#### MEMORANDUM

TO: Mayor and City Council

FROM: Wendy L. Rampson, Planning Manager

Matthew Kowalski, City Planner

DATE: August 5, 2015

SUBJECT: South Pond Village Alternative Plan (DB-1)

On Friday, July 31, 2015, Planning staff received the attached letter from the petitioner's representative requesting that an alternative layout for the South Pond Village development be submitted to City Council for consideration.

The original South Pond Village site plan considered by Planning Commission provided 73 single-family homes on 36 acres. The parent site is 48 acres and the petitioner had applied for a land division to divide off the northern 12 acres for possible purchase by the City. Access to the site was through the extension of Woodcreek Boulevard using the existing right-of-way along the southern boundary of the Woodcreek development, with a secondary connection using the Algebe Way street stub.

The alternative site plan submitted on July 29, 2015 (see attached layout plans) includes 77 single-family homes on 48.5 acres; the northern 12 acres will not be divided off. Access to the site would be from E. Huron River Drive, with a public street connection to the Algebe Way street stub. The proposal does not include a connection to Chalmers in the existing right-of-way along the Woodcreek development. Stormwater detention has been decentralized from a single facility into three separate locations. Both site plan versions include dedication of a 1 acre public park.

City staff reviewed an earlier version of the alternative plan (submitted June 29, 2015) and completed review comments regarding compliance with city codes and standards. Staff has included significant department comments from that initial review below. The petitioner has provided responses to these comments (see attached July 29, 2015 letter) and submitted revised plans on July 30, 2015. As a result, not all staff have had time to complete a second review of the revised plans. Likewise, changes to the development agreement have not been drafted.

#### **Urban Forest and Natural Resources**

Staff does not support the alternative plan because more natural features are impacted through this layout, particularly related to wetland and wetland buffer impacts, and there is a reasonable alternative that would limit the disturbance to the natural features on the site. The original plan (with access off Chalmers/new west connection) limited natural features disturbance to the minimum necessary for the reasonable use of the property while protecting the high quality natural features on the north side of the site. The chart below summarizes natural features

impacts of the alternative plan compared to the original plan considered by the Planning Commission.

NATURAL FEATURE	NATURAL FEATURE IMPACTS	NATURAL FEATURE IMPACTS		
	Alternative Plan with access off Huron River Drive	Original Plan with access off Chalmers/New West Connection		
Woodland (acres)	6.60 acres (287,547 sq. ft.) Impacted	5.93 acres (258,410 sq. ft) Impacted		
Woodland Tree Removal	3,163 inches DBH* Removed	2,680 inches DBH Removed		
Landmark Tree Removal	614 inches DBH* Removed	598 inches DBH Removed		
Wetland	0.21 acres (9,140 sq. ft.) Removed	No Impacts		
Natural Features Open Space (Regulated 25 ft buffer around wetlands and watercourses)	13,183 sq. ft. (0.31 acres)*	221 sq. ft.		
Steep Slopes	1.21 acres	1.19 acres		

<sup>\*</sup>DBH= Diameter at Breast Height.

# Natural Area Preservation

NAP staff strongly opposes the construction of an access road from the development north to Huron River Drive. The proposed road would be built very close to areas where rare plant and animal species have been documented, including *Euphyes dukesi* (Duke's skipper), which is state-threatened and legally protected, and *Carex trichocarpa* (Hairy-fruited sedge), which is a species of special concern Michigan. It is likely that construction activities so close to the wetland will have negative impacts on these species and their habitats.

Currently, approximately 7 acres of this wetland are protected as City parkland. Unfortunately, these are not the areas of highest quality. Those exist in the portion of the wetland immediately west of City parkland, closer to Malletts Creek – exactly in the area where the proposed access road would be built. Earlier drafts of this site plan proposed donating this area as City parkland, protecting the highest quality portions of the wetland and securing the connection between existing park wetlands and Malletts Creek.

#### Fire Prevention

South Pond Way is shown as the only exit for residents of this development and has the potential of becoming blocked by emergency vehicles. For that reason, South Pond Way from Huron River Drive to Pond View Drive shall be widened to create a boulevard.

As a result of the relocation of South Pond Way from the south end of Chalmers Dr. to East Huron River Drive, the most direct route for the district fire apparatus is now through the entire

<sup>\*\*</sup> Assumes no further disturbance caused by wetland mitigation activities, but that has not been confirmed.

length of Chalmers Dr. Taking into account Chalmers Dr. has approximately ¾ of a mile of dirt road, the original entrance off Chalmers Dr. is preferred.

# **Traffic Engineering**

Due to the scale of the revisions to the proposed street network, a revised Traffic Impact Study is to be completed and submitted. As East Huron River Drive is under the jurisdiction of the Washtenaw County Road Commission (WCRC), this study is to be reviewed, and must be approved before site plan approval, by both the City and the WCRC.

As the site is proposed to have only one vehicular access, South Pond Way should have a boulevard cross section between East Huron River Drive and Pond View Drive to facilitate continued access in and out of the neighborhood in the event of an emergency response or other situation affecting traffic access within this area. As proposed, if South Pond Way were to be blocked due to such an event, residents would not be able to leave or enter the neighborhood until the event ended and the roadway was again cleared.

The new layout is not desirable for emergency response. The lack of connection to Chalmers Road will add several minutes to the response time for fire and EMS. The design of the road to Huron River Drive will also cause significant problems and limitations during an emergency response event.

The new layout has less desirable non-motorized connection to adjacent commercial property and transit services. Likewise, the lack of interconnectivity is in defiance of the modern lessons learned regarding the design of vibrant neighborhoods.

The proposed intersection with Huron River Drive is very close to the existing intersection at Chalmers Road. The engineers shall show that the intersection spacing meets guidelines for access management and that the proposed intersection will meet all sight distance design standards. The proposed cross-section for the roadway approaches Huron River Drive has unrecoverable roadside design. This situation is undesirable and the engineers shall develop a plan to mitigate this concern.

#### Next Steps

If Council wishes to consider this alternative plan, Planning staff recommends that action on the site plan be postponed until reviewers have the opportunity to complete their reviews and make recommendations back to City Council. A postponement will allow for the development agreement to be revised, as well.

Attachments: July 31, 2015 Letter from MCI regarding Alternative Plan

July 29, 2015 Alternative Overall Site Layout

July 29, 2015 Alternative Overall Site Layout with Natural Features Overlay

July 29, 2015 Letter from MCI regarding Staff Review Comments

Civil, Environmental and Transportation Engineers Planners, Surveyors, Landscape Architects 3815 Plaza Drive Ann Arbor, Michigan 48108 734.995.0200 Phone 734.995.0599 Fax

July 31, 2015

Matthew J. Kowalski, AICP City of Ann Arbor 301 East Huron Street Ann Arbor, Michigan 48107

Re: South Pond Village Site Plan (14100A)

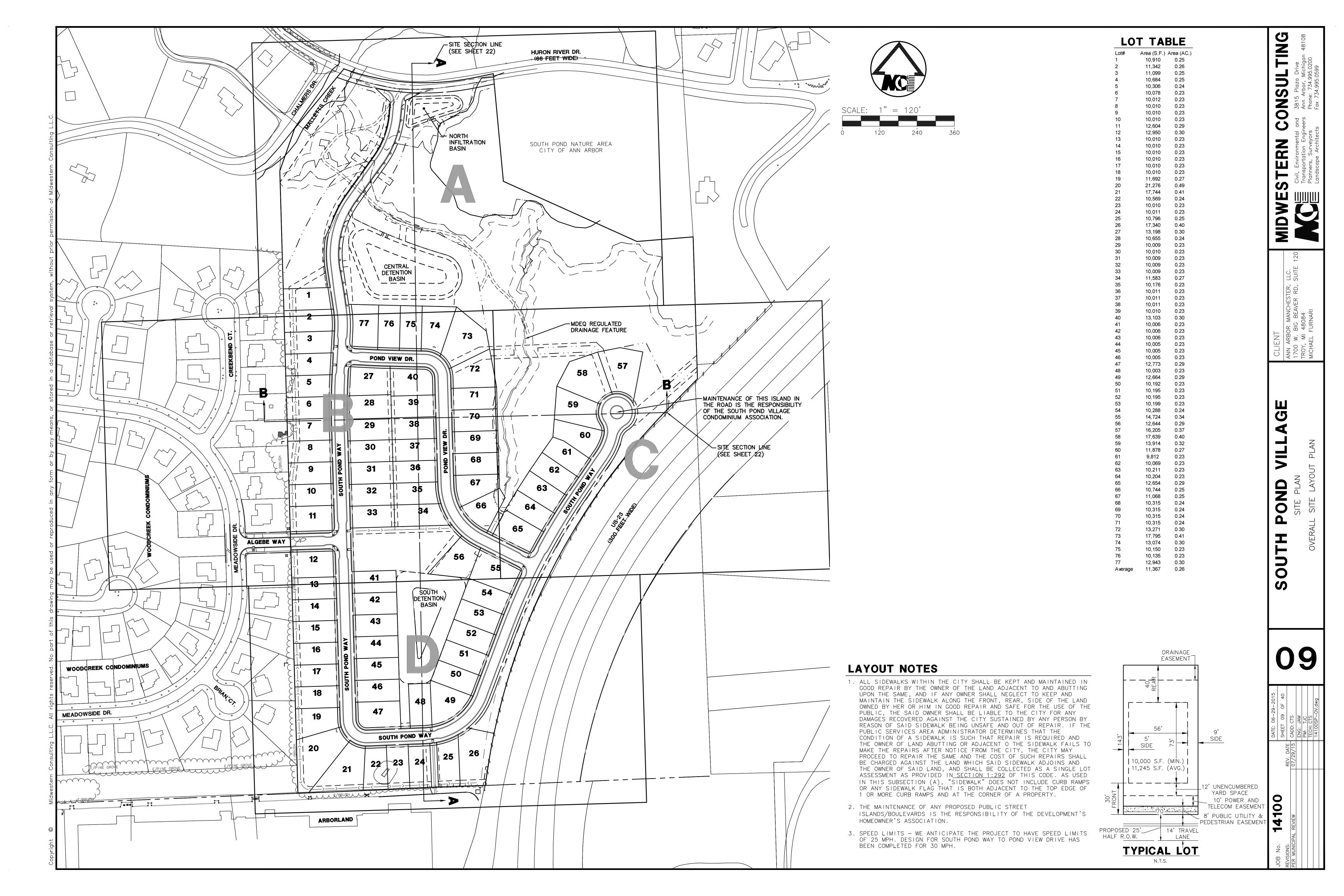
Dear Mr. Kowalski:

Pursuant to the request of the City Council made at its last regular meeting, at which the Council postponed consideration of the site plan before them, and instructed the Planning staff to consider alternatives to that site plan, the South Pond Village Developer's Design Team has provided to you an alternative site plan for consideration which has reviewed by City staff. With this review, the Developer's Design Team has on July 29, 2015 revised and resubmitted plans and response to City Staff reviews for further consideration. Please therefore submit the revised alternative site plan to Council at its next regular meeting for its consideration.

Thank you for your cooperation.

Sincerely,

Thomas J. Covert Midwest Consulting, LLC





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Civil, Environmental and

**Transportation Engineers** 

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3815 Plaza Drive

Ann Arbor, Michigan 48108

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info@midwesternconsulting.com

July 29, 2015

City of Ann Arbor Planning and Development Services Unit 100 N. Fifth Avenue PO Box 8647 Ann Arbor, Michigan 48107

Attn: Mr. Matt Kowalski

Re: South Pond Village – HRD Submittal #2 – Resubmittal July 29, 2015

Dear Mr. Kowalski:

Midwestern Consulting LLC (Midwestern) has received comments as noted in the below referenced review letters and memos and has addressed these comments on the revised plans dated July 29, 2015.

# Washtenaw County Water Resource Commissioner's Office (Scott Miller) July 9, 2015

1. The design plans were not scaled by a registered, professional engineer.

#### Subsequent plan submittals will be signed and sealed.

- 2. The drainage area map should be revised.
  - a. The drainage area acreages should be labelled by basin on the drainage area map. *Area acreages have been added.*
  - b. The off-site areas draining onto the site should be labelled by individual areas on the map rather than a total shown in the legend.

## So noted and revised on the plans.

c. The disturbed site area that is freely releasing appears to actually be undisturbed in the area next to Malletts Creek. Please clarify.

On the previous plans this was the area we had planned for wetland mitigation. We are no longer proposing wetland mitigation in this location and have adjusted the plan accordingly.

d. The drainage area boundaries should be shown on the grading plan so we can determine if the topography and flow patterns match.

We have added the drainage area boundaries to the grading plan so topography and flow patterns can be confirmed.

3. The natural resources noted in the worksheet W 12 calculations do not appear to match the drainage map areas.

#### We have updated the worksheet W 12.

4. The central basin has steep slopes (3H:1V) that extend 17 feet from the bottom to 100-year elevation, and corresponding slopes extending down to match existing grades on the north

side. This would potentially be creating a dam situation as well as maintenance issues which will not be allowed.

With comments from the Washtenaw County Water Resources Commissioner, the City of Ann Arbor, the Malletts Creek Coordinating Committee, and the Michigan Department of Environmental Quality, we are substantially modifying the plan with this submittal, in a way that reduces the depths and slopes of the basins. We are eager to work together with all four agencies to further improve the plan as necessary to meet all project goals.

First, the DEQ has declared jurisdiction over drainage feature in the ravine, and we understand that their goal will be to keep water flow to this feature, similar to existing conditions. This reduces the volume of run-off going to the detention basin.

Second, we are proposing to store the first flush rainfall underground in sand voids, which will reduce the volume required above grade. Our intent is to also count this volume as the 20% WCWRC non-infiltration penalty, as it does not infiltrate quickly enough (within 48 hours) to quality with the WCWRC.

Third, we are proposing the use of TR-20 hydraulic routing model as referenced within the WCWRC manual. This ensures that we do not over-design the basin, but lets us flatten the slopes and reduce the depth, while still providing full 100-year storm detention to a 0.15 cfs/acre outlet, in addition to storage for infiltrating the first flush, while allowing us to meet the various concerns of aesthetics and slopes..

5. The south detention basin is in-line with the central detention basin which will not be allowed.

We have the opportunity to provide separate outlet of the southernmost basin and have revised the plans as such. Additionally, the regulation of the drainage feature by the MDEQ will likely require us to preserve some flow to the channel, so outletting the south basin to the channel will help us achieve this requirement.

6. The drainage narrative and outlet certification note the receiving channel (north wetland) from the basins discharge under Huron River Drive through a culvert and into south pond as well as into Malletts Creek. This flow pattern should be clearly shown on the design plans, as it appears the detention basin will be creating a point discharge into the wetlands (as opposed to sheet flow from the site currently) and onto another parcel rather than Malletts Creek. This sort of point discharge will not be allowed if there is not an adequate receiving channel prior to leaving the site. The culvert under Huron River Drive should also be included in the outlet certification calculations.

We have revised the plans to incorporate a level spreader as the outlet from the central detention basin. We have also revised the plans based on review of the site with the DEQ. This resulted in the preservation of a drainage feature that we will be utilizing as a discharge point for the southern basin. Our goal with adjusting the outlets is to better mimic the current flow of stormwater as exists at the site currently. Additionally, despite the bulk of the site being determined as infeasible for infiltration, we are providing for storage and limited infiltration of the 1-inch storm and the increase in the 2-year storm, as best as we can, to reduce runoff volume.

7. Please note that there is extensive cross lot drainage which will need to be addressed.

We will add private swales between each lot in our future detailed engineering plan submittals, which will carry stormwater to the rear lot swales and toward the roadways.

8. The perforated pipe conveyance system does not appear to provide any infiltration. The intent and purpose should be clarified, as it may create maintenance issues with tree root intrusions.

We have replaced the perforated pipe system with a sand storage bed below the detention basins. The low infiltration rates prevent infiltration within 48 hours, and the site is classified as infeasible for infiltration in the WCWRC manual, however the sand storage will allow for some limited infiltration and evapotranspiration in this site.

#### Mallets Creek Coordinating Committee (MCCC) (Jerry Hancock) July 8, 2015

#### **Storm Water Management**

The revised plan includes a single access off of E. Huron River Dr. The revised access drive goes through, steep slopes, woodland areas, landmark trees, and a very high quality wetland area, threatened and endangered species habitat, and is very close to Malletts Creek. It is unacceptable to disrupt these high quality natural features. There is a feasible and prudent alternative to this natural features disturbance, as shown on the previously proposed layout, which did not include the drive to the north through the wetland, since that layout was found to be in line with City Code. As such, the MCCC feels that the proposed wetland disruption is not permitable by the City Wetland Ordinance or by the State of Michigan Wetland Protection Act. The MCCC does not support the access drive to E. Huron River Drive.

We do agree that with this access there are natural features impacts that we intend to mitigate for pursuant to the City of Ann Arbor, and State requirements. Members of the project team from King and MacGregor are having conversations with, and working to provide the State with applicable permit applications. To date, KME has had the opportunity to meet with State representatives at the site, and we believe that this wetland impact of < 1/3 acre is permittable with the DEQ, and that City Council has the legal authority to implement City wetland permits.

These comments from City staff do suggest a feasible and prudent alternative to accessing the site. We believe that this is in reference to the plans that were previously reviewed by staff and subsequently denied by the City Planning Commission. With this denial we began to look at other opportunities to access the site. The plan currently being considered provides for this access to the site along the other road which our project has frontage. If this denial is followed by the City Council, there are no possible feasible and prudent alternatives.

We appreciate the suggestion that the City and the State will not permit these impacts, we note that we continue to work with both entities toward a viable solution for the development of the site consistent to the master plan, meeting current zoning requirements.

# Stormwater and Floodplain Programs Coordinator (Jerry Hancock) July 8, 2015

I have reviewed the revised site plan dated 6-29-15 and provide the following Stormwater and Floodplain Management comments for the petitioner:

Per Chapter 63, section 5:655(1) all residential developments containing greater than four units within two or more detached structures, and developments utilizing storm water management systems under multiple ownership or for multiple parcels must be reviewed and receive preliminary plan approval from the Washtenaw County Water Resources Commissioner's Office prior to approval by the City of Ann Arbor. While this proposal previously received preliminary approval from the WCWRC, this revised plan has a completely different stormwater management system layout and design. As such, it will be necessary to re-submit plans to the Washtenaw County Water Resources Commissioner's Office for review of the storm water management system. Preliminary plan approval for the new design is required from the WCWRC before City Staff can recommend this petition for approval to the Planning Commission or City Council.

We are currently working with the Water Resource Commissioner's Office to obtain reviews and approvals.

The last iteration of the proposed plan included calculations for the City's Green Streets Policy. Those calculations are not included on this revised version. Please revise the Green Streets Policy narrative and calculation to fit the current proposal and include them on the plan.

We have updated and included these calculations for your review.

Please also see the Malletts Creek Coordinating Committee comments from their July 8th, 2015 meeting.

#### Noted.

Staff is concerned that this proposal would not be permittable under the State of Michigan Wetland Protection Act.

We do agree that with this access there are natural features impacts that we intend to mitigate for pursuant to the City of Ann Arbor, and State requirements. Members of the project team from King and MacGregor are having conversations with, and work to provide the State with applicable permit applications. To date, KME has had the opportunity to meet with State representatives at the site, and we believe that this access point will be permittable through the DEQ.

Due to the natural feature impact caused by taking the entrance drive to E. Huron Dr., and the proximity of the natural features impact to Malletts Creek, staff does not support this proposal. Since staff found the previously proposed layout, that did not include the drive through the wetland, to be in line with City Code, there is a feasible and prudent alternative. Staff's position is that the current proposal is not permitable per Chapter 60, Section 5:212(2) and (3).

These comments from City staff suggest a feasible and prudent alternative exists to access the site. We believe that this is in reference to the plans that were previously reviewed by staff and subsequently denied by the City Planning Commission. With this denial we began to look at other opportunities to access the site. The plan currently being considered provides for this access to the site along the other road which our project has frontage. If this denial is followed by the City Council, there are no possible feasible and prudent alternatives.

We appreciate the suggestion that the City and the State will not permit these impacts. We note that we continue to work with both entities toward a viable solution for the development of the site consistent to the master plan, meeting current zoning requirements.

# City of Ann Arbor Natural Areas Preservation (Becky Gajewski) July 9, 2015

We strongly oppose the construction of an access road from the development north to Huron River Drive. The proposed road would be built very close to areas where rare plant and animal species have been documented, including Euphyes dukesi (Duke's skipper), which is state-threatened and legally protected, and Carex trichocarpa (Hairy-fruited sedge), which is a species of special concern Michigan. It is likely that construction activities so close to the wetland will have negative impacts on these species and their habitats. This area may also potentially serve as habitat for the northern long-eared bat (Myotis septentrionalis), which is federally threatened. A survey should be conducted to assess potential NLEB habitat. In addition, ideal habitat for the Queen snake (Regina septemvittata), another species of special concern in Michigan, occurs in this wetland, and the snake has been documented on the north side of Huron River Drive. It is possible that it may also inhabit the wetlands south of the road, near the floodplain of Malletts Creek.

Concerns about the negative impacts of development near this wetland have been raised by NAP staff in the past. In 2008, the Huron Acres development was proposed, which did not extend as far north toward the wetland as the current proposed development. NAP made the following comments at that time (these are all still relevant today with the current proposal):

"Natural Area Preservation (NAP) is concerned about the effects of the proposed development on the wetlands on the subject property, and in adjacent South Pond Park. Because the sedge meadows at the base of the steep slopes are dependent on the adjacent uplands for their hydrology, we would like to encourage minimizing the development footprint, and shifting the development as far south as is practicable. The sensitivity of the hydrology onsite is such that shared parking, underground parking, green roofs, stormwater infiltration, and underground detention should all be considered to reduce the amount of impervious surface, and limit stormwater run-off. Stormwater outlets should consider not only the volume of stormwater discharge but its duration and timing, to closely match the existing conditions.

The uplands themselves have sand seams (evidenced by burrows and ant mounds), that allow mineral-rich groundwater to emerge at the base of the slope to steadily maintain wetland hydrology. Special wetland plant species rely on this unique groundwater chemistry. Grading may disrupt this natural system, negatively affecting the wetlands. NAP would like the petitioner to consider ways to minimize grading in areas that are hydrologically connected to the wetlands at the base of the slope.

Because the wetlands at the base of the slopes have high biodiversity, including the State- threatened Duke's skipper butterfly, and the special concern sedge species, NAP would like the petitioner to consider parkland dedication for the wetland area and adjacent uplands. The floristic quality index for the wetland complex is 50, with over 160 native plant species, making it one of the most diverse wetlands in the

City park system. The relationship between wetlands and uplands makes it important to protect the uplands as a source of hydrology for the wetlands."

The proposed access road through the wetland also contradicts the recommendations of both the 2000- 2005 and 2006-2011 Parks & Recreation Open Space (PROS) Plans. Those PROS Plans specifically stated that "the wetland and hillside along Huron River Drive, across from the South Pond of the Huron River, has been identified as an important natural area related to the Huron River that needs protection."

Currently, approximately 7 acres of this wetland are protected as City parkland. Unfortunately, these are not the areas of highest quality. Those exist in the portion of the wetland immediately west of City parkland, closer to Malletts Creek – exactly in the area where the proposed access road would be built. Earlier drafts of this site plan proposed donating this area as City parkland, protecting the highest quality portions of the wetland and securing the connection between existing park wetlands and Malletts Creek. For all the reasons listed above, that option is the one most favored by the Natural Area Preservation office.

We do agree that with this access there are natural features impacts that we intend to mitigate for pursuant to the City of Ann Arbor, and State requirements. Members of the project team from King and MacGregor are having conversations with, and work to provide the State with applicable permit applications. To date, KME has had the opportunity to meet with State representatives at the site. KME is developing wildlife protection plans to protect Dukes Skipper and bats in the neighboring area, which will be reviewed and approved by the DEQ.

These comments do suggest a feasible and prudent alternative to accessing the site. We believe that this is in reference to the plans that were previously reviewed by staff and subsequently denied by the City Planning Commission. With this denial we began to look at other opportunities to access the site. The plan currently being considered provides for this access to the site along the other road which our project has frontage. If this denial is followed by the City Council, there are no possible feasible and prudent alternatives.

We appreciate the suggestion that the City and the State will not permit these impacts. We note that we continue to work with both entities toward a viable solution for the development of the site consistent to the master plan, meeting current zoning requirements.

# <u>Public Services Area – Systems Planning Unit Engineering Review (Cresson Slotten) July 17, 2015</u>

- 1. (Note that at the time we understand that the Master Plan for these sites was for Multi-Family Residential development) In 1995 the Woodcreek Area Traffic Circulation Study was completed. This study was a preliminary assessment of the traffic and environmental impacts associated with various access scenarios for the Woodcreek area, which included the then planned Woodcreek development and the Van Curler property, now the proposed South Pond Village site. The study's recommendations were:
  - Consider adopting a traffic circulation plan that provides opportunities for north, east, south and west connections to the regional road system
  - Development of the Woodcreek and Van Curler (South Pond Village) properties should include a north access to Huron River Drive and a west access to Huron

- Parkway and preserve right-of-way for connections to the east and south
- The north access to Huron River Drive should be located at the existing Chalmers
  Drive intersection with its sight distance restrictions being corrected, or moving the
  intersection just to the east of Malletts Creek, which would require a new bridge
  over Malletts Creek
- The west access to Huron Parkway should be located approximately 1,550 feet north of Washtenaw (right-of-way was subsequently secured for this purpose at Lindsay Lane of the Brentwood Square Condominiums, and the Woodcreek Boulevard Extension from Chalmers to Huron Parkway has been in the City's Capital Improvement Plan since 2008)
- The future east connection should be to Hogback following the alignment identified in the previous Clark Road study (this connection has not been included in subsequent City transportation plans, including the Northeast Area Transportation Plan adopted by City Council in 2006 and the Transportation Plan Update adopted by City Council in 2009)
- The future south connection to Washtenaw should be through the Arborland Mall at the existing Pittsfield intersection

(Note that at the time we understand that the Master Plan for these sites was for Multi-Family Residential development) On December 18, 1995 City Council passed resolution R-600-12-95 which expressly: accepted the study; accepted the study's circulation/access options; and, authorized the City Administrator to begin implementation of the following actions first:

1. Encourage the development of an east-west collector road along the southern property line of Woodcreek and, preferably, along the southern property line of the Van Curler (South Pond Village) property, which would "provide future Commissions and Council the flexibility and opportunity to allow for a preferred north/south route between Huron River Drive and Washtenaw Avenue, access to the Van Curler property if high quality wetlands would be destroyed by a 'new' north access to Huron River Drive, and an access to Chalmers Drive for Woodcreek coupled with a south connection to Washtenaw Avenue

At this same time MDOT had in their Master Plan the notion to provide a bridge over US-23 at this time as well which facilitated the goal of the Woodcreek Blvd Extension. Since this date we understand that MDOT has no plans for a bridge over US-23 at this location and the neighbors are highly opposed to connections through to Chalmers. Further, the Planning Commission has recommended denial of the site plan where we had connection to Chalmers.

- 2. Investigate the feasibility of intersection improvements at the intersection of Chalmers Drive and Huron River Drive for the purpose of improving the sight distance and safety of turning movements
- 3. Facilitate the development of a northern access from the Van Curler property to Huron River Drive. This road would connect, at a minimum, to the stub road at the eastern edge of the Woodcreek Development

Our current plan under review provides for this connection from Huron River Drive to Algebe Way over the parcel known as the Van Curler Property.

4. Facilitate the development of a two-way road along Arborland's western boundary for the purpose of developing a south access for the Woodcreek and Van Curler developments

Our traffic engineering has provided information regarding this opportunity. In short there is not an opportunity to add this connection and expect a result of reducing the wait time for traffic from the north to access Washtenaw Ave. (either through Chalmers, or through this newly created roadway). Further there are a number of current City Street Policies that would make a road improvement in this existing 50 foot right-of-way difficult to impossible (Complete Streets, and Green Streets Policies) without additional right-of-way being acquired.

Subsequent to completion and acceptance of the *Woodcreek Area Traffic Circulation Study*, the *Northeast Area Transportation Plan* was completed in 2004 and re-examined circulation and access to this area based on the initial South Pond development submittal, *a multi-family residential development* proposal with *a more intense development proposal than the current South Pond Village proposal.* The conclusions from this re-examination were:

• Pittsfield Boulevard should be extended north to Woodcreek; most of the extension should operate as a one-way, southbound-only roadway.

Our traffic engineering has provided information regarding this opportunity. In short there is not an opportunity to add this connection and expect a result of reducing the wait time for traffic from the north to access Washtenaw Ave. (either through Chalmers, or through this newly created roadway). Further there are a number of current City Street Policies that would make a road improvement in this existing 50 foot right-of-way difficult to impossible (Complete Steets, and Green Streets Policies) without additional right-of-way being acquired.

 Two-way access to the rear of Arborland would not unduly impact the future east- west collector. This access should be provided either by allowing two-way traffic on the portion of Pittsfield Boulevard directly west of the Mall's detention basin, or by keeping that section one-way south and extending the drive east of the basin one-way north to the future east-west collector.

Unfortunately this opportunity has been explored with the property owner and the cost to connect and gain easement for access to the site from Arborland is cost prohibitive for the developer and a project of 76+/- home sites.

- To mitigate current traffic delays, the northbound, right-turn movement from Pittsfield Boulevard to Washtenaw Avenue should be provided a protected signal phase during the same time the westbound left-turn arrow is displayed. Also, when funding allows, the Michigan Department of Transportation and/or City of Ann Arbor should add a third eastbound thru-lane on Washtenaw, from about 250 feet west of Pittsfield to the U.S. 23 interchange.
- When the east-west collector is extended to Huron Parkway, the City should periodically evaluate actual traffic volumes with respect to published traffic signal installation warrants.

The Northeast Area Transportation Plan with these recommendations was adopted by City Council in 2006.

In light of the above noted recommendations and directions given in the past, the recent South Pond submittals and its related traffic evaluation, staff's response to the 6/29/15 proposal in terms of traffic circulation and access is:

- The proposed South Pond Way extension to Huron River Drive is not supported as "high quality wetlands would be destroyed" by this road extension
- The east-west collector road along the south of Woodcreek should be incorporated within this development plan, with the road being within the right-ofway dedicated for this purpose

Providing 3 access points would be extraordinary burden on this development with the current proposal. The project of this size (77+/- home sites) does not support the building of thousands of feet of access road. It does support providing access from Huron River Drive to the development area or access from Chalmers through Woodcreek Boulevard Extension. Further, as noted previously, the developer would pay a fair share on a per lot basis for improvements to Chalmers Road (with the previous site plan).

• The Washtenaw County Road Commission should be contacted regarding the potential feasibility of intersection improvements at the intersection of Chalmers Drive and Huron River Drive, which is fully under their jurisdiction

We have met with the Road Commission on July 28, 2015, to discuss the project, and there do not appear to be any major issues that would prevent connection to Huron River Drive. Further, we have submitted a permit application and plan submittal for their review

• The South Pond street system should connect to the Algebe Way stub street at the eastern end of Woodcreek.

With the revised plans we are proposing a full connection to Algebe Way as opposed to an emergency only connect. As noted in the past we are not opposed to connection in either fashion, full or limited.

- The development of a one-way southbound road along Arborland's western boundary as a southbound egress for Woodcreek and South Pond has been examined by the developer's consultant team and found that no reductions in delay were realized for the Chalmers/Washtenaw intersection and that it presents significant constructability and implementation challenges, particularly when applying the Complete Streets and Green Streets policies in an area that serves as the active loading and unloading zones for this portion of Arborland; therefore, this road extension is no longer being considered
- The effect of extending Woodcreek Boulevard to Huron Parkway should be examined as part of a traffic modeling analysis and a determination made to move forward with this improvement or to remove it from the City's Capital Improvement Plan moving forward.

This connection would require acquisition of homes that are currently owned by private individuals along Chalmers.

The following comments are based on the site plan, particularly the road system, as proposed.

 Due to the scale of the revisions to the proposed street network, a revised Traffic Impact Study is to be completed and submitted. As East Huron River Drive is under the jurisdiction of the Washtenaw County Road Commission (WCRC), this study is to be reviewed, and must be approved before site plan approval, by both the City and the WCRC.

A revised traffic analysis studying this access point to Huron River Drive has been included with this submittal.

- 2. The elimination of the full road connection at Algebe Way and construction of Woodcreek Drive results in several deficiencies and difficulties, including:
  - A permanent lack of means for turn around by resident, service and emergency vehicles. This road stub was installed as part of the Woodcreek development with the intention that it would be extended as a full road connection to the neighboring development negating the need for a turnaround. By not extending this

- road, street maintenance vehicles and equipment, solid waste and recycling service vehicles, and emergency response vehicles and equipment will never have proper provisions for turnaround and exiting this street?
- Removal of the South Pond parcels from any future participation in the cost sharing for Chalmers Road improvements, which will result in higher per parcel assessments for the properties in Woodcreek and on Chalmers Drive.
- Lack of neighborhood interconnectivity.
- Creation of a "road maintenance island" for the City, as the public roads in South Pond would only be accessible from the WCRC system with the nearest City road being Chalmers Drive between Washtenaw Avenue and Woodcreek Boulevard. This will result in operational inefficiencies, particularly for winter plowing as City crews would need to traverse the WCRC roads, which may or may not have been plowed, in order to get to South Pond to perform their work.
- Winter road maintenance on the existing portion of Algebe Way in Woodcreek would potentially result in the connecting pathway in South Pond being blocked off due to snow storage.

With the revised plans we are proposing a full connection to Algebe Way as opposed to an emergency only connect. As noted in the past we are not opposed to connection in either fashion, full or limited.

3. As the site is proposed to have only one vehicular access, South Pond Way should have a boulevard cross section between East Huron River Drive and Pond View Drive to facilitate continued access in and out of the neighborhood in the event of an emergency response or other situation affecting traffic access within this area. As proposed, if South Pond Way were to be blocked due to such an event, residents would not be able to leave or enter the neighborhood until the event ended and the roadway was again cleared.

With the revised plans we are proposing a full connection to Algebe Way as opposed to an emergency only connect. As noted in the past we are not opposed to connection in either fashion, full or limited.

4. South Pond Way between East Huron River Drive and Pond View Drive would serve as a Local or Residential Collector street. Under the Public Services Standard Specifications, the minimum design speed for a Local street is 30 mph, and for a Residential Collector street is 35 mph. The minimum design speed for Local and Residential Collector streets may be lowered to 25 mph and 30 mph respectively (25 mph posting) due to extraordinary conditions, such as preserving natural features, if approved by the Public Services Administrator.

Noted, and with the revised plans we have noted on the plans that we anticipate the speed limit within the subdivision would be 25 mph. We also note that we have designed South Pond Way from Huron River Drive to Pond View Road at 30 mph. (but understanding the actual speed limit will be 25 mph).

5. The horizontal alignment of South Pond Way between East Huron River Drive and Pond View Drive meets a 25 mph design speed, but does not fully meet for a 30 mph design speed. To meet a 30 mph design speed, the radius at the northerly end of the road would need to be increased from 200 feet to 303 feet.

We have revised the road radius to meet the City's 30 mph design standards for the

# entry road.

6. It appears that the longitudinal street grade (approximately 5%) meets the design standard for both Local and Residential Collector streets. The grading and its resulting impacts to the natural area, as shown are necessary to meet this requirement. The detailed vertical road grades will be reviewed at the construction plan stage.

#### Noted.

7. The Public Services Department Standard Specifications calls for sidewalks to be installed on both sides of public streets. Sidewalks are indicated on only one side of South Pond Way between East Huron River Drive and Pond View Drive and on one side of Creek Hills Drive.

This was done in order to significantly reduce the amount of natural features impacts for a road connection to Huron River Drive.

8. Ramps crosswalks are to be added to complete the pedestrian crossings at the Pond View Drive/South Pond Way intersection, the North Bluffs Drive/Creek Hills Road intersection and the South Pond Way/Creek Hills Road intersection.

# Noted, and added.

9. City Code Chapter 47, Section 4:20 (3) (a) prohibits the construction of a drive approach within the intersection of two intersecting streets (e.g., Unit 4). Variances may be required for construction of drive approaches not meeting this requirement.

With the current revision we have made minor edits to the lots to limit the drive approach from intersecting at the location of the three way intersection.

10. Water main is to be extended easterly from Creek Hills Road to the northeasterly limit of the development for future connection and extension.

With the revised plans we have extended the water main and easement to the property line.

11. The south detention area is not to be located in the public park. This area is to be a common element of the site condominium.

Noted. Our intent is that the public park would stand on its own and the detention basin would be part of the general common element and the drainage district. However, in general the overall area will function at least aesthetically in concert as one rather large "open space".

12. The land area between units 24 and 25 is to be clarified. It is not clear if this area is to be a form of "outlot," general common element or some other manner of land.

This area would be general common elements/area of the condominium association.

13. A utility easement for the cross lot water main is to be indicated and dimensioned. As this area appears to be less than forty feet wide, the water main will need to be installed within a casing pipe.

14. The land area between Creek Hills Drive and US-23, and on north side of site is to be clarified. It is not clear if this area is to be a form of "outlot" or general common element, or some other manner of land.

This area would be general common elements/area of the condominium association.

# SESC, Systems Planning Unit Review (Peter Stephens) July 13, 2015

1. Provide erosion control cost estimates on the site plan.

#### This has been added to the plans with this revision.

2. Provide an estimate of the amount of excavation and fill involved on the site plan.

# This has been added to the plans with this revision.

3. On some of your figures, there is a heavy line broken up with single dots, please define this on the key.

# This is our limits of grading / site disturbance line. This has been added to the legend.

4. Provide a detailed drawing to the construction of the entrance roadway off of Huron River Dr., specifically, but not limited to, how the 2:1 slopes will be stabilized and finished.

# This has been added to the plans with this revision. We have also adjusted grading in a number of areas to reduce the slope.

5. In the northwest corner of the site, the limit of grading is only approx. 15' from Mallets Creek; increase the buffer zone to at least 20' along any water body.

# With the previously submitted plan this was the area for wetland mitigation. We are no longer proposing the wetland mitigation in this location.

6. There aren't any soil erosion controls indicated along Mallets Creek or "Wetland C". It also appears that a wetland is another boundary for the disturbed area – also without controls indicated. Clarify the work in the general area of "Wetland C" and address the lack of SESC controls.

# This has been added to the plans with this revision. With the previous submittal we had been looking at this area for wetland mitigation.

7. Under SESC notes, it indicates any "lawns with a slope ≥ 3:...", change this to indicate any land being vegetated, and not just "lawns" around homes.

# This has been added to the plans with this revision.

8. Due to the large size, length, and slope – add control measures to slow the flow of sheet flow north of Pond View Dr.

This has been added to the plans with this revision. We are proposing mulch blankets for these slopes.

# <u>Urban Forest and Natural Resource Planning (Kerry Gray) July 7, 2015</u> Natural Features

1. **All Natural Features.** The chart below details the natural features impacts of the current plan with access off of Huron River Drive and the previous plan with access off Chalmers/Clark Road. The impacts to natural features in the current plan are greater than the previously submitted site plan.

Staff does not support the current plan because more natural features are impacted through this plan, particularly related to wetland and wetland buffer impacts, and there is a reasonable alternative that would limit the disturbance to the natural features on the site. The previous plan (with access off Chalmers/Clark Road) limited natural features disturbance to the minimum necessary for the reasonable use of the property while protecting the high quality natural features on the north side of the site.

NATURAL FEATURE	NATURAL FEATURE IMPACTS <u>CURRENT</u> Plan with access off Huron River Drive	NATURAL FEATURES IMPACTS Previous Plan with access off Chalmers/Clark Road  5.93 acres (258,410 sq. ft) Impacted		
Woodland (acres)	6.60 acres (287,547 sq. ft.) Impacted			
Woodland Tree Removal	3,163" DBH* Removed	2,680" DBH Removed		
Landmark Tree Removal	614" DBH* Removed	598" DBH Removed		
Wetland	0.33 acres (9,140 sq. ft.) Removed	No Impacts		
Wetland Buffer (Regulated 25' open space buffer around wetlands and watercourses)	0.31* acres (13,183 sq. ft.)	221 sq. ft.		
Steep Slopes	1.21 acres	1.19 acres		

**All Natural Features:** Per Chapter 57, 5:129, when determining if proposed natural features impacts are limited to the minimum necessary to allow the reasonable use of the site, the following criteria shall be applied by the approving body. Staff have reviewed each criteria below and detailed why the disturbance to the natural features on the current proposed plan is not the minimum necessary to accomplish the reasonable use of the site.

- a. The importance and overall value of natural features, both on the site on the site and on a city- wide basis. In general, the importance of the natural feature increases with the rarity, size, age and condition.
  - i. The proposed disturbance of the natural features to construct the access road off Huron River Drive may impact the habitat of several species that are either state or federally threatened or of special concern in Michigan. See the Natural Area Preservation staff comments for additional information on these species.
  - ii. The wetland on the north side of the property that is proposed to be impacted by the construction of the road is part of larger wetland complex

that extends to the east into South Pond Nature Area. This wetland complex is of highest concern for protection per the City's Land Development Regulations because it is part of large wetland complex and is adjacent to Mallets Creek.

- b. The existence of overlapping natural features. Overlapping natural features increase the importance and overall value for presentation of the area.
  - i. Overlapping natural features, wetlands, open space buffer, woodlands, steep slopes, and landmark trees are disturbed for the construction of the access road off of Huron River Drive. In addition, Mallets Creek and floodplains are within 50 feet of the areas of disturbance.
- c. The impact of the proposed disturbance on the integrity of the ecological systems or the continuity between natural features. Wherever possible, ecological systems and continuity between features should be preserved.
  - i. The proposed development will have an impact on the integrity of the ecological systems that are present at the northern area of the site with the construction of the access road and northern infiltration basin.
- d. The amount of disturbance in relation to the scale of the proposed development and to that permitted by Chapter 55 (Zoning).
  - i. The previous site plan with access off Chalmers/Clark Road provided a viable alternative that would preserve the higher quality natural features that are located in the northern area of the site.

These comments suggest a feasible and prudent alternative to accessing the site. We believe that this is in reference to the plans that were previously reviewed by staff and subsequently denied by the City Planning Commission. With this denial we began to look at other opportunities to access the site. The plan currently being considered provides for this access to the site along the other road which our project has frontage.

- e. The adequacy of the mitigation plan.
  - i. Petitioner did not provide a wetland mitigation plan as required per Chapter 60.

KME will provide under separate cover the wetland report along with mitigation plans.

2. Wetlands. The wetlands to be disturbed are regulated by the City of Ann Arbor and the Michigan Department of Environmental Quality. The Michigan DEQ regulates all wetlands within 1000 feet of an inland lake or stream, regardless of size. The disturbed wetlands are within 50 feet of Mallets Creek and will require an MDEQ/US Army Corp of Engineers Joint Permit Application. Staff does not believe the MDEQ would approve a wetland permit for this area, because a suitable alternative exists that would not impact the wetland.

We do agree that with this access there are natural features impacts that we intend to mitigate for pursuant to the City of Ann Arbor, and State requirements. Members of the project team from King and MacGregor are having conversations with, and work to provide the State with applicable permit applications. To date, KME has had the opportunity to meet with State representatives at the site.

3. **Wetlands.** Per Chapter 60 of City Code, the following information is required to be submitted when a wetland is proposed to be disturbed.

Wetland determination by a qualified wetland professional, including flagging in the field and a wetland report. This information was not included in the current submittal, please provide.

- a. MDEQ/USACE joint permit application and City of Ann Arbor Wetland Use Permit.
   Please submit these permits.
- b. Mitigation Plan. The plan graphically shows a mitigation area, but no mitigation was provided. Please submit mitigation plan.
- c. Monitoring Plan. Please submit 5-year wetland mitigation monitoring plan. The proposed wetland disturbance is within 50 feet of Mallets Creek and will require a permit from the Michigan Department of Environmental Quality Information related to the wetlands, as required by Chapter 60 (Wetland Preservation) need to be submitted.

#### KME will be providing this information under separate cover.

**Note:** Per Chapter 60, 5:212(3) (Use Permit Standards and Criteria), a City Wetland Use Permit shall not be issued unless the applicant can show either of the following:

- The proposed activity is primarily dependent upon being located in the wetland
- ii. A feasible and prudent alternative does not exist.

Staff would not support the issuance of a City Wetland Use Permit because access there is a viable plan to access the site through the Chalmers/Clark Road and a feasible alternative exists.

These comments do suggest a feasible and prudent alternative to accessing the site. We believe that this is in reference to the plans that were previously reviewed by staff and subsequently denied by the City Planning Commission. With this denial we began to look at other opportunities to access the site. The plan currently being considered provides for this access to the site along the other road which our project has frontage. If this denial is followed by the City Council, there are no possible feasible and prudent alternatives.

4. **Street Trees.** Please move the street trees outside of the wetland boundaries and 25' Open Space Buffer along South Pond Way.

Noted, and we have revised the plans.

#### Fire Department Review (Reka Farrackand / Ira C. Harrison) July 10, 2015

South Pond Way is shown as the only exit for residents of this development and has the potential of becoming blocked by emergency vehicles. For that reason, South Pond Way from Huron River Drive to Pond View Drive shall be widened to create a boulevard.

Sheet 12 shows removable bollards on the emergency only thruway at both Algebe Way and South Pond Way. Full connection will be required with a minimum width of 20 feet. Bollards will not be accepted due to the following:

- 1. During winter snowfall, snow plows may not gain access to the area between the bollards to clears the space, therefore blocking secondary emergency access.
- 2. Snow plows may create large snow banks against the bollards, therefore blocking secondary emergency access.

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As a result of the relocation of South Pond Way from the south end of Chalmers Dr. to East Huron River Drive, the most direct route for the district fire apparatus is now through the entire length of Chalmers Dr. Taking into account Chalmers Dr. has approximately ¾ of a mile of dirt road, the original entrance off Chalmers Dr. is preferred.

During an emergency response, fire apparatus drivers will reduce their speed by up to 50% on unpaved dry surfaces. During snowy conditions, Chalmers Dr. is not an ideal roadway preference when responding to an emergency

With the revised plans we are proposing a full connection to Algebe Way as opposed to an emergency only connect. As noted in the past we are not opposed to connection in either fashion, full or limited. With the full connect we believe we have addressed Ms. Farrackand's concerns.

# <u>Traffic – Public Services Area – Project Management (Cynthia Redinger) July 20, 2015</u>

Alternate Access via Huron River Drive Memorandum:

1. The applicant's traffic engineering consultant submitted a memorandum commenting on the proposed primary site access via Huron River Drive. The memorandum did not provide any analysis or analysis results of this design change.

# A full traffic analysis will be provided under separate cover.

2. The discussion provided in the memo did not match the design submitted in the plans. The inconsistencies may lead to different recommendations from the consultant.

We did not submit a memo regarding this new access point and suggest that maybe it was a previous memo, or miscommunication. A full traffic analysis will be provided under separate cover.

3. A full traffic impact study shall be submitted if the revised plans are to be seriously considered.

#### A full traffic analysis will be provided under separate cover.

4. The traffic impact study would need to be reviewed by both the City and the Washtenaw County Road Commission (WCRC).

A full traffic analysis will be provided under separate cover and has been coordinated with the WCRC.

#### **Revised Site Plan Submission:**

- 1. The new layout proposed by the applicant creates an "island" of City infrastructure that can only be access via WCRC routes.
- 2. The lack of interconnectivity is in defiance of the modern lessons learned regarding the design of vibrant neighborhoods.

- 3. The new layout has less desirable non-motorized connection to adjacent commercial property and transit services.
- 4. The new layout is not desirable for emergency response. The lack of connection to Chalmers Road will add several minutes to the response time for fire and EMS. The design of the road to Huron River Drive will also cause significant problems and limitations during an emergency response event.

With the revised plans we are proposing a full connection to Algebe Way as opposed to an emergency only connect. As noted in the past we are not opposed to connection in either fashion, full or limited.

5. The current Algebe Way design may cause confusion for unfamiliar drivers; associated crashes would be infrequent but severe. This crash potential would be ranked as a high priority to correct.

With the revised plans we are proposing a full connection to Algebe Way as opposed to an emergency only connect. As noted in the past we are not opposed to connection in either fashion, full or limited.

6. The new layout removes the proposed work to create a connected transportation system that would address transit, non-motorized, and vehicular access to the City's current transportation system.

Our current plans do still provide for pedestrian connectivity to the adjacent property to the south.

7. Crash projections for proposed site access have not been provided. Crashes at this intersection have higher risk potential as they will mostly likely be occurring at higher speeds.

A crash analysis will be provided with our Traffic Analysis that is to be provided under separate cover.

8. Long, straight blocks encourage speeding. Traffic calming such as bump-outs at pedestrian crossings would be a valuable addition to the plans.

We have incorporated traffic calming measure into the revised plans, including bumpouts and the intersections and sidewalk crossings.

9. Road name changes in the middle of a curve a highly undesirable. They present a challenge of signing and navigation.

We have revised this with the current plan revisions.

10. South Pond Way does not include sidewalk on both sides at it approaches Huron River Drive.

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This is correct as our goal was to provide for a narrower road section in order to help minimize impacts to natural features.

11. Accessible pedestrian crossings shall be included at all intersections and locations of pedestrian attraction.

# Noted, and added.

12. The proposed intersection with Huron River Drive is very close to the existing intersection at Chalmers Road. The engineers shall show that the intersection spacing meets guidelines for access management and that the proposed intersection will meet all sight distance design standards.

We believe our design and location of the intersection with Huron River Drive to meet separation distances per the WCRC standards. Further, as you will note with our plans that we have conducted field measurement of sight distances and it appears that this intersection will meet these requirements as well.

13. The proposed cross-section for the roadway approaches Huron River Drive has unrecoverable roadside design. This situation is undesirable and the engineers shall develop a plan to mitigate this concern.

As noted at our meeting we believe this to be the side slopes internal to the site where our roadway crosses through the on-site wetlands and our goal is to minimize natural features impacts. With this plan revision we are proposing to provide guard rails along the entry drive in order to protect and mitigate the concern with the unrecoverable roadside design.

Should you have any questions or required additional information, please contact me directly at 734-995-0200

Sincerely,

MIDWESTERN CONSULTING, LLC

Thomas J. Covert