



City of Ann Arbor

Formal Minutes

Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Tuesday, July 7, 2015

7:00 PM

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

Commission public meetings are held the first and third Tuesday of each month. Both of these meetings provide opportunities for the public to address the Commission. Persons with disabilities are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to: City Clerk's Office, 301 E. Huron St., Ann Arbor, MI 48104. Requests need to be received at least two (2) business days in advance of the meeting. Planning Commission meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>) or on the 1st floor of City Hall on the Friday before the meeting. Agendas and packets are also sent to subscribers of the City's email notification service, GovDelivery. You can subscribe to this free service by accessing the City's website and clicking on the red envelope at the home page.

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

1 **CALL TO ORDER**

Chair Woods called the meeting to order at 7:10 p.m.

2 **ROLL CALL**

Planning Manager Wendy Rampson called the roll.

Present 6 - Woods, Clein, Briere, Peters, Franciscus, and Milshteyn

Absent 3 - Adenekan, Mills, and Bona

3 **APPROVAL OF AGENDA**

Moved by Franciscus, seconded by Milshteyn, that the Agenda be Approved as presented. On a voice vote, the Chair declared the motion carried.

4 **INTRODUCTIONS**

5 MINUTES OF PREVIOUS MEETING

5-a [15-0836](#) April 21, 2015 City Planning Commission Meeting Minutes

Moved by Councilmember Briere, seconded by Clein, that the Minutes be Approved by the Commission and forwarded to the City Council. On a voice vote, the Chair declared the motion carried.

5-b [15-0837](#) May 6, 2015 City Planning Commission Meeting Minutes

Moved by Councilmember Briere, seconded by Clein, that the Minutes be Approved by the Commission and forwarded to the City Council. On a voice vote, the Chair declared the motion carried.

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

6-a City Council

Briere reported that last night's Council meeting was short because two Council members were in Germany and another was out on vacation, so what they couldn't do with a simple majority they postponed.

6-b Planning Manager

Rampson reviewed the meeting calendar with the Commission.

6-c Planning Commission Officers and Committees

Peters made an announcement for the Ann Arbor District Library summer game players.

6-d Written Communications and Petitions

[15-0835](#) Various Correspondences to the City Planning Commission
Received and Filed

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

None

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

15-0838 Public Hearings Scheduled for the July 21, 2015 City Planning Commission Meeting
Chair Woods read the public hearing notice as published.

9 UNFINISHED BUSINESS

9-a 15-0833 Rockbridge Hotel and Retail Planned Project Site Plan and Rezoning - A proposal to demolish two vacant buildings on this 2.48-acre site located at 3201 South State Street, rezone it from M1 (Limited Industrial) to C3 (Fringe Commercial) and construct a new 6-story, 140-room hotel and a single-story, 2,800-square foot freestanding retail building. Planned project modifications are requested to exceed the maximum height limitation and allow a front yard open space encroachment. (Ward 4) Staff Recommendation: Approval
Matt Kowalski presented the staff report.

PUBLIC HEARING:

Brad Moore, J. Bradley Moore & Associates, 4844 Jackson Road, Ann Arbor, MI 48103, representing the owner and developer introduced them and Midwestern Consulting Engineers, and was available to respond to enquiries from the Commission.

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

Moved by Franciscus, seconded by Milshteyn that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Rockbridge Hotel & Retail rezoning from M1 (Limited Industrial District) to C3 (Fringe Commercial District) and

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Rockbridge Hotel & Retail Planned Project Site Plan.

COMMISSION DISCUSSION:

Milshiteyn asked if the retail store would be constructed at the same time as the hotel.

James D. Schrim III, RB Hotel Development LLC, 4100 Regent Street, Suite G, Columbus, OH, said their current plan is to build them concurrently, adding that the interest in the retail has been robust.

Milshiteyn asked about reasoning for minimizing the floor plan by 5,000 square feet.

Schrim said it was to assist in minimizing the energy consumption.

Clein said he was pleased to see they had gained access through the adjoining property since he believes this area will get a lot of traffic during football season. He asked about the access easement.

Schrim said they have an executed access agreement waiting to be recorded pending Planning Commission approval.

Clein asked about the public benefit of a Planned Project that they considered was being provided through their project. He read the standards as outlined in the code.

Schrim said there are social, environmental, and economic benefits from their project for the community,

Moore said they have moved the sidewalk back to the retail building in order to engage sidewalk activity and create visual interest on the street which is one of the things the South State Street Corridor Plan talked about. He said orienting the hotel in the east west direction provides a more energy efficient design allowing them to maximize the energy efficiency of the building. He said through providing the bicycle rest stop they will not only be providing people a place to stop and rest but a location for them to repair their bicycles, and they also intend to incorporate a drinking fountain there. He said there are no historic or natural features to preserve on the site.

Clein asked if they intend to provide LEED certification.

Moore said he wasn't sure they would pursue LEED certification but the project would have enough LEED attributes to approach certification.

Schrim added that Hyatt's standard required for a Hyatt place is their

millennial new brand that pushed you to meeting or exceeding the LEED energy conservation requirements. He said while they have not intended to acquire LEED certification he feels that they will be putting the dollars directly into the project instead of paying for the certification. He offered to go through the certification process if the Commission so requested.

Clein said while he felt it was great that the petitioner is claiming a public benefit of building an energy efficient building he felt they were asking the Commission to trust their word on the energy efficiency levels without much restraining or forcing them to do so after the Commission gives their approval. He asked how the Commission could ascertain that the petitioner would build an energy efficient building that is part of a public benefit being proposed.

Rampson explained that for projects that have premiums, there are two LEED points required as prerequisites and in those situations we require an engineer's certificate from an independent engineer that indicates that the building has been designed to meet those two points.

Clein said he was wondering if they could require something like that for this project. He said he understood that the bike station and drinking fountain fall under the category of public benefit.

Schrim said they are required by Hyatt to meet their standards in order to meet their design criteria and plans are reviewed and approved by Hyatt as well.

Clein asked about options how to make their energy efficiency efforts official.

Rampson said the Commission could articulate the specifics as a condition to the Planned Project.

Moore asked if the existing language as for the premiums could be used.

Rampson said the question would be if the two Energy and Atmosphere points of LEED would be something that would align with the Hyatt standards or something that they would be willing to commit to.

Moore and Schrim said yes.

Clein said if the item is something that is used as basis for their community benefit of their Planned Project then the community deserves

to know more tangibly what it is. He noted that in the past they have had developers promise certain things and deliver something else, so he was looking for accountability.

Peters said as they move forward, the Commission should keep in mind the difficulty that developers have in negotiating cross access easements, and how the process can be made easier.

Woods commended the petitioner for pursuing this since it was something discussed and recommended by the Commission.

Clein commented that though the project meets the zoning requirements in spirit, to put buildings at the street, it does not really meet the intent, which is to put the whole development at the street. He asked how, in the future, they can advocate for this to happen instead of developers using the outbuilding strategy, which is far more of a suburban approach. He asked how they can make the intent more compelling in the future.

Peters commended the petitioners on revised plans that show bus 'bump-in' [pull off] and future discussion with AAATA. He said considering the number of hotel rooms added, it is good strategy to promote transit oriented design.

Moved by Clein, seconded by Briere, to amendment the motion to read:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Rockbridge Hotel & Retail Planned Project Site Plan, subject to meeting or exceeding two points for energy and atmosphere, LEED version 4 or 14% better than ASHRAE 90.1-2007.

DISCUSSION ON AMENDMENT:

Briere hoped that staff could provide an explanation of the two points to Council when the project comes before them.

Woods suggested that the petitioner be prepared to answer questions from Council.

VOTE ON AMENDMENT:

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

Yeas: 6 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, and Alex Milshteyn

Nays: 0

Absent: 3 - Eleanore Adenekan, Sarah Mills, and Bonnie Bona

VOTE ON MAIN MOTIONS:

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

Yeas: 6 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, and Alex Milshteyn

Nays: 0

Absent: 3 - Eleanore Adenekan, Sarah Mills, and Bonnie Bona

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

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

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

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

10-a 15-0834 542-548 North Main Condominiums Site Plan for City Council - A proposal to demolish residential structures at 542 and 544 North Main Street, combine them into a 0.3 acre parcel and construct a 4-unit townhouse building. A single curb cut will provide access to below-building garages on the north side of the site. (Ward 1) Staff Recommendation: Approval

PUBLIC HEARING:

Christina Lirones, said she owns the property directly across the street at 113 Felch Street, Ann Arbor. She said she is concerned about the north and east elevations that lack articulation and architectural features. She

said since the building is visible on all four sides, she would be happier to see more detail on the north and east sides that are showing barren, given how visible this property is in the neighborhood. She said this project seems to fit in with the existing uses in the area and the combining of the lots was done in a way that there is not too much mass. She said she wanted to point out that this is a historic area and we need to take care to maintain the historic character of these historic areas so they don't turn into apartments up and down the street.

Barbara Barton, 538 N. Main Street, Ann Arbor, said she lives directly adjacent from this proposed project and was present to speak in favor of the project. She said they do believe it will change their landscape dramatically; however, the change from rental to permanent housing will make a change to the feel of the neighborhood and will make those residents take more pride in their neighborhood. She said her husband and her have been living here for more than 30 years and while she usually doesn't like change, she can embrace this change. She said she has seen other projects that were on an enormous scale and didn't fit the character of the neighborhood, but she feels the petitioner has gone out of his way to incorporate architectural features, like the pitched roofs, and other elements that will complement the neighborhood. She applauded the Commission's approval of the project.

Tom Fitzsimmons, Huron Development, LLC, 408 North First Street, Ann Arbor, developer of the project, noted that the tree proposed to be removed is a non-landmark tree; however, because they have to remove it they will be planting four new trees in the park. He said discussions with the neighbors and the Park's Department include removing some other invasive trees in the park and replacing them with new trees as well. He said he is excited about this project that has also been designed by architect Lincoln Poley, whose other projects have been well received in the Old Fourth Ward and with the immediate neighbors. He said he lived in this neighborhood, across the park for 11 years and knows it's a great neighborhood. He said he feels that these condominiums fit very well into the scale, character and feel of the neighborhood.

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

Moved by Franciscus, seconded by Briere, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 542-544 N. Main Street Site Plan, subject to combining both lots before the issuance of building permits, and subject to the planting of 4 trees and restoration of graded areas

before issuance of any Certificate of Occupancy.

COMMISSION DISCUSSION:

Peters asked the petitioner to describe the thought process as to why entrances are facing south, rather than north.

Fitzsimmons said they essentially have 3 or even 4 fronts to this building, and when they do small in-fill projects they have to decide where to put cars and how to design driveways and parking. He said their preferred choice is to put it under the buildings, getting it out of sight, which is what they have done here. He said they have the natural grade on the site with a 6 foot cross-slope and an existing curb cut that aligns with Felch Street, which is where MDOT prefers it. He said all of those issues drove their design and where they would locate the parking. He said the park frontage on North Main Street and the other sides, facing the neighbors, will be extensively landscaped. He said one of the things that they couldn't do was put extensive landscaping on the park side given the R4C standards, so instead they have worked with the City's Park Department to help improve landscaping and design in the park. He said they have tried to work with the community, the North Central Neighborhood Association and neighbors, in trying to fit the development into the scale and character of the neighborhood and get the cars out of sight.

Peters said he sees the point made by the public speaker regarding elevation plans, for the side facing the park, seeming less articulated with less windows.

Fitzsimmons said this specific elevation is designed like their Catherine project, which has a lot of articulation and given all the ins and out of that side, with decks, he felt it was going to be really nice and a great building. He said right now, the garage is at the park property line, with the new building to be located 30 feet away, which will allow for lots of landscaping, and they will be 20 feet away from the house to the north. He said he felt the final project would look better than what it does in the plans, as has been said with the Catherine project.

Woods suggested that it would be helpful to include color renderings when the project goes to Council.

Briere said it would be nice if the design had included the placement of a front porch-back porch facing Main Street, making it more distinct at that site so that the currently small landing porch was more present on the

Main Street facade. She said it would be very pleasant to see an exterior porch, facing the park for that unit as well, on the north, adding that she believed the new condo owners would appreciate those types of amenities that would fit into this front-porch neighborhood.

Briere asked how many people are currently living in the existing two buildings.

Fitzsimmons said he wasn't sure, noting they were both single-family rentals with possibly 3 to 4 bedrooms in each.

Briere asked if the garage was a separate rental.

Fitzsimmons said he didn't know.

Fitzsimmons said regarding the front porch suggestions, he can provide pictures of other examples that have worked well on other projects. He said regarding the decks, he will have to talk to staff and his designers about the possibility given the current code on roofs and setback requirements.

Franciscus said she likes the design and feels that it fits with the neighborhood and is an improvement to the area. She said the landscaping should improve the park and make the area gel really well, noting that it currently doesn't feel that way. She said it was a wise use of space and likes the resulting resident permanency as well as the curb appeal of the project.

Clein noted that the east and west elevations are mislabeled. He asked if each unit has an elevator.

Fitzsimmons said yes.

Clein said that was great given the demographics of Ann Arbor. He asked about the size of the units.

Fitzsimmons said they are each 2,200 square feet.

Clein said he gets the sense that there is a fair amount of articulation on the elevations that don't come through on the drawings. He agreed with Woods on the suggestion of providing color renderings. He said he is usually not a fan of changing building orientation, but given the busy Main Street, he felt the proposed orientation works well.

Peters said he used to live at 544 N. Main Street, which was a 3-bedroom house with a garage that was in 2008, rented separately. He said these are historic homes and it may have been more expensive to fix them up than construct new.

On a voice vote, the Chair declared the motion carried.

Yeas: 6 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, and Alex Milshteyn

Nays: 0

Absent: 3 - Eleanore Adenekan, Sarah Mills, and Bonnie Bona

11 [15-0839](#) ORGANIZATION OF COMMISSION

11-a [15-0831](#) Master Plan Review - Once a year, the Ann Arbor City Planning Commission and Planning & Development Services Unit review the City Master Plan. The City Master Plan is a collection of plans, or “elements,” that work together to describe a vision for the City’s future and guide decisions about its land use, transportation, infrastructure, environment, housing, and public facilities. The adopted plan elements can be found on the City’s website at www.a2gov.org/masterplan <<http://www.a2gov.org/masterplan>>. As part of its annual review, the Planning Commission is seeking comments about the City Master Plan, including elements that should be studied for possible change or new elements that should be added to the master plan. This information is important to the Planning Commission in setting its work program for the upcoming fiscal year.

Rampson presented the staff report.

PUBLIC HEARING:

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

Moved by Briere, seconded by Clein; RESOLVED, That the Ann Arbor City Planning Commission hereby approves the “City of Ann Arbor Master Plan Resolution” and the “City of Ann Arbor Resource Information In Support Of The City Master Plan Resolution,” dated July 7, 2015.

COMMISSION DISCUSSION:

Peters said considering the significant amount of effort and time of staff, the City Planning Commission and other citizens in Ann Arbor, as well as the County, he is glad to see the Reimagine and Affordability Assessment added as resource documents.

Clein noted the letter from Norm Tyler contained some really good points; that the Master Plan represents the goals of the City, and that as the City grows the need for premiums may go away. He said the communication from the Northbury Condominium Association, written by Fred Mayer also contained some interesting points to think about while planning in the coming year, such as not all neighborhood footprints apply to all neighborhoods, as well as while codes say what you can't do, it might be helpful to know what you can do. He said the communication contained a lot of good stuff for the Commission to consider.

Clein clarified that the topic of aesthetics comes up often as they comment on projects; however, aesthetics is not under the Commission's purview. He hoped that in moving forward, they would be able to describe what they are looking for and good aesthetics will result.

Franciscus noted that the Higgins letter raised issues she hadn't considered.

Rampson noted that the PROS plan needed to be included after the 7 listed item in the resolution.

Woods asked for a friendly amendment for the PROS Plan to be included in the Resolution.

Commission agreed.

On a voice vote, the Chair declared the amended motion carried.

Yeas: 6 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, and Alex Milshteyn

Nays: 0

Absent: 3 - Eleanore Adenekan, Sarah Mills, and Bonnie Bona

11-b [15-0832](#) Approval of City Planning Commission/Staff FY2015-2016 Work Program

Rampson presented the staff report.

PUBLIC HEARING:

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

Moved by Franciscus, seconded by Peters that the Ann Arbor City Planning Commission hereby adopts the City Planning Commission/Staff 2015-2016 Work Program.

COMMISSION DISCUSSION:

Woods noted at the previous Environmental Commission meeting, she learned Councilmember Eaton is proposing to bring forward an amendment.

Briere said it is a floodplain ordinance, but it has not been put forward yet before Council.

On a voice vote, the Chair declared the motion carried.

Yeas: 6 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, and Alex Milshteyn

Nays: 0

Absent: 3 - Eleanore Adenekan, Sarah Mills, and Bonnie Bona

Election of Officers (Article V of Bylaws)

Vice Chair Clein assumed the Chair.

11-c (1) Chair

Briere nominated Wendy Woods to be Chair of the City Planning Commission, seconded by Franciscus. Noting no further nominations, Vice Chair declared the nominations closed.

On a voice vote, the motion carried and Wendy Woods was elected to serve as Chair for a second term.

11-d (2) Vice Chair

Clein stepped down as Chairperson and Wendy Woods re-assumed the position.

Peters nominated Kenneth Clein to be Vice Chair of the City Planning Commission, seconded by Briere. Noting no further nominations, Woods declared the nominations closed.

On a voice vote, the motion carried and Kenneth Clein was elected Vice Chair.

11-e (3) Secretary

Clein nominated Jeremy Peters for Secretary of the City Planning Commission, seconded by Briere. Noting no further nominations, Woods declared the nominations closed.

On a voice vote, the motion carried and Jeremy Peters was elected as Secretary.

11-f **Review of Bylaws (Article XIV of Bylaws)**

Rampson gave a brief overview of the process required for making changes to the Bylaws, noting that proposed amendments have to be presented at a meeting prior to Commission taking action on such amendments.

Peters asked if the bylaws can be amended at any time.

Rampson said yes.

11-g **Public Notice and Input Overview**

Rampson reviewed the public notice process with the Commission.

Briere asked about email contact information for neighborhood groups and if it is routinely updated.

Rampson explained that the Planning Division had recently completed a thorough review and revision to the Neighborhood Association List.

Briere asked if we had ever held a meeting where these neighborhood representatives attended to walk them through the value of passing the information they receive from the City on to the various residents in the neighborhood.

Rampson said not recently, outside of related to a project.

Briere said some neighborhood organization do a much better job than others, and she was wondering if the contact person for some groups sometimes don't pass the information on to the residents, whom then say

they were not informed. She said from a Council perspective, there is always a need for more communication and whatever it takes to provide more information, the better.

Rampson reviewed the City's Registered Neighborhood Association website link with the Commission, as well as the City's email notification service that is available on the City's home page.

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

None

13 COMMISSION PROPOSED BUSINESS

14 ADJOURNMENT

Moved by Franciscus, seconded by Peters, that the meeting be Adjourned at 8:50 p.m. On a voice vote, the Chair declared the motion carried.

Wendy Woods, Chair
mg

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

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