



# City of Ann Arbor

## Formal Minutes

### Planning Commission, City

301 E. Huron St.  
Ann Arbor, MI 48104  
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Tuesday, December 15, 2015

7:00 PM

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

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- 9-c 15-1474** 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:**

*Bruce Michael, 51111 West Pontiac Trail, Wixom, Trowbridge Land Holdings, the applicant was present to respond to the Commission enquiries.*

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

**Moved by Briere, seconded by Milshteyn, that the Ann Arbor City Planning Commission hereby recommends 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 asked about the calculation of units per acre.*

*Thacher explained that this way of calculating units per acre is how the City has been doing it on subdivisions. She said it is total space, minus right-of-way, exclusive of park dedications.*

*Mills asked the applicant if funding was in place for the multi-family part of the project.*

*Michael said funding was in place for the entire project.*

*Mills said she was concerned with the March 19th Citizen Participation Report from the meeting the developer had held with the public, specifically item 6.*

*Michael said originally they came in with a site plan for single-family only, and upon meeting with staff, whom told him it was a non-starter, because he needed to increase density so the project was in accordance with the Northeast Area Plan. He said being able to provide the density but still the single-family end product is the other piece of the market that is not being provided by other developers in the area. He said the reason they want to phase the construction is because of how the inspection and Certificate of Occupancy process works at the City; if the whole project were considered one phase, they would have to get all buildings completely built before they would be able to have Certificate of Occupancies throughout the site. He said phasing the project ultimately gives them flexibility to have Certificate of Occupancies for each individual house.*

*Mills asked if the Certificate of Occupancy for Phase 1, for the single-family homes, was contingent on having completed all the houses.*

*Michael said no, there would be land development improvements that have to be done and they wanted to split them apart so they don't have overlapping issues with potentially partially being done with something but not being able to occupy the homes.*

*Mills asked about the City's process related to certificate of occupancies.*

*Carlisle said he wasn't familiar with the City's process but could get back to the Commission in the matter.*

*Thacher added that the cost for the multi-family Phase included high infrastructure costs that was a large part of the project's overall costs and if that infrastructure had to be installed before single-family houses start getting their C of Os, it becomes an expensive way of building out a site. She asked Michael if that was what he was saying.*

*Michael said yes.*

*Mills asked what part of the site improvements for Phase 2 would be part of Phase 1.*

*Michael said mainly storm drain improvements for water to go through the site to get to the outlet in the corner.*

*Mills said while she felt the plan was good, she still had concerns, as she did previously, since the plan is just a plan and the density for this project in accordance to what the Master Plan is calling for, hinges on the multi-family part being developed. She said if this developer or the next developer doesn't follow through with building this plan, then it will be hard for another multi-family project to be approved for this site, given the other developments coming to the area. She asked if there were any possibilities that the Commission could make sure this project gets built.*

*Thacher said, upon making enquiries, there are no such possibilities.*

*Carlisle noted that part of this project was the rezoning to multi-family R4B which is what they would have to build under, unless they came back to the City for a rezoning for that portion of the site.*

*Mills said she felt it would be really sad if the multi-family Phase wouldn't be built, because there is a great bus line that goes right there and this site is perfect for the higher density.*

*Clein said if the developer would come back with a less dense project for that portion it would give the Commission a say at that time; he said the possibility of projects not being built or partially being built is always a possibility but given the housing market in Ann Arbor, he was hoping that wouldn't be the case for this project, since any developer stands to make more money building more dense housing.*

*Clein said he appreciated the updated elevation renderings for the unit types; he asked about variation in unit sizes and average unit size.*

*Michael said the R1D units range between 2,200-2,800 square feet and the R1E units range between 1,500-2,000 square feet.*

*Clein asked if the model house would be selected by the purchaser.*

*Michael said yes.*

*Clein asked if the setbacks would be different with the various models.*

*Michael said the widths would be the same, with the depths varying, with the intent to create some variety in the layout and landscaping.*

*Clein asked about the center units where there is significant slope from front to back on site, and if they would have finished walk-out basements.*

*Michael said yes.*

*Clein said some of the items previously mentioned that they have added to help with the walkability of the site are sidewalks, street trees, and front porches on the houses; yet in looking at the provided renderings of the houses, very few have porches shown.*

*Michael said they are providing a large variety of houses to choose from so it doesn't look like a track house development, and some of those house options don't have front porches or have a smaller porch and they will let the customer make the decision what they want. He said he believed that since the development is in Ann Arbor, most people would want the options of the front porch and the walkability of the site.*

*Clein said his concern is that everyone gets a big garage out front but not everyone gets a porch, which undercuts, in his mind, the feeling of walkability. He said the variation and street trees is definitely a positive and will help to make it a richer neighborhood, and not feel like they were all stamped out, with varying landscaping.*

*Michael said that he felt that it helps having the garages setback along the house wall and not sticking out.*

*Briere said her understanding is that while the development will be putting in sidewalks within the site, those sidewalks will not connect to any other sidewalks, so the sense of a walkable development will be limited when walking past until sidewalks are installed along Pontiac Trail on that side of the street.*

*Briere asked about landscaping for the detention pond.*

*Michael said they are providing a crosswalk that gets from their development's sidewalk to the existing sidewalk along Pontiac Trail.*

*Gibb-Randall said she was unable to find a landscaping plan of the proposed project, showing trees for the slopes of the pond.*

*Carlisle commented that Sheet L-1 and L-2 showed plant types and sizes, but plantings within the slope and pond are not shown.*

*Michael said L-4 shows the plant types, which is uploaded into etrakit. He reviewed the site plan sheet with the Commission, noting trees located on the east side of the outer part of the detention basin, since trees are not allowed in the basin; he also pointed out proposed trees along Pontiac Trail.*

*Gibb-Randall asked if the applicant wanted to predict what the basin would look like in 1, 5, or 10 years, given the proposed seed-planting mix. She asked if there are any City of County requirements on the maintenance in terms of species or only the infiltration capacity.*

*Thacher said the requirements were reviewed by staff.*

*Gibb-Randall asked if there is any mechanism for tracking it to see if it is performing as intended.*

*Carlisle said there is ongoing maintenance and review of the system.*

*Thacher said since the site would be constructed over a period of time staff would have time to see what's going on and a number of opportunities to do site plan enforcement to make sure the plants that have been planted survive the first year, followed by continual site compliance, and if the plants don't do well they make sure they are replaced with something more suitable.*

*Gibb-Randall said it would seem that the County is more concerned with the realm of stabilization and stormwater infiltration and not the visual quality of that area along the sidewalk.*

*Briere said while it is not a make or break issue, she felt it should be a consideration because the residents living next to that, driving past it, walking past it and making an attractive feature creates an enhancement that is worth talking about.*

*Michael said since the project is a multi-year project and as it gets built out it will take several years to absorb and this is their front door in terms of marketing so they want it to look really good and if it doesn't, he would*

*recommend their landscape architect work with City staff to help them find a seed-mix that will look good while still able to work with the needs of the detention basin.*

*Briere said she understood that the condo association would be responsible for maintaining the detention basin.*

*Michael said correct, adding that the operating budget is established with a line item for making sure the siltation and erosion issues are handled correctly.*

*Briere commented that she has seen projects 5 to 10 years after they were approved and they don't look that good, which led her to ask these questions.*

*Gibb-Randall said the seed-mix has something to do with it, but more so the on-going maintenance, adding that the first couple of years are the most important and make the biggest difference. She said she felt it would be a point of common interest to keep the invasive species out as best they can, since it will take years for these things to establish themselves and help the system function better overall, as well as the stormwater. She encouraged not only from the sedimentation and stabilization point of view, but also from the invasive species coming in.*

*Michael said since they will be there for years they will have the opportunity to go through a couple of growing seasons and for their own financial aspect they will be motivated to have it look top notch. He said they are willing to commit during the construction to be heavily involved in that aspect as well as setting up the homeowner association properly so they understand the necessity of putting enough dollars into the operating budget to maintain the basin.*

*Gibb-Randall said they might also consider adding to the upper tier, dressing it up along the sidewalk which would be very much appreciated by the neighbors and the people that use it.*

*Woods asked what the timeframe was from the day they break ground to when they turn it over to the homeowner's association.*

*Michael said the entire build-out of the project, conservatively estimated, would be between 4 to 5 years.*

*Milshteyn agreed with Mills on her concerns with the phasing. He asked*

*which builder(s) would be constructing Phase 1 and what the plan was.*

*Michael said there would be multiple builders for Phase 1.*

*Milshteyn asked about Phase 2.*

*Michael said there would be 1 builder since it is 1 building.*

*Milshteyn asked if that builder has been chosen yet.*

*Michael said it would be there company, Trowbridge.*

*Milshteyn asked if Trowbridge would also be building in Phase 1.*

*Michael said yes.*

*Milshteyn asked if the Phase 2 building would be condominiums or apartments.*

*Michael said they have not yet made that decision, but the high quality product could go either way.*

*Milshteyn said Trowbridge is currently trying to build Hideaway Lane, which is a development off Traver Road, and it seems to have currently stalled; he asked for more information on that development.*

*Michael said they started late last year and have focused a lot of their time on taking care of the leftover wetland mitigation that had not been done by the original developer. He explained they have stood up their first building and have it framed in but have spent more time on the infrastructure making sure it was handled, and they expect to take off this next spring at a much more rapid pace than currently. He said that project is fully funded, and the current situation is not a funds issue, but a series of sequential smaller tasks dealing with the infrastructure on the site and finding contractors that can do the work. He said just this fall they were able to get the wetland and stormwater drains in place.*

*Milshteyn asked if this project were all one big phase, and the building that is proposed in Phase 2 started, you would not be able to get C of Os on the other single family homes until that building was completed.*

*Michael said it has to do with land development and land improvements that have to be put in place in order to be able to obtain building permits*

*and certificate of occupancies as well. He said by making the project all one phase it doesn't give them much flexibility in regards to utilizing some of the land improvement process at a time when they can start to build houses also. He said they originally had this project broken down into 5 or 6 phases and the City's Engineering department did not want them to leave any stub roads or waterlines that weren't looped which resulted in breaking the project into fewer phases based on those constraints.*

*Milshteyn asked if the plan was to build out Phase 1 and as soon as it is complete, move on to build out Phase 2.*

*Michael said not necessarily, that it would have to do with how sales and production goes, and they need enough flexibility to meet market issues as they come along and deal with the operational issues that will govern how this site is built out. He added they are moving a lot of dirt, and have roads that have to loop, and the infrastructure improvements along Pontiac Trail that have to be done, which is a fairly large scale operation that has to be done. He said the phasing of the multi-family building ends up being more convenient than not, in terms of allowing them some flexibility with the constraints put upon them by the Engineering Department, this is the phasing they are left to work with.*

*Milshteyn said to him it would make sense, and probably be more cost beneficial, if they would do all the underground work for Phase 1 and Phase 2 at the exact same time, instead of cutting into Pontiac Trail a second time for Phase 2, a couple of years down the road.*

*Michael said they will do the Pontiac Trail work all at once, but they have to have 2 means of ingress and egress out of the site onto Pontiac Trail, so Polson Street at the northern end has to go in at Phase 1 because of this requirement. He said the Engineering Department would have liked them not to touch Pontiac Trail at all since it just got rebuilt, but the left-turn lane requirements will mean they have to get out there and do that work upfront, at once.*

*Clein asked staff if the proposed landscaping around the parking lot for the multi-family building had been reviewed by staff and was acceptable.*

*Thacher said yes.*

*Briere asked whom the developer considered to be the targeted audience for the multi-family units.*

*Michael said there are a number of homes proposed for the R1E lots that are primarily ranch or 1 ½ story homes, with their targeted audience being the active-adult whose children have moved out and they don't have to walk upstairs on a daily basis if their health is not that good in their legs. He said the market in Ann Arbor is very diverse so they think they will get a combination of young people and older people in the multi-family building, that's why they have 1 and 2-bedroom units.*

*Briere asked about the unit sizes.*

*Michael said the 1-bedroom units are about 850 and the 2-bedroom units 1,000-1,100 square feet.*

*Woods commented that the units are pictured on sheet 42-B of the plans.*

*Gibb-Randall thanked the applicant for saving some of the trees the Commission had requested at their previous meeting.*

**On a voice vote, the vote was as follows with the Chair declaring the motion carried. Vote: 6-0**

**Yeas:** 6 - Wendy Woods, Kenneth Clein, Sabra Briere, Sarah Mills, Alex Milshteyn, and Shannan Gibb-Randall

**Nays:** 0

**Absent:** 3 - Jeremy Peters, Sofia Franciscus, and Bonnie Bona