



City of Ann Arbor

Formal Minutes

Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
Calendar.aspx](http://a2gov.legistar.com/Calendar.aspx)

Wednesday, November 4, 2015

7:00 PM

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

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1 CALL TO ORDER

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

2 ROLL CALL

Ben Carlisle called the roll.

Present 8 - Woods, Clein, Briere, Peters, Mills, Bona, Milshteyn, and Gibb-Randall

Absent 1 - Franciscus

3 APPROVAL OF AGENDA

A motion was made by Councilmember Briere, seconded by Milshteyn, that the agenda be Approved as presented. On a voice vote, the Chair declared the motion carried.

4 INTRODUCTIONS

5 MINUTES OF PREVIOUS MEETING

[15-1288](#) September 9, 2015 City Planning Commission Meeting Minutes

A motion was made by Mills, seconded by Peters, that the Minutes be Approved by the Commission and forwarded to the City Council. On a voice vote, the Chair declared the motion carried.

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

6-a City Council

Briere reported that the Council meets tomorrow, and the agenda would not be development heavy. She noted that at their November 16th meeting the request for annexation and zoning for the Nixon North and South parcels would be coming before them. She said she hoped that the Commission had had a chance to view the proposals for the Library Lot which were on display in the City Hall lobby.

6-b Senior Associate Planner

Ben Carlisle reviewed the meeting calendar with the Commission, and provided an update on the Allen Creek Greenway Master Plan process.

6-c Planning Commission Officers and Committees

6-d Written Communications and Petitions

[15-1371](#) Various Correspondences to the City Planning Commission

Received and Filed

7 AUDIENCE PARTICIPATION (Persons may speak for three minutes about an item that is NOT listed as a public hearing on this agenda. Please state your name and address for the record.)

Jeff Hayner 1807 Pontiac Street, Ann Arbor, spoke about a report that was done, and provided to City Council in August 2015, to see if the City's connection fees and other fees that are paid towards the City's infrastructure are appropriate. He said as projects move forward from the Planning Commission and on to City Council for approval, he felt it would be appropriate for the Planning Commission to also review this report and request that Council adopt the report which shows that the City is grossly

undercharging the developers on infrastructure costs when their projects are being approved and move forward, adding that the rest of the taxpayers are footing the bill for these developments to hook-up to the City's infrastructure. He said in his calculations, on projects approved since August, we have left \$ 1.4 million on the table in under charging for these connections and he didn't feel it was best policy to ask for the rest of the citizens to foot the bill for new development, since we've probably put money and effort into getting this report produced and it should be evaluated. He said in looking at the North Sky project alone, the loss to the City will be \$845,000 in connection charges; he said while it's bad news for the developers it is time for everyone to pay their fair share.

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

15-1372 Public Hearings Scheduled for November 17, 2015 City Planning Commission Meeting

Chair Woods read the public hearing notice as published.

Received and Filed

9 UNFINISHED BUSINESS

9-a 15-1373 816 S. Forest/815 Church Rezoning for City Council Approval - A request to rezone these two 0.18 acre parcels, zoned R2B (Two-Family and Student Housing District) to R4C (Multiple-Family Dwelling District). 816 South Forest, which currently contains two residential units, each containing four bedrooms, would be remodeled to provide six bedrooms in each unit. 815 Church, which currently contains a legal non-conforming dentist office on the first floor and a residential unit containing three bedrooms on the second floor, would remain unchanged. Ward 3. Staff Recommendation: Denial

Jill Thacher reviewed the request and noted that the applicant had requested another postponement.

PUBLIC HEARING:

Noting no 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 816 South Forest Avenue and 815 Church

Street Rezoning from R2B (Two-Family Dwelling and Student Housing District) to R4C (Multiple-Family Dwelling District).

COMMISSION DISCUSSION:

Bona said considering that the staff report recommends denial and the applicant is requesting a postponement she would like to hear from the petitioner why they would like for the Commission to postpone this item.

Scott Munzel, 603 W. Huron Street, Ann Arbor, appearing on behalf of the two property owners said they were present at the previous Planning Commission meeting and heard the discussion and issues and in consultation with Roger Nanny, the Planner whom the two property owners hired, he had some ideas that he felt might be useful to address the concerns of the Commission. He said he would like to review those ideas with City Planners before coming back to the Commission, noting that the idea would be to add some conditions to the zoning that would address the concerns that the Commissioners named.

Bona said considering changes are being proposed, she was in support of a postponement.

A motion was made by Peters, seconded by Mills, to postpone item to date uncertain to allow petitioner time to meet with staff and discuss item, before returning to the Commission. On a voice vote, the Chair declared the motion carried.

Yeas: 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sarah Mills, Bonnie Bona, Alex Milshteyn, and Shannan Gibb-Randall

Nays: 0

Absent: 1 - Sofia Franciscus

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

(If an agenda item is tabled, it will most likely be rescheduled to a future date. If you would like to be notified when a tabled agenda item will appear on a future agenda, please provide your email address on the form provided on the front table at the meeting. You may also call Planning and Development Services at 734-794-6265 during office hours to obtain additional information about the review schedule or visit the Planning page on the City's website (www.a2gov.org.)

(Public Hearings: Individuals may speak for three minutes. The first person who is the official representative of an organized group or who is representing the petitioner may speak for five minutes; additional representatives may speak for three minutes. Please state your name and address for the record.)

(Comments about a proposed project are most constructive when they relate to: (1) City Code requirements and land use regulations, (2) consistency with the City Master Plan, or (3) additional information about the area around the petitioner's property and the extent to which a proposed project may positively or negatively affect the area.)

- 10-a** **15-1374** NorthSky Development Rezoning and Site Plan for City Council Approval - A request to rezone this 31.7 acre site located at 2701 Pontiac Trail from R4A (Multiple-Family Dwelling District) to R1D & R1E (Single-Family Dwelling District) and R4B (Multiple Family Dwelling District) to allow development of 139 site condominium lots for single-family detached homes and a four-story, 56-unit building at the southeast corner of the site. Ward 1. Staff Recommendation: Approval

Jill Thacher presented the staff report.

PUBLIC HEARING:

Dennis Singsank, 2837 Pontiac Trail, Ann Arbor, said he was glad to hear that this project was recommended for approval so they could just get on with the project, since the planning had been going on for a long time. He wanted to know what would be on the boundary between the project and his house. He also asked about a driveway opening on the north side noting that the only way to get to it would be through his township property, he believed. He said the part around the back, that was mentioned that the City wants as a park, that whole parcel and the one below, had a lot of deer that wander and roam around in there because it is all wild, which they will not do after all the houses come in. He asked if it were made into a City park, would the trees remain to allow the deer to roam from the Huron River up through the woods and up to northern Ann Arbor by Pontiac Trail and Dhu Varren. He also asked if the smaller homes would have detached garages. He asked to know of the timing of construction and phases if the project is approved.

Jeff Hayner, 1807 Pontiac Street, Ann Arbor, said he also rents the shop at 2710 Pontiac Trail, and he thought the estimated trips from the developer's traffic study for the new households seemed low at 1,800

since he estimated there would be 362 parking spaces on the site which could indicate 3,600 trips a day, adding more traffic to Barton Drive. He said he was sad to have seen so many of the trees cut down earlier on this site by a previous developer and he had hoped that the City had some bonding on clear-cutting these development sites, noting that they had pretty much clear-cut an evergreen forest up there. He said from the looks of the site plan the new developer has gone out of their way to take care of the trees which he was pleased to see. He agreed with the previous speaker that there would be a deer displacement on this site from the existing herd. He said if the 4-story proposed building still existed as part of the new development, he was concerned with the density and the allotted parking spaces, adding that he was shocked with a 4-story building being built on this site since it seemed too big. He also had concerns with the requested 49 footing drain disconnects in the City; he said that would be asking 49 people in the City to install sump pumps in their basements so you can allow this developer to build their project. He said it was time that the City starts looking at their capital charges when new developments come in and with this project it would mean an additional \$845,000 which would allow the City to make real upgrades to the capacity instead of just virtual upgrades through these disconnects throughout the system. He said he was not liking the way the City was handling the situation with disconnects instead of charging the developers the necessary costs and he wanted the City to look further into the situation and the report mentioned earlier. He asked what the final height of the project would be.

Linda Guinyard, 612 Colverdale Street, Ann Arbor, said she wasn't aware of this development and while she had been following the development going north on Pontiac Trail she hadn't heard of anything going south. She said she understood why everything along Pontiac Trail would have to be along that street because if you look at Cloverdale there were no sidewalks done well along her street so she had concerns and needed to find out more about this proposal and come back with more questions.

James D'Amour, 2771 Maplewood Avenue, Ann Arbor, said he spoke as a former member of the Planning Commission, and he was serving during the time when the original North Sky development came before the Commission, noting that most were not very happy to see what was happening with the loss of trees on the site. He said it appears that this developer has made a good faith effort to remedy some of the previous tree loss issues. He said he wasn't sure about any off site planning going on and if he was still on the Commission he would probably be asking the developer to try to reduce the footprint of this site and allow more wiggle

room and he would like to see an increase in the open space. He asked about any contribution from the developer of North Sky towards the interchange of Dhu Varren and Nixon Road, given the amount of traffic that would come from this development. He thanked the Commission for their further questioning on this proposal before them.

Bruce Michael, Trowbridge Homes of NorthSky, 2617 Beacon Hill Drive, Auburn Hills, petitioner for the developer, thanked staff for spending a lot of time with them during the site plan process and for their thorough staff report. He said they held two citizen participation meetings with concerns diminishing as they went further into the process with only eight people attending their second meeting. He said they wanted to stick with detached homes given property restrictions on attached condominium style homes, along with following the Northeast Area Plan. He explained they put the density in one building, sited to be in a bowl like area in the southeast area so that the impact of the building would be minimized since it is built into the side of the hill with a parking underneath. He said they also tried to minimize the impervious surface by putting the parking underneath the building and only having a minimal sized surface lot. He said they were the first applicant to provide the infiltration that the Washtenaw County Water Resource Commissioner had asked for even before their rules were published which allowed them to get a head start on incorporating it into the design of their project as well as using the City's Green Streets design requirements. He said it is an interesting design given the terrain of the site.

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

Moved by Peters, seconded by Briere, that the Ann Arbor City Planning Commission hereby recommend that the Mayor and City Council approve the request for R1D and R1E (Single-Family Dwelling District) and R4B (Multiple-Family Dwelling District) zoning designation for the NorthSky site, and

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the NorthSky Site Plan and Development Agreement.

COMMISSION DISCUSSION:

Briere said she was interested in hearing that the density was based on site size, less the dedicated public land, when other sites they have recently reviewed have not been based that way. She asked about the

density including the public land.

Thacher said it was 6.57 units per acre.

Briere asked if it was standard to exclude public land from the calculation.

Thacher said she wasn't sure.

Briere said the density wasn't quite as dense as the Master Plan called for.

Briere said the traffic on Pontiac Trail is already severe; she asked if the dedicated turn lane would accomplish the traffic management by itself or is there more opportunities for better traffic management. She asked if they should be talking about markers and stop signs for the future that the developer should be contributing towards.

Thacher said the plans show an actual striped crosswalk that will be called out and is visible. She noted that the City's traffic engineer who reviewed the project pointed out that the left turn lane and the bus pull out as being the two major improvements that will help with the traffic on Pontiac Trail. She said throughout the site plan process there were changes made to the interior of the development to make sure crossings and ramps on corners of sidewalks met City standards and a lot more of that would take place at the construction drawing phase.

Briere said with Pontiac Trail recently being constructed, it appeared to her that there would be changes made to that recently constructed street, and would those changes be made at the developer's dime.

Thacher said yes, and with a street cut moratorium on that street, the developer would have to do things that cost more than usual in order to not mess up the pavement that has been laid.

Briere asked about the sidewalk on the east side that would have to shift in order to accommodate the new development.

Thacher said the sidewalk shift would all be at the expense of the new developer.

Bona asked about the traffic study relative to the question that came up about 1,800 cars.

Thacher said she couldn't comment on the traffic study since it is not something she reviews, more than she is aware that the City's traffic engineer had asked for updates through the past year in order to get more accurate counts.

Bona asked when a development is large enough to merit a traffic study is it the City's traffic engineer who determines what needs to be done to deal with the traffic.

Thacher said, yes, and since this site plan has had six or seven iterations there has been the need for updates to the traffic study along the way.

Bona asked the developer where the number of 1,800 cars came from.

Michael said their traffic study company, Fleis and VandenBrink Engineering and Mike Labadie, P.E., is someone he has worked with for 20 years and is highly competent and is used by MDOT and many other agencies. He said whenever Mike is given a request he contacts the agency's traffic engineer to find out exactly what information they are looking to be studied. He said he believed at the time it was Les Sipowski, at the City, before he retired and before Cynthia Redinger came into play.

Bona asked which intersections had to be studied.

Michael said there have been four documents that have been prepared by this traffic engineer in response to Ms. Redinger's comments; he said the intersections they were asked to look at included Pontiac Trail and Barton Drive, Pontiac Trail and Dhu Varren Road, and Nixon Road, Dhu Varren and Green Road. He said traffic counts on these intersections were recorded.

Bona asked if those counts are the counts that are on those streets today.

Michael said correct. He said traffic impact analysis were developed through this firm using very complex modeling system that they use to determine how many more movements would be added, how many more cars would be added, with them then studying the level of service that is available at each one of those intersections which is then graded in accordance with the Institute of Traffic Engineering Standards. He said they look at the level of service before this development comes into place and then they add in the impacts that will come from the development and look at the impacts after the levels are added. He said they look at the a.m. and p.m. peaks when the most traffic is in place. Michael said

those results were reviewed by both Sipowski and Redinger as they were provided. He said Redinger had asked them to do a separate study of the traffic coming from the northern site as she believed there would be a different impact from that area of the development.

Bona asked where the 1,800 number came from, noting that the number was brought by a public speaker, and not the staff report.

Michael said the Institute of Traffic Engineers generate a manual that determines the number of trips that a land use will generate on a per house or per square footage of commercial based property in a 24 hour period or during a peak period.

Bona asked if that was a national average.

Michael said yes. He said the initial work was done on their earlier somewhat larger proposal of 143 single-family units and 63 multi-family units, with that average coming to 1,871 daily traffic counts or trips. He said they then look at data on how many of those trips will turn left or right and how that will then impact each one of the legs of the intersections as those are added in.

Bona asked if the number was coming from a manual and not from the traffic engineer doing the study.

Michael said correct; he would be taking that from a manual and not inventing something new.

Bona said the traffic is something that we all know is bad and is going to get worse.

Michael added that one of the issues brought at the Citizen Participation meetings is that a lot of people use Pontiac Trail as a back door into the City instead of getting onto US 23. He said given that it is an unregulated speed limit in the country, traffic is often doing 70 and once they cross the interchange they don't slow down to 50. He said their traffic engineer felt there should be a 4-way stop of blinking light at Dhu Varren and Pontiac Trail that would get that traffic stopped so they can't be doing 60 or 70 miles per hour as it comes down into the City.

Bona said she felt they were getting into the design of the street versus a speed limit sign. She complimented the developer's team on the pull-off bus stop given the higher density housing right there and the bus virtually

at their front door. She said she would expect more bus ridership from that building than from the national model. She said it is a relationship between the landscape and the width of the road and the bike lane.

Bona said she noticed on the site plan there are a lot of street trees and she thought they were on the street side of the sidewalk.

Thacher verified that both the trees and the sidewalk are within the right-of-way.

Bona asked if the trees are on the street side of the sidewalk adding that having the trees on that side is another traffic calming element.

Michael showed the full site plan to Bona, who verified that the trees were on the street side of the right-of-way.

Milshteyn asked for staff to fill the Commission in on what is going on with the round-a-bout at Dhu Varren and Nixon and Green. He asked if the developer at some point was contributing towards that project, since he didn't see any mention of it in the development agreement.

Thacher responded that this developer was not asked to contribute towards that intersection project.

Carlisle said he believed the intersection project was still under review of the City at this time.

Briere commented that the traffic study had been approved but the round-a-bout had not.

Milshteyn said this site will definitely affect what will happen at that round-a-bout so we will definitely want to postpone this agenda item until we have more information about that.

Milshteyn asked, out of the 56 units, how large would the units be and how many bedrooms and bathrooms would they have.

Michael said there would probably be a mix of 1 and 2-bedroom units with the small units being between 800-900 square feet and the 2-bedroom units averaging about 1,200 square feet. He said the 2-bedrooms would likely have two bathrooms and the 1-bedroom units having one bathroom.

Milshteyn asked if the units would be sold.

Michael said they didn't know yet, since the condominium market has changed due to lending issues from financial institutions and the government having changing how they used to finance condominiums before the economic crash, which resulted in buyers not being able to get financing to purchase attached condominiums. He said the market is starting to change and regular banks and private institutions are now beginning to lend again in Ann Arbor and they are seeing a turn as the demand is growing in Ann Arbor for this type of housing.

Milshiteyn asked about the construction time line.

Michael said they hoped that from here, they would be 6-7 months away from permitting; so they could start in 2016 and they will develop the entire site in one phase. He said they put on the site plan to phase the multi-family building from the rest, but their estimate is likely to be a 4-year build out of the entire development.

Milshiteyn asked if they had a price for the 2-bedroom single-family units.

Michael said the sizes of the single-family units would range from 2,400 to 2,800 square feet and would likely run in the upper \$300,000 to lower \$400,000's and the smaller units that are geared towards the empty nester would range from the upper \$200,000 to lower \$300,000, with the multi-family units running at a level below the single-family units. He said they are really trying to hit several market levels.

Milshiteyn asked if they have a style they are marketing.

Michael said they are trying to create a diversity that one would find in a neighborhood that has been around for a long time in the City, adding that they have added a non-repeat clause that they are willing to hold themselves to in order to create that diversity. He said the garages are front-loaded as they have found the rear garage unit is hard to sell here because you end up with virtually no backyard. He said they are trying to do something more like the Old West Side, noting that they will be doing front porches on a number of units. He said they are finding that the generation coming after them, wants to be in town with sidewalks that tie into the existing housing stock. He said with putting the park in the middle it becomes like a village green that is accessible to everyone.

Milshiteyn asked if the developer had a plan for getting the large number of footing drain disconnects needed for their project.

Michael said they will be hard pressed to find them, but they might have a number of multi-family developments that are willing to help them in that area.

Milshteyn said he wasn't hearing that they had a clear plan.

Michael said when they started their planning on this development there didn't seem to be a difficulty in finding willing people who would disconnect but now that has changed.

Clein asked if the developer's financing is in place.

Michael said yes.

Clein said since the elevation plans were not included in the packet, he wanted to know if the detached, individual units are all 2-story.

Michael said the ones on the R1D lot are 2-story and designed for families, and the ones on the R1E lots are combination of 1 ½ story and ranch designed for empty nesters.

Clein asked about materials being used on the exterior of the buildings.

Michael said it will be a combination of brick stone and siding.

Clein said he appreciated the level of density that they are trying to get here, knowing it is not easy on this site and it is challenging. Clein said in reviewing the options of layout he felt they would be better suited for this type of community development. Clein asked for estimated construction cost for the development.

Michael said it would probably be in the \$45 M range, adding that was only an estimate.

Clein asked if they own the property to the south as well.

Michael said no.

Clein asked staff if there had been any development on the property to the south.

Thacher said, no, adding that it is the former Barton Green development

with an expired site plan since several years ago.

Clein said in looking over the natural features plan there seems to be some steep slopes and in-fill going on; he asked how that is allowed or mitigated through the City's ordinance.

Thacher said there is some serious grading going on. She said the City has a Land Coordinator who reviews all grading plans and he is becoming the gateway to site development, since he is the first permit issued and the last permit issued. She said that City staff person has reviewed all grading plans for the site and given feedback.

Clein asked about the ordinance about setbacks from deep slopes in relation to this development and site.

Thacher said while this site has deep slopes on the back southwestern part they are part of the land that would not be developed and would be dedicated and the other areas where there are grading it has passed reviews. She said the City now requires grading bonds before anything is done on the site so if someone did come in and clear the site but never develop it, there would be a bond that would help the City replant trees or do whatever needed to be done to put the site back into the condition it was in before the clearing started. She said that was a loop hole that was filled by a previous iteration of this project.

Thacher verified that the development is meeting the setback requirement for steep slopes.

Clein asked about the building elevations on the multi-family building and how it meets grade from building to building. He pointed out discrepancies on the east and north elevation plans asking which one was correct.

Michael said he believed the east elevation is more accurate, noting that there was a disconnect on the grade showing on the elevation plans, and that their architect was giving them more of a style view than a grade view and he was getting confused with the detention basin.

Clein said he would like to see consistent elevations before he approved the plans so they knew what they were approving. He noted that he would certainly rather go with the eastern elevations if he had to pick elevations.

Mills said if there was a possibility of getting a perspective rendering of

what this development was going to actually look like when driving down Pontiac Trail it would be most helpful. She asked what the plans along the north property line, particularly along the stub street.

Michael referred to site plan Sheet L-1, noting there are a number of existing mature trees along the north end that are being preserved and they will be putting up some retaining walls along certain lots in order to preserve those existing trees, and there are a number of trees being planted in the northeast corner of those lots. He said they will be planting a tree at the dead-end of the road and there is an existing tree in the right-of-way that gets dedicated to the City. He explained that the City's Engineering Department was real clear that they wanted a stub street to north-end of the site plan.

Mills asked what stub streets and future expectations for those people moving into these new developments.

Thacher said in the draft development there is mention of making sure the language is in the deed of those parcels around the stub street calling it out that it is intended to be a through-street. She said a lot of it will come down to the developer calling it out to people so they will know what a stub street is and that it is intended to continue. She said the lot to the south is much more likely to be developed in the immediate future than the lot to the north. She said there would be 4 lots that would be immediately affected on the southern stub street and staff is still working on incorporating language so that buyers will certainly know what to expect when they buy those lots.

Mills referenced the Northeast Area Plan where it mentions certain things that should be retained or done to preserve the 'significant house'.

Thacher said it was not referencing this site, but the southern parcel.

Mills asked about the parcel in between the stub streets and how the connection would be made.

Thacher noted that the parcel is large enough that there would be some latitude for the street layout and is not a big concern to staff, as they hope they will be able to connect the streets early enough in the development.

Mills asked about the multi-family phasing.

Michael explained that in their layout of putting in a stub street to the

south they picked a middle spot that works from a grading perspective as well the general layout of the development in terms of future use of connection to Skydale Drive.

Michael said in terms of the way the grading works out, they have walkout lots that are tiered as they step down the hillside as they are essentially taking up the grade in the house envelopes themselves, so that don't have the situation of putting in a large massive amount of fill in an area that would result in a steep slope once you get done filling it in and is subject to erosion. He said the low area in the south end is where they have put the detention basin because it is a logical spot with the hole already being there. He said because of that grading and the storm water detention they have determined that they really can't develop the site in little pieces, since they have to grade it all out and balance the entire site out and pave the roads. He said they are completing the multi-family building as a completely separate building so they don't have to work on it while the other buildings are being built.

Mills said that if something should happen and the multi-family building is not built then it would be a concern to her since the density would not get to what the Master Plan calls for from this site.

Gibb-Randall asked about the center zone grading, pointing out that there was a lot of grading going on and she felt it would be more than what the site plan is showing.

Michael reviewed the site plan with Gibb-Randall.

Gibb-Randall said in reviewing the topography of the site she sees a giant fist coming up into the site and a crescent shaped ark that is fairly developable across that and then there are some really tricky spots to try to make this work in the center and lower portions of this site. She said she was unable to view the site plans since the excel files that had been uploaded into eTrakit were not legible and she felt she needed more time to review the site plan with the correct information. She said she felt there was a disconnect and a disregard for what's happening outside of the zone along the south and west. She said she feels the whole corridor thing is great and she would love to see it happen, but she feels there wasn't an effort made to try to work the grades around what is existing. She felt that with a bit of massaging they could have saved a bunch of trees in there, but with the information she had available it was very difficult to see the whole picture since the contour lines were off. She said she understands the need for density and it makes sense to her but she would also like to

see it actually working around some of the more high quality natural features of that site, noting that it is way more attractive to people buying too if they were able to preserve some spots that are existing. She said you are not able to purchase shagbark hickory and pignut hickory in the nursery trade, you are only able to get them as 1-gallon small trees and those are hard things for us to be able to replace as a woodland mitigation. She said she would like to have better information available in order to make these decisions since the packet the Commission received didn't show the level of detail and the eTrakit version she was able to view wasn't functioning properly. She said in reviewing some of their alternative options, Option E, she felt they worked a lot better than the proposed site plan since it was more straight forward in developing the area that was workable and leaving the more steep grades that have more ecological value. She said because they are putting in detention walls any way, why not adjust them to accommodate some of the existing trees.

Michael said because the engineers that review this won't let them, because they have tried.

Gibb-Randall said it is all in the mindset and what you approach first. She said it is a lot easier to raze it all from the beginning but if the mindset is to start with the areas that have value and work around them it is easier.

Michael said they were trying to preserve the clump of trees in a certain area he showed on the site plan, but added that they would have to keep any retaining walls out of the City's right-of-way because the City wouldn't allow any along the road right-of-way. He pointed out the low area where the detention pond would have to go, adding that they were stuck there along with the infiltration requirements on the site. He explained that they pin-cushioned the site looking for those sites where it would work and is often unethodical to where the trees are on the site. He said they would be willing to grade it on final engineering so they could preserve the trees that are on the north side of the road, coming across the detention basin. He noted that there would likely be several trees saved on the site even though they are mitigating for their loss because of proposed grading.

Gibb-Randall said she would appreciate some effort in trying to save some of the trees in that zone because she felt it really is something that is possible to do.

Michael said he appreciated her comments and feedback adding that he felt it would be possible to save some of the trees.

Gibb-Randall, referencing the question from the neighbor on the north regarding a buffer, said she noticed some existing trees clumped on the west side of the stretch, but also noted there were two, out of the four, lots backing up to the northern neighbor, without any proposed trees. She suggested it would be nice for the developer to beef up the landscaping on those lots to make it a continuous buffer as it was going to be a big change.

Michael said they could add more trees on those lots.

Woods said she felt there were enough outstanding questions and comments on the site plan that would lead the Commission to call for a postponement on taking any action this evening.

Woods asked about the Citizen Participation meetings, noting they had taken place in March and July 2014, which is over a year ago. She referenced the public speaker who mentioned this was the first they had heard of this development, and asked staff about the City's own process on the citizen participation and how we notify those who received the initial 638 postcards that this project is now coming before the Planning Commission.

Thacher said the public notice process included mailing out two different postcards; one with 1,000-foot radius and one with 300-foot radius. She said some people would have received double mailings for this meeting tonight, and others only received one postcard, which is standard process. She said the site was also posted with orange signs. She said only one meeting is required per the Citizen Participation ordinance but if it is a controversial project or receiving a lot of questions from the public, then staff will request the developer to have another citizen participation meeting, especially if there is a long time between them having their first meeting and there is a very long time between them coming before the Planning Commission. She said to date, she had not received a single phone call from anyone asking about the project so there was no trigger of concern to request the developer to hold a third meeting for this project.

Woods asked if a postcard had gone out to notify the neighbors notifying them of the meeting this evening.

Thacher said yes.

Woods asked if some of the neighbors on Cloverdale would be too far from receiving any notice.

Briere said, yes, some of them.

Woods said it certainly leaves the City with the question of how they can reach these people as it is so terribly important about knowing about these developments.

Woods noted that the Citizen Participation Report contained the question and answer section; she felt the answers provided were not what she would have expected, and some were outright problematic. She said it is important for people to attend these participation meetings and people should attend as soon as they are notified of a development in their area but it is also important to realize that some of the answers you get can be problematic.

Peters said he appreciated the Areal Overlay Section map, and asked staff if they could add this to the site plan submittal requirements or receive this in their packets more often as it is helpful to see the site and topography in the round as it is happening there. He said it would be helpful to receive from the City's traffic engineer the level of service changes at the various intersections that are being studied. He said knowing what grade changes the proposed development would make, would be helpful for him.

Peters asked about the traffic study conducted and if it would merit them to look further into the report.

Briere explained that it is her understanding that staff will be bringing that forward to Council late fall or early this winter so the cost changes can be wrapped up in next year's construction. She said this also affects the connections fees of single-family homes for persons building one house on a lot, and some people who wanted to begin construction this season wanted to use the results of that study in hopes that it would decrease the costs of connection this year.

Carlisle agreed, that his understanding is that it would be adopted in December or January and be rolled into next year's fee schedule.

Briere said it's not that Council needs to adopt it, but that staff needs to do an evaluation and bring it forward for Council to vote on.

Peters asked how it relates to the footing drain disconnects.

Briere said it is her understanding that City staff is looking at payment in lieu of footing drain disconnects or different mitigation that would not require a footing drain disconnect. She said part of the requirement is that the disconnects happen in the area of the new development and on the north side of Ann Arbor there are very few footing drains that are connected to the sanitary sewer so it becomes very difficult finding any and since they are all voluntary on the part of any homeowner it becomes very difficult. She noted that the development agreement language says 'or equivalent' so it is up to the developer to work with the City to find that equivalent.

Peters asked about the multiple accesses and how it compared to South Pond, since he wanted to be sure they were comparing things fairly.

Carlisle said he could speculate, but said staff could have that information to the Commission when the item returned.

Briere thanked the developer for meeting with her this morning and for providing the full set of plans of the project, noting that she too has had difficulty accessing plans through eTrakit and finding information she was looking for. She said one of the things she didn't see was how they propose lighting the area, along Pontiac Trail as well as the interior space.

Michael said they are proposing street light at both of the entrances to Pontiac Trail and he believes they have a total of 4 more street lights in the development; 2 at the opposing corners of the central park itself and at a couple of other intersections. He said they are not proposing additional lights, but they will comply with whatever requirement the City has for street lighting.

Briere said in a neighborhood like this, she would suggest it would be far more desirable to do pedestrian lighting than street lighting that is geared towards lighting the street only, particularly noting their target market being empty nesters and families with young children, both of whom are likely to be outside.

Peters added that pedestrian lighting would also incentivize members of the development to walk towards the transit options and reduce the number of car trips.

Clein noted in the Development Agreement in P7 it states, 'install all water main and storm sewers, etc..., prior to issuance of any building

permits...’ He noted it doesn’t say anything about having in place a storm water management design for the site, prior to that, noting that he believed it was a requirement for a development of this size. He questioned if specific language should be included in the agreement, knowing the Commission’s concern about grading of steep slopes and having water run down from units along with having the need of storm management being in place, he felt it would be important.

Thacher said duly noted.

Bona said she would like to learn more about the density and that there is a clear value of density. She explained that density at this level is required on this site to support our transit system. She said in fact she believed it was closer to 10 units per acre to support our transit system. She said right now, the City highly subsidizes it and she doesn’t know if they will even be able to have a system that isn’t somewhat subsidized but the only way to expand ridership is to offer more service and extend hours of service and the only way they can do that is if more people use it. She said people are only going to use it if we have higher density so that is the solution to our traffic problem and if more people are walking and biking and using fewer cars.

Bona said she is not in favor of removing units from this site, as she would like to see more. She said she is quite sure the master Plan was written under the assumption of units per acre based on an area of town and not on a site specific. She said assuming the project is postponed she was hoping staff could offer some clarification on what area is the 7-10 number based on versus what we are calculating here. She agreed that preserving the slopes of the lot added value for the purchaser and not just in the value of appeasing this Commission and City Council. She said it might mean adding more, higher density buildings, maybe along the street, and changing the number of single-family units since the City has few opportunities in this community to build attractive and intense settings and she would hate to miss this opportunity because once you are done here you are not coming back. She clarified that she was only making suggestions, since the developer had to work his way through the system, but if the footprint can be reduced to be more sensitive to the slopes and possibly save some more trees, she does not want to lose the density.

Bona said she would like to know more about the demographics of those they are seeking to attract for the denser building.

Michael said for this location he thinks it would be combination of people his age as well as some younger people because it would be more affordable than living downtown, which allows them to be in Ann Arbor and still bike to the downtown but have more affordable rents or payments and since the entryways will be elevated they won't have to worry about steps. He said there are a lot of alums that want to come back here and live here.

Bona said she was hearing a contradiction on previous statements made on condominiums and that these units would be highly desirable.

Michael reiterated the direction the condo market took after the economic crash and explained that private lenders and some local banks are now starting to loan again on such units which are then in turn re-sold to larger mortgage holders. He also noted that with the older crowd they have more equity and can more easily get those private financing versus what the young kid can get who doesn't have the equity in place. He added that Ann Arbor is also a very desirable market now for condominiums so the building could easily become a condominium building instead of an apartment building.

Bona said she is seeing a project that allows the developer some flexibility in the direction they end up with, depending on the market. She asked the developer to commit to building the front building first, adding that she is too, along with her fellow Commissioner, is greatly in fear that they would build a few smaller houses and then stop construction, even if not intentional. She said the ones that will try to stop that will be the ones who move in so if you don't build the multi-family building first, it will be similar to connecting the road later; it will be hard. She said she would like for them to consider that as well as to consider rebalancing and adding some more density to the front. She commented about the tree placed right at the end of the connection road to the north, that while she realized it would be a nice gesture towards the neighbor to the north, it would mean that that road would never be built, because no one will let the tree come out to let the road go through. She suggested putting 2 trees on the sides because a tree in the middle would mean the road would be sabotaged from ever happening.

Commission Break for 10 minutes.

Peters said it might be of interest for the petitioner to consider shifting the mix of housing types to include more R1E type housing which might be more acceptable to the neighbors as well as the Commission's

comments on density. He commended the petitioner on taking advantage of the R1E zoning that allows the smaller housing units as there is a serious lack of those and he is happy to see those being proposed.

Milshiteyn said he agreed with Commissioners Mills and Bona in regards to the phasing and having the buildings built, it would be great to have the front building built first. He said he wasn't sure if that could be a part of the Development Agreement or not. He said he would love to see the traffic study and if the City's traffic engineer could attend the meeting when the item returns before the Commission it would be great. He said he used to live in this area and turning left onto Pontiac Trail you are looking at a hill when turning left, and with people coming 50-60 miles an hour on that stretch he would be interested to see how it all plays out. He said he wants more information on if this project is or isn't going to contribute to the round-a-bout project. He said he felt the density for this project that is currently before the Commission is great, noting that he has lived on this side of town and knows that while we might want more density there in the future, that is not what this area is right now.

Clein asked for the developer to look at how the density is deployed on the site being more sensitive and taking advantage to the natural features of the site and less imposing a layout that may not take full advantage of the site. He asked for correct elevations of the multi-family building so they could better judge the correct height of the building as well as a typical street elevation of the proposed streets, which would help him better understand the statements made about getting away from the suburban style developments and what that would look like.

Gibb-Randall said in her ideal world she would have greater density with the multi-family and being more sensitive to the assets of the site and working more with the existing conditions instead of imposing it as it feels more like, to her, right now.

Briere echoed Peters about R1E, adding that there are some multi-family here and there, throughout the City, but there isn't a lot of smaller homes. She said these seem to be maxing out the sizing of R1E, making her a little dismayed, since it contributes to their lack of affordability. She said while they aren't very affordable they are more affordable than a \$400,000 house. She said a 900-1500 square foot house on these lots would give a lot more greenspace between houses, while still providing the density, and would allow for an attached garage and would be very attractive to people who are trying to downsize, or single adults who are ready to buy a

house, or couples starting out where they don't need the 3-bedroom/4-bathroom house. She said if we are talking density multi-family is good but smaller homes are also good.

Woods mentioned that this site is already within the City limits, referencing public comments made, as well as hunting blinds on the site as well as possible hunting going on and some buildings that were falling down on the site, she said it would be good for the owners of the property to make sure that it is not any sort of public nuisance of place where things could happen that we wouldn't want to happen in any of our neighborhoods and that the property be maintained since that is something we ask of everyone. She suggested that the owner meet with Mr. Hayner who lives in the area as well as Mr. Singsank, to make sure the neighbors are happy so they can welcome new people to the area. She said she would like to know that such a meeting occurred before the item returns to the Commission.

Mills reiterated that she would like to see more on the phasing concerns she mentioned earlier, and just more details on what is envisioned since she felt it hasn't been thought out too well. She is agreed that moving towards more R1E might help save some more trees and some more of the existing character without pushing people into a multi-family situation. She said seeing the elevations contextually would be really helpful.

A motion was made by Mills, seconded by Milshteyn, to postpone taking action. On a voice vote, the Chair declared the motion carried.

Yeas: 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sarah Mills, Bonnie Bona, Alex Milshteyn, and Shannan Gibb-Randall

Nays: 0

Absent: 1 - Sofia Franciscus

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

Jeff Hayner, 1807 Pontiac Trail, Ann Arbor, said he has lived there for 20 years in the neighborhood and Sabra is a neighbor, adding that it is a neighborhood with houses on ¼ acre lots. He said it isn't a downtown that is why he was shocked when he saw the 4-story building. He said with the density you are stretching out the City limits and putting all that pressure downstream. He said he hated them taking Scio Township sewage all the way across town and to Pittsfield. He said he already has a slow drain and now 600 toilets will be added to that, so he doesn't get the call for density up here in these parts of the woods, in the natural area; he would like

them to do less which would appease him. He said if they did less on the site, it would be more in keeping with the area. He said the density issue needs to be looked at, because while zoning might allow it, it doesn't require it. He said you want so many different things on this site, he is hoping it doesn't end up like the situation where 5 lovely houses were torn down and we end up with a shed that belongs out by the highway somewhere. He said you have to really take a look at why you are looking at this density so near to the edge of the freeway ramp since it doesn't seem to make sense to him. Hayner said his daughter would speak after him for 30 seconds.

Carlisle clarified that each public speaker gets a full 3 minutes.

Willow Hayner, 1807 Pontiac Trail, Ann Arbor, said she doesn't think we should build a gigantic building on a Library Lot because she thinks we already have enough large buildings in our town and now all we are ever building is condos or apartments and that we never build small buildings. She said if we do build something it should be a park with an ice rink in the winter and we should also get some more rooftop gardens like on the Broken Egg building, that has a flat roof, where they could grow fresh fruits and vegetables for their food.

Mike Beck, said he lives on North Ashley, in Kerrytown, Ann Arbor, and is a University of Michigan Planning student. He thanked the Commission for taking such a dutiful and studied look at this development. He said while concerns about residents and density is important there is a Master Plan that directs the City towards a greater density that supports transit and sustainability that need to be taken into consideration of this board. He thanked the Commission for taking such a detailed consideration for this type of a project involving zoning and could involve pitfalls.

James D'Amour, 2771 Maplewood Avenue, Ann Arbor, said the level of discussion from this body was very high and he thought the Commission did an excellent job tonight in doing its' due diligence, and its job. He said as a former Planning Commissioner, he certainly appreciates that. He said about the Master Plan, there is something about this process, and the issue of density is seen as a positive thing. He said he thinks we have to be very careful because sometimes we look at certain aspects of urban planning, and how does it work in context and having been involved in the Northeast Area Plan and the Citizen Advisory Committee he is very familiar in many of the things and how it happened in process. He said seeing the end game of it, with the Nixon properties now, and particularly the concerns that neighbors have, and also just in terms of the process

issues and in some of the environmental issues that appear not to be addressed. He said he thinks it is time that we begin again to look at the Northeast Area Master Plan and we need to ask the questions what are the benefits of the density and the other recommendations that are called for in that plan. He said we talk about transit, and yes, density is great for transit, but in the context, is a really dense property out in the hinterlands of town really appropriate and do you build something to provide a service, even though mass transit demands other services. He said he really thinks we need to begin to look at the whole process again and obviously by the time you get done with this particular project it will be like closing the barn door after the horse is out, but what is done is done. He said let's take a step back and in moving forward with future Planning Commissioners and work plans let's begin discussing this.

12 COMMISSION PROPOSED BUSINESS

Clein reported that he was hoping to serve on the Citizen Advisory Council for the Master Plan for the Allen Creek Greenway and he is not going to be able to do that, which leaves an opportunity for other Planning Commissioners to step in and take advantage of the availability. He noted that he will still serve on the Advisory Committee.

Carlisle said he had promised City staff to name a replacement by this Friday, because they are moving quickly on this.

Peters volunteered.

Bona asked if it could be possible to review the report that was mentioned by Hayner, at their working session and get a briefing about it, since she had no idea about it until tonight.

13 ADJOURNMENT

A motion was made by Mills, seconded by Bona, that the meeting be adjourned at 10:11 p.m. On a voice vote, the Chair declared the motion carried.

Wendy Woods, Chair
mg

These meetings are typically broadcast on Ann Arbor Community Television Network Channel 16 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Wednesdays at 10:00 AM and Sundays at 2:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website (www.a2gov.org).

The complete record of this meeting is available in video format at www.a2gov.org/ctn, or is available for a nominal fee by contacting CTN at (734) 794-6150.