the small disturbance of approximately 2,400 square feet on the southern portion of the site and approximately 6,700 square feet of mitigation area on the northern portion of the site.*

*Briere asked about traffic.*

*Betzoldt said the traffic as bad as everyone says it is. He said there is a trick to navigating the intersection and if one doesn't know how to handle the intersection, it can slow it down. He said their traffic study they did not include the Toll Brother's development, since it was not a petitioner at the time they did their traffic study. He said the study showed levels ranging from C to F, indicating it is in disrepair and needs to be fixed. He said while there are many in the room tonight that don't want to see this development, there are two willing parties ready to step forward to get what is already in disrepair fixed.*

*Briere asked about information in the Transportation Plan that addresses the Nixon corridor, noting that it did not show of any foreseeable problems in area. She asked what the proposed contract would cover.*

*Kahan gave background information on the situation, noting that City engineers are painfully aware of the challenges of the Nixon/Dhu Varren/Green Road intersection. He said City Council approved funding to hire a consultant, Opus, to evaluate the existing conditions at the intersection, assess future traffic going out to at least 2035, and to propose a preferred solution in terms of a design concept. He said Opus has been meeting regularly with City staff and will participate in a public meeting, to be held within the next month or two, that would be wholly focused on the intersection as well as the approaches in all directions. He pointed out that the developers for Woodbury as well as the developers for Nixon Farms are acutely aware of the challenges and recognize that they will not be able to lease or sell units until the intersection issue has been rectified. He said it is our understanding that both developers are willing to be active participants to either construct the intersection itself or to pay a fair share of the re-construction of the intersection. He said it is staff's goal to draft agreements that insure the intersection is thoroughly and completely constructed prior to the issuance of the first certificate of occupancy.*

*Briere noted that the Dhu Varren improvements as well as Green Road improvements have been in the Capital Improvements Plan, and Council*

*just approved another Rectangular Rapid Flashing Beacon to help people get across Green Road, so they can walk on the new sidewalk all the way to Clague. She said the levels of insecurity is in not knowing how much we will have to make changes to this area in two years, much less immediately. She said if construction starts on the fixes to the intersection and roads, is there a rational way to deal with truck traffic that inevitably follows construction of the condominiums and apartments in this proposed mix.*

*Kahan said this question would likely be resolved through attempting to route truck traffic away from the intersection [coming southbound from Nixon] but the details of the construction have not been worked out, in part, due to premature timing and given that truck traffic from construction has not been addressed yet either. He said one could access the Nixon Farms without going through the intersection and it would make sense to flag the issues now.*

*Rampson commented that these specific issues on logistics would be discussed as more details become available. She explained that the City's Transportation Plan is done on a system's level and not meant to look at individual intersections. She said when they get to specific developments proposed, then City staff can look at the specifics of the driveways and the types of uses and have a traffic study that addresses these details. She further explained that the Transportation Plan did envision a corridor study of Nixon. She noted a couple of years ago there was concern about not being interested in widening roads; however there are turning movements and access points and so there was thought they would look at Nixon to see if it needed to be wider. She said since then, the community has voiced that is not what they want to see, but there are still issues of bus access, pedestrian access, safe routes to school, efforts to bring sidewalks up on Nixon, projects on the Nixon sites, and ultimately on the Woodbury Garden site. She said the City is looking at how all the projects connect and how they impact the area. She said they have heard feedback on how people are impacted by those coming out of Traver and getting across the street to Clague and what this intersection does in providing gaps there will be included in the Opus review.*

*Adenekan said she was delighted to see so many people at the meeting and that the community engagement was great through their questions, comments and suggestions. She asked about the water pressure impact given the proposed development.*

*Betzoldt said that the water pressure in the area was fairly good. He said when they constructed Barclay Park, they built a water pressure booster station to boost the pressure to acceptable levels, given the three story*

*buildings in that development. He said after they put in the booster station, the pressure was blowing washing machine hoses. He said when the City raised the water tower by 60 feet on Plymouth Road, it increased the water pressure greatly. He said the flow is excellent and the newer transmission lines were developed with the intention of serving development on the Nixon properties.*

*Adenekan asked how many of the 282 units would have first floor master bedrooms.*

*Bleznak and Betzoldt said they would all be stacked units.*

*Clein said he also appreciated the public comments and that so many had chosen to spend their evening at the meeting, adding that the goal is to make a better community and public comments usually result in better developments. He said he also appreciated Bona's eloquent comments about creating more density within the City. He said he believes Ann Arbor is in an enviable situation, and if this development would've been proposed in 2009, when the Master plan was created, it would probably have been heralded as something good happening in the City because in recession. He said it is because the City is a successful, desirable community, and as the Chinese saying goes, nothing succeeds like success. He noted that another saying is that nothing fails like success, which is to say at a certain point success becomes too much, and that is what we are hearing from the public today. He said no one want to lose the quality of life they have and no one here are proponents of that. He said the Commission realizes that it is within the property owner's rights to have someone develop their property and they are trying to find the best way to respect the system and the rights of individuals in the community. He asked about the sewer capacity.*

*Kahan said the City conducts a sewer capacity analysis, paid for by the developer, adding that there was not a downstream issue. He said the development will be responsible for disconnecting 72 homes through footing drain disconnects.*

*Clein asked if the buildings will be fully fire suppressed.*

*Betzoldt said yes.*

*Clein asked about techniques to protect the water quality of the surrounding wetlands.*

*Bleznak said from a conservation standpoint they would try to use well water to sprinkle the lawns.*

*Clein said given that this would be on a very sensitive site, with water draining into what might turn into being parkland, there is a certain level of environmental responsibility and he asked the developer to be mindful of this when using fertilizers on the site lawns.*

*Bleznak said he would take the advice seriously and seek counsel from professionals on the issue.*

*Clein asked about lighting.*

*Betzoldt said lighting would be the traditional down-lit fixtures as per City ordinance and would be adequate to make it safe.*

*Clein asked about the ongoing parkland discussion and if that discussion was contingent on the approval of the site plan.*

*Kahan said the discussion was not contingent on the approval. He said the petitioner has requested that the City explore acquiring the eastern half of the site through purchasing it. He said that decision ultimately rests with City Council. He said they are currently in the process of gathering appraisals for the land and if it is not purchased by the City, it remains as part of the site plan.*

*Rampson explained that the Parks and Recreation Open Space plan has a formula that the City uses to determine when there are new residents introduced to the City, how much parkland would be necessary to keep it a steady state given the current population levels. She said with this development, the formula showed they would need at least 2+ acres, so the developer is asked if they would donate at least 2+ acres to meet their obligation. She said in the State of Michigan, they cannot require any type of exaction of this nature, so the City asks nicely, and it is then up to the developer to decide whether they want to participate or not. She said if they do, it is then put in the form of a development agreement that commits them to providing that dedication. She said in this case, the City also had the opportunity to acquire this eastern parcel to be a part of the wetland system, and they are in the process of using funds available to the City to supplement this acquisition along with the western portion being donated by the developer.*

*Rampson commented regarding an earlier question that there is a phosphorus limitation ordinance within the City limits of Ann Arbor so properties within the City are not to use phosphorus fertilizers and the results of that is that they are seeing lower rates of phosphorus in the Huron River.*

*Peters asked about how run off picking up oils from driving surface will be addressed, given the proximity to the wetlands.*

*Betzoldt said it would be no different than any other road in the City. He said the outlet water filters are filled with sand and gravel so the water has to filtrate through the sand and gravel to get to the angular shaped area to drain out to the discharge pipe and then to the wetlands. He said the filtration is shown to be quite effective in other locations.*

*Briere asked if the City will end up owning the wetlands, will the City be responsible for maintaining the wetland. She said she is concerned with re siltation, construction impacts, and cleaning and hopes that on-going discussion includes active ways to clean the water as much as possible before it enters the wetlands. She said it will be expensive for the City to maintain wetlands that have been silted and polluted and it destroys habitat that the City is trying to protect. She said whatever mitigation the developer can put in to clean the water before it hits the wetlands would be good.*

*Westphal echoed concerns addressed, noting that they alert the Commission to other problems outside of the footprint of a site plan. He said in regards to comments about the City looking at this piecemeal, he asked staff to refresh the Commission about the process involved and how large of an area was looked at overall when the Master Plan was written, and the overriding changes to the land uses from what they were previously.*

*Kahan said about 14 or 15 years ago the City undertook a multi-year planning effort commonly referred to as the Northeast Area Plan, which included generally the area south of M 14, west of US 23 and north of Washtenaw Avenue. He said they did look at this 54 acre site and came up with site specific recommendations. He said the planning effort included 13 public workshops, 36 citizen advisory committee meetings that were open to the public as well as multiple Planning Commission and City Council meetings with the effort of including as many people as possible. He said they did look at the recommendations in a transportation study conducted by the Corradino Group. He said the ultimate short answer for land use recommendations of up to 10 units per acre for the 6 large sites in the Northeast Area was they would not by themselves have substantial traffic impacts on the major corridors in the Northeast Area. He said, as expressed earlier, much of the traffic along the corridors during peak periods is originating from a huge capture area outside of Ann Arbor.*

*Rampson added that the transportation study went hand in hand with the land use study; the land use recommendations formed the modeling that*

*was done for the transportation study. She said one of the key things they looked at was what density did they need to have to support and improve transit access in this area. She said typically you would need 6 dwelling units per acre in order to support viable transit service. She explained that the discussions between the plan's advisory committee on these larger parcels included what was the appropriate density given the character of the area, for supporting transit, and for protecting natural features. She said on the Nixon sites, given their sensitive natural areas, there was a sense that if one could incentivize a developer to cluster a development on the farmed area and leave the natural areas, that is how they came up with the density recommendations for the area. She said it was a very comprehensive review that was ongoing for two and half years and involved many citizens.*

*Westphal asked if office and research uses were formally recommended for these areas and what the traffic impact difference would be.*

*Rampson responded that the properties along M14, including Arbor Hills, were recommended for office/research and limited industrial uses in the 1970's, and the large employment from those uses was not something they wanted to see in this part of the Northeast Area. She said when the original land use recommendations were made, there was an assumption that there would be a freeway interchange at Nixon Road. These recommendations later evolved after Arbor Hills as proposed, and as a result, the recommendations changed to residential for these parcels.*

*Westphal asked about the pedestrian easement/walkway that would access some the natural areas of the site. He asked staff to review the pedestrian easement that would be for public access and would not be crossing private land.*

*Kahan reviewed the access easement with the Commission, noting it would be a 50 foot easement with a sidewalk throughout its entirety.*

*Rampson added that this approach with providing a public easement is the same that they took with Barclay Park.*

*Clein asked about refuse removal for the development, pointing out large dumpsters in one location.*

*Betzoldt said they are central trash compactors.*

*Bleznak explained that typically residents will take their trash to this central refuse and recycling area and they might have a concierge service available for residents interested.*

*Bona said that a planned project is shown in the comparison chart and wanted to make sure all requirements are met with the option of a smaller site. She noted that the dwelling units per acre is listed as 10 units per acre maximum and in looking at only half the site it is 10.17 units per acre. She asked if the City considers that more than 10.*

*Kahan said the City would consider that more than 10. He explained that if the City were to acquire the property to the east as parkland, the City would ask the developer to reduce the number of dwelling units or to dedicate a portion of the eastern property as parkland as part of the site plan, making it 10 or fewer units per acre.*

*Bona noted the planned project justification as meeting one or more of the following requirements; must provide usable open space in excess of the requirement, additional setbacks and preservation of natural features that exceeds ordinance requirements. She said the added benefit in exchange for the relief seems reasonable in this development.*

*Westphal agreed with Bona that the modification justification checks off. He asked if there will be any energy conservation third party metric.*

*Bleznak said they want to build a sustainable and environmentally appropriate development, adding that they have been working on getting site plan approval before looking closer at the building options. He said they would be happy to take any suggestions under advisement.*

*Westphal said solar orientation or energy conserving design would be appreciated, noting that Energy Star standards would be beneficial to project.*

*Woods said she appreciated Kahan reading the traffic mitigation paragraph at the beginning of the meeting and that they would limit the issuance of Certificate of Occupancies until the modifications to the intersection are substantially complete. She said this information may help allay some fears expressed by the public about traffic concerns. She noted that it is rare for the Commission not to receive similar comments and concerns when new developments are being proposed. She reiterated what Commissioner Bona had said, that for those of us who are already here, we are reluctant to bring in newcomers and we buy our properties based on the way it looks around us at that time; however the reality is in the long run, we are all just renters, and come and go for some time. She said we are a community that prides ourselves in being environmentally sensitive, and hopefully the things we're doing do not degrade the environment such that future generations don't have an opportunity to live here, to grow, to develop. She said she really appreciates the discussions held this evening.*

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

**Yeas:** 8 - Bonnie Bona, Wendy Woods, Kirk Westphal, Eleanore Adenekan, Kenneth Clein, Sabra Briere, Jeremy Peters, and Sarah Mills

**Nays:** 0

**Absent:** 1 - Sofia Franciscus

**Moved by Clein, seconded by Westphal, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Woodbury Club Apartments Wetland Use Permit to allow filling and mitigation of 2,550 square feet of wetland and on-site mitigation.**

*COMMISSION DISCUSSION ON WETLAND USE PERMIT:*

*Bona asked about the amount of mitigation required.*

*Betzoldt said the required mitigation is 2 to 1, but due to the shape of the wetland, it made more sense to do 3 to 1.*

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

**Yeas:** 8 - Bonnie Bona, Wendy Woods, Kirk Westphal, Eleanore Adenekan, Kenneth Clein, Sabra Briere, Jeremy Peters, and Sarah Mills

**Nays:** 0

**Absent:** 1 - Sofia Franciscus