



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Meeting Minutes City Planning Commission

Thursday, February 21, 2013

7:00 PM

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

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1 CALL TO ORDER

The Chair called the meeting to order at 7:10 pm.

2 ROLL CALL

Rampson called the roll.

Present 7 - Bona, Mahler, Westphal, Giannola, Adenekan, Derezinski, and Briere

Absent 2 - Woods, and Clein

3 APPROVAL OF AGENDA

Moved by Bona, seconded by Briere, that the agenda be approved. On a voice vote, the Chair declared the motion carried.

4 INTRODUCTIONS AND PRESENTATIONS

Beyond the Diag - Benjamin Rosebrock

Benjamin Rosebrock, University of Michigan Dean of Students Office and Head of Beyond the Diag Program, together with his student assistants presented their program to the Commission.

Briere requested that the group add all City Council members to their email contact list to receive the groups electronic newsletter in order to keep them updated and

informed of events.

Adenekan commented that the program was a very ambitious program she was delighted to learn about.

Bona requested that when new projects come in for review in their neighborhoods, it would be great to hear feedback from their group.

Rampson added that Matt Lonnerstaster is currently working in our Planning office and assisting with the efforts of the R4C zoning ordinance.

5 MINUTES OF PREVIOUS MEETING

5-a [13-0119](#) City Planning Commission Meeting Minutes of December 18, 2012

Approved 7-0

Moved by Adenekan, seconded by Mahler, that the minutes be approved by the Commission and forwarded to City Council. On a voice vote, the Chair declared the motion carried.

5-b [13-0174](#) City Planning Commission Meeting Minutes of January 3, 2013

Approved 7-0

Moved by Mahler, seconded by Bona, that the minutes be approved by the Commission and forwarded to 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 of upcoming postponed Council items, which includes a review of the Design Review Board, as well as a review of D1 zoning and a moratorium of all new site plan reviews during that review period.

6-b **Planning Manager**

Rampson reported that Planning is very excited about the efforts of Beyond the Diag and invited suggested from the Commission on how there can be better connections with this resource.

Derezinski asked if the group is currently working with the registered neighborhood groups.

Rampson responded that they are to a certain extent, and we have provided them with contact information to the neighborhood groups, adding that currently they are in the process of getting their ambassadors in place in the neighborhoods and will possibly do shared events in the future.

6-c **Planning Commission Officers and Committees**

Derezinski reported on the Michigan Age Friendly Communities symposium that will take place on February 28th at Palmer Commons in Ann Arbor. He noted that there will be three Commissioners and three staff persons attending the all-day conference, with national speakers from AARP.

Bona reported that the North Main Huron River Corridor Vision Task Force continues to meet every three weeks and there will be another meeting in two weeks. She said that by the end of March they hope to have the recommendation from the subcommittees to the full committee to review.

Westphal reported that the Ordinance Revisions Committee will meet tomorrow at 4:30 p.m. in the 1st floor Conference Room - South, City Hall.

6-d Written Communications and Petitions

[13-0162](#)

Various Correspondence 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.)**

AG Pepo, 2275 Shadowwood, spoke about crime and the need for a community center to serve southeast area residents.

Claudia J. Myszke, Managing Agent for Forest Hills Cooperative, spoke about the needs of the southeast area neighborhoods and the interest in being proactive in planning for this area.

8 **PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING**

9 **UNFINISHED BUSINESS**

9-a [13-0163](#)

The Summit Townhouses Zoning - A proposal to zone this parcel R3 (Townhouse Dwelling District) to allow construction of a 24-unit multiple-family residential development with 48 parking spaces and one access driveway on this 3.3 acre parcel, located at 2081 East Ellsworth Road. [Ward 3] Staff Recommendation: Approval

Thacher presented the staff report.

PUBLIC HEARING

Ethel Potts, 1014 Elder Boulevard, said she believed it was a major planning error that became a zoning error in that part of town. She said it started with Colonial Square, and the City did not say why they believed it was a good idea to cluster multi-family housing of similar income groups in this area. She said at that time there were no services available, and there was no bus service available for many years. She said they have been lacking in recreation sort facilities that many would want in their neighborhoods. She said she felt it was a mistake that resulted in 'out of sight, out of mind' type social engineering. She asked if there is anything the Commission can do to reduce the zoning, it would be helpful. She felt the map was misleading,

and should show all townhouses from Stone School Road over to Platt Road. She said it is a very large neighborhood out by the dump. She said lowering the density would improve traffic and she did not believe that townhouses will produce fewer trips. She said she believes the Citizen Participation report does not show what happened at meeting, because it looks like nothing happened.

AG Pepo, 2275 Shadowwood, said the thing that concerns them is that the City is going to develop adjacent parcels in the area. She felt there was no interest in working with them about population density, adding that they want to have some input. She said maybe they could form a subcommittee to work with the Planning Commission. She asked if you are one of the lower income people in town, does that mean that you are relegated to a high density, low income area with crime, adding that this combination equals crime. She spoke of the need to create a real community center, possibly where the children could be dropped off by the bus, where they can do things after school and a senior center with activities, as well as possibly an observation room. She said we can't continue shoehorning in more and more projects, adding that this is the fifth project of high density housing in the area. She said she has been attending the meetings from the beginning and would appreciate the City working more directly with them.

Claudia Myszke, Managing agent of Forrest Hills, spoke as a representative of her development as well as University Townhomes, Colonial Square and Bryant neighborhood. She said they hope the City realized that they need help, and they need to be looked at as an area. She said low-income people were perceived as ignorant in the past and were treated that way. She said they want to work with the City to fix the area. She said she was shocked at how much support they have received from City Council, and felt they didn't hear anything from the Planning Commission or staff. She said they want to reverse that, adding that they need someone to show them the way. She would like someone to get back with them and tell them if what they are asking for is impossible or not within their purview. She said they would like to work with the developer, who is a wonderful man and has put in so much time. She added that it is not his problem. She thanked the Commission for listening to her.

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

Moved by Briere, seconded by Giannola, that the Ann Arbor City Planning Commission recommends that the Mayor and City Council approve the Summit Townhomes Zoning to R3.

COMMISSION DISCUSSION:

Briere said there was a lot of discussion at City Council about appropriate level of zoning as well as services for this area, which really didn't particularly have to do with this petition. She asked whether staff had considered R1D zoning for this parcel, which allows for smaller units clustered closer together.

Rampson said they were asked to look at R1C, but R1D would be the same density as the R2A, which would have the same issues in terms of the ITE (Institute for Transportation Engineers) trip generation per unit and the concerns that were raised on the R1 (residential) zoning of the multiple driveways onto Ellsworth Road.

Giannola asked staff if the trip generation for R1C zoning would be almost twice as high as for R3.

Rampson said yes, since single-family uses generate more trips than townhouse uses.

Giannola said if they rezoned it to single-family residential they would be creating more trips. She asked how many units could be built on the site.

Rampson said theoretically there could be 17 units created.

Giannola said she felt it is wrong to assume that townhouse are for lower income and have more crime, adding that she lives in a townhouse and doesn't consider herself to be low-income. She felt the first step for this neighborhood is not to assume that everything being built there is for crime-ridden, low-income families. She said it is an issue that should change for the neighborhood, so that it isn't considered a place across from the dump or crime-ridden. She said, for her, since it is only the difference between 17 and 24 units on the difference in zoning, she can't see how it will really make a difference in the lives of people who live there. She said most of the issues brought up at Council are things that the Planning Commission can't do anything about, such as the crime, the parks, the amenities. She can't see how rezoning this parcel to R1C fixes those issues. She said while it might bring attention to those issues, it will not fix them. She said R3 would be appropriate for this parcel.

Westphal asked if the higher trip generation in theory is because single-family homes have higher occupancy per unit and therefore have more cars.

Rampson said yes, on average the size is larger.

Bona asked about storm water, and if they would be required to treat storm water under R1C and R2A residential zoning.

Rampson said, if the property owner divides the property into parcels (up to 4) then they could be developed without any storm water provisions. She said if they choose a cluster development that is site planned, then they would need to meet storm water requirements for imperviousness.

Bona said the tendency for R3 is for the higher potential for storm water control which is important. She agreed with Giannola, adding that it is unfortunate that neighborhood committees evolve because of a problem, but hopefully this is a start of discussions for those interested in improving that neighborhood. She said as for the City Planning Commission's responsibility, it would be from the Master Plan perspective. She asked how old the South Area Plan was.

Rampson said it was from 1989.

Bona said she would like the Commission to think about this, and maybe it could be as simple as requesting Council to put together a task force to look at the requests and needs for this area. She said she believes the issue to be more complicated and wouldn't like to try to fix it right here. She supports R3 zoning. She commented that design can have an impact, particularly townhouses with garages on the front, and she felt it would add great value if they were not dominated by garages in the front. She reiterated that she supports R3 zoning with the single driveway, and clustering, with more open space for this area.

Westphal said as the Commission appreciates hearing input from the neighborhood, it also feels deflating when they are not able to address all the concerns being brought. He asked staff for the Commission's purview, in terms of the Master Plan and for recommendation on where a larger discussion might take place related to land use.

Rampson said because the Commission is focused on the specific request being

brought to them from the petitioner, under the development review process, they don't necessarily have the opportunity to have these larger discussions; however, the Planning staff is open to having discussions with the residents to find out what their options are. She said in previous meetings they have spoken about the possibility of getting involved in the Capital Improvements Plan and advocating for projects in their neighborhoods. She also noted that in May of each year the Commission considers passing a resolution to update the Master Plan, and as a part of this process there is a public hearing where the public can share their comments and requests if they feel certain areas need to be refreshed.

Rampson explained that this is the last Pittsfield Township parcel in this area (with the exception of the school parcel to the north) that will be developed, since the area is already largely developed. She noted that the issues brought up at the Council meeting were to be addressed through the Police department as well as the Parks department.

Westphal asked about the R1C zoning request on the parcel to the east, and if that parcel could be up-zoned in the future.

Rampson said, it could be, and explained that that parcel was one of several parcels that took the opportunity to annex into the City during a limited timeframe when they were offered to annex without being charged the current improvement charges. She further noted that since they didn't have a development plan for the parcel at that time they went with single-family zoning, thereby waiving the need for an area plan. She said if and when the time comes the owner would need to submit a re-zoning request with a development plan for the parcel with an explanation of how that fits into the Master Plan for that area, at the time of the request.

Westphal asked if it would be likely that they would also request a rezoning to R3 for that parcel as well.

Rampson said, yes.

Westphal commented that he believes that while crime may correlate with density, crime-rate doesn't necessarily correlate with density, which is not something that is usually considered at this table, since in many cases, higher density leads to more safety. He was hopeful that the discussion with law enforcement would be fruitful for the neighborhood.

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

Yeas: 7 - Bonnie Bona, Eric A. Mahler, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Tony Derezinski, and Sabra Briere

Nays: 0

Absent: 2 - Wendy Woods, and Kenneth Clein

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** [13-0164](#) Theta Delta Chi Site Plan for City Council Approval and Special Exception Use for Planning Commission Approval - A request to construct a 2,366 sq ft addition to the existing fraternity building and add bike storage, dumpster screening and patio area to the site. No change in the current occupancy of 33 residents is proposed at this 0.40 acre site located at 700 South State Street. [Ward 4] Staff Recommendation: Approval

Thacher presented the staff report.

PUBLIC HEARING:

Arthur Salsbury, Director for Corporation that owns the property, introduced Eugene Hopkins and Dave Rockland, Hopkinsburns Design Studio, 4709 N Delhi Road, Architects, and said the corporation is managed for the Living Alumni Fraternity. He explained that they were originally founded in 1889, and view the house as a platform for their continued educational mission. He said they operated the house up until the Chapter became inactive in 1997, when they subleased to another fraternity. He said those moves turned out to be grievous mistakes; however, a few years ago, students recolonized their fraternity at the University and their Board was reconstituted in 2008 and they regained control of the house in May 2012. He said they began their first phase of renovations in the spring of 2012. He said they currently have 49 undergraduates that have been living in the house since September 2012. Salsbury reviewed the first three priorities - life safety, health and security. He said they will be doing the work in phases and as they do that they are installing fire protection equipment, new emergency egress, and new ventilation for health and cleanliness, as well as increased security for residents and guests of the premises. He said that part of their site plan process is to address those security issues since they are located on the corner of two highly traveled streets. He said since the house was originally moved from across the street, the neighborhood has changed quite a bit.

Salsbury added since the house is a historic structure and since their alumni have a great emotional attachment to the structure, they are very interested in the historic preservation aspect of the building, and have therefore retained Hopkinsburns to handle the design work. He said they view their addition to the building as a context sensitive adaption to current needs while respecting the historically nature of the building. He said they look forward to restoring 700 South State Street to its former glory. He said they are also interested in the sustainability of their facility and organization which will be handled through a capital fund in years to come. He said they have also engaged a professional management company to handle property

maintenance as well as help them enforce rules of the fraternity. He reviewed their new energy efficiency measures, adding that they plan on installing a geo-thermal system in the future.

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

Moved by Mahler, seconded by Bona, that the Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), and, therefore approves the Theta Delta Chi Special Exception Use for a fraternity use with a building occupancy of no more than 33 persons, including the required resident manager.

and

Moved by Mahler, seconded by Bona, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Theta Delta Chi Site Plan, subject to approval of necessary variances by the Zoning Board of Appeals.

COMMISSION DISCUSSION:

Bona asked about bicycle parking provided. She asked where the Class A and Class B spaces are and how many current spaces exist.

Dave Rockland said the Class B parking is in the south west corner of the site in a covered shed, and that the Class A parking (9 spaces) is in a storage area under the stairs that lead down to the basement. He said there are currently three bike spaces.

Bona said this looks great and the variances seem like things the City Planning Commission would like to see, such as less impervious surfaces. She said the height issue seemed like it was a relative issue and wouldn't be an issue. She said she supports the petition.

Westphal said that it is good to hear that they had a conversation with the neighbors, and asked if the fence issue had been discussed.

Arthur Salisbury said it seemed better for both of them not to have a large fence, from the standpoint of keeping the graffiti off as well as security and visibility. He said that both building now have cameras that can remotely monitor, what goes on outside of the building, which has shown helpful on various occasions.

Derezinski complemented them on renovating a building, that while it has a bit of age to it, they are able to preserve it and make it better. He said he used to live in the Law Quad, which was a wonderful neighborhood, and he hates to see anything torn down in the area, if at all possible.

Westphal thanks them for investing in the added amenity of bay-windows. He said the request meets all Special Exception Use standards and he supports the request.

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

Yeas: 7 - Bonnie Bona, Eric A. Mahler, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Tony Derezinski, and Sabra Briere

Nays: 0

Absent: 2 - Wendy Woods, and Kenneth Clein

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

None.

12 COMMISSION PROPOSED BUSINESS

None.

13 ADJOURNMENT

Moved by Giannola, seconded by Mahler, that the meeting be adjourned at 8:45 pm. On a voice vote, the Chair declared the motion carried.

Kirk Westphal, Chair
mg

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