



# City of Ann Arbor

## Formal Minutes

### Planning Commission, City

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

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Tuesday, September 19, 2017

7:00 PM

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

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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. All persons 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](mailto: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 'Subscribe to Updates' envelope on the home page.

#### **1 CALL TO ORDER**

*The meeting was called to order by Chairperson Clein at 7:01 pm.*

#### **2 ROLL CALL**

*Planning Manager Brett Lenart called the roll.*

**Present** 7 - Briggs, Clein, Mills, Milshteyn, Gibb-Randall, Weatherbee,  
and Ackerman

**Absent** 2 - Woods, and Trudeau

#### **3 APPROVAL OF AGENDA**

**Moved by Mills, seconded by Milshteyn, to approve the agenda. The agenda was unanimously approved as presented.**

#### **4 INTRODUCTIONS**

*Planning Manager Brett Lenart introduced Luke Liu, one of the City's Traffic Engineers, and Marc Howard, the City's Deputy Building Official.*

#### **5 MINUTES OF PREVIOUS MEETING**

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

**6-a      City Council**

*Councilmember Ackerman updated the Commission on a presentation to City Council regarding a potential income tax, and referenced how new development has been a large part of revenue growth. He reported that City Council also voted, last night, to thoroughly review the pedestrian crosswalk ordinance.*

**6-b      Planning Manager**

*Planning Manager Lenart brought the Commission’s attention to a Notice of Land Division in their packets; he explained that while land divisions are processed administratively, the Planning Department has kept the Commission informed of these through providing a copy to the Commission. He said this land division was for 24 Ridgeway Street.*

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

*Commissioner Mills provided an updated on the Treeline Urban Trail, noting that she participated in the final meeting. She informed all present of a public meeting to occur on October 4th at 6:30 pm in the Council Chambers.*

*Gibb-Randall updated the Commission on the DDA Partnership Committee and updated/discussed coordination of the City’s Capital Improvements Plan with those improvements.*

*Chair Clein provided an update on the progress of the Medical Marijuana Ordinance, adding that they received a lot of good feedback from the community and he felt it was a positive session.*

**6-d      Written Communications and Petitions**

**17-1505**      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**

- 8-a**      **17-1506**      Public Hearings Scheduled for the October 3, 2017 City Planning Commission Meeting  
*The Planning Manager read the Public Hearing Notice as published.*

**9 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.)

- 9-a**      **17-1507**      2857 Packard Road - Weber Site Plan for City Council Approval - This project was previously submitted as an Area Plan and the site was rezoned to R1E with Conditions. The site plan is proposing 51 units be built on this 7.96-acre parcel. Staff Recommendation: Denial

**STAFF PRESENTATION:**

*City Planner Chris Cheng provided the staff report. He explained the site plan property is located north of Packard Road and is surrounded by Single Family zoning districts. As part of the conditional rezoning, the petitioner agreed to a cap on the number of proposed units. This petition was originally presented as an area plan. Cheng said alternative plans*

*have been provided and while staff have recommended denial of the proposed site plan due to the loss of natural features, it will now be up to the Planning Commission to make their recommendation based on the natural features.*

**PUBLIC HEARING:**

*Karen Wight, stated she lives on Kramer Road, and has lived on property adjacent from this property for many years. She expressed another important consideration before moving forward with this proposal would be the historic house on the property, which they believe dates back to 1852, and is a significant type of house. She said they have viewed comparisons of this house, showing it is of a style that is not often come by these days, and she regrets that historic preservation was not considered in the beginning of the process. White said sadly, the petitioner was unsympathetic to saving the house, and the current owner is unsympathetic to preservation as well, adding that the owner would not allow them entrance to the property, despite it being for sale for \$65,000. She said there is no need to tear down a significant historic property in the process of this development and she hopes to explore those options.*

*Eileen Kreiner, 2889 Easy Street, stated, 'One tree does not a habitat make', so she is hopeful the Planning Commission will consider saving a larger wooded lot. She said she loves the variety of birds she has at her birdfeeders and all the wildlife that those seven acres support. She noted Ann Arbor being a Tree Town, and she hopes it will remain so; she asked the Commission to please consider the neighborhood and residents whom will be crammed on tiny lots in their big houses.*

*George Taylor, 2814 Cranbrook Road, Ann Arbor, President of the Cobblestone Farm Association, located just down the street from this proposed development. He said his concern is the house and he would love to move the house, but he doesn't have the funds to do so. Taylor said they have options to move the house to Cobblestone Farms or to Pittsfield Junction. He said his request is for the developers to use the house as a central theme of that particular subdivision; preserving the house intact, whether it be moved or left on site, because it is of historic significance to our area. He said we were originally Pittsfield Township, and the City annexed the property in the 1950s when they were looking for affordable housing. Taylor said we still need affordable housing in that particular area; but the house should stay; use it as a clubhouse. He explained it was the second farm house in that section of the township that particular area of the City.*

*Chris Crockett, 506 E. Kingsley, stated she doesn't live in that neighborhood, but she is a preservationist, and has worked together with Karen White and several others in efforts to save this house, because it should be saved. She said this house does not have to be thrown away; this farm house is a part of the context of Washtenaw County, since most of the people that settled Ann Arbor were farmers and there is little of that story that is left in Ann Arbor. She urged the Commission to do everything in their power to save this little gem of a farmhouse.*

*Dan Blish, 2719 Cranbrook Road, stated his day job is driving buses for AAATA, which he has done for 17 years, and he knows traffic around Ann Arbor. He said he was speaking on his own behalf and not that of AAATA. When he got off work today on Industrial Highway, to go home, he went to Jewett, to Packard, to Independence, to Dorchester, to Towner, to Cranbrook, because you cannot go on Packard, you just cannot. He asked, if we are going to put something in there, why does it have to be crammed in? Why are we trying to maximize development here, when traffic is already so bad – why not be a good neighbor? He said if they are trying to put in as many houses as possible, for sure the water retention pond is really small. He asked what will happen when the 100-year storm comes?*

*Tom Covert, Midwestern Consulting, representing the petitioner, was present with the developer, Jim Haussler and Tina Fix, from their project team. Covert explained that since the last meeting they have been since seeking site plan approval; and he feels it's been a very good balance of various municipal stakeholders and interests and they feel they have done a good job of balancing those interests. He said since we last met they have re- last time there has been an ongoing balance of community stakeholder interests and he feels they have done a good job at balancing those interests. He said there was a reduction in numbers of lots and they now have one emergency access added, and sidewalks on both sides of the private roadway, whereas, before they only had one sidewalk. He said they have parking, and he further explained they have an extraordinary stormwater system that includes infiltration and addressed the problem far further than they had with their area plan with regards to stormwater that had been broken in this area for a long time, and flowed across their site from off site onto their site and into neighbors yards, that was a known problem. He said they are addressing both quantity and quality, and they have also proposed a pipe advance system for their stormwater management, at great cost. He added that they also believe they have proper tree mitigation for tree factors and*

woodlands both on-site and off-site. He said their site plan meets the City's Master Plan Elements, and it meets the City's Conditional Zoning Requirements and has been reviewed and received approval from the City's Systems Planning Unit which is Utilities, Water and Sanitary, Parks, with their park contribution, Solid Waste from their perspective, Fire Access and protection, Soil Erosion Control, and management, Traffic and Engineering Design. Covert noted they have held three neighborhood meetings that were very well attended and where they have received input and concern from neighbors, and they have received approval from Washtenaw County Water Resources Commissioner on the stormwater system they are proposing.

Covert said it seems that the rationale for approval of the project is that it does not reasonably limit the disturbance of natural features to the minimal necessary to allow a reasonable use of the land. He said with the proposed project they meet all the other interests and all the other reviews from the municipal stakeholder's perspective and they are mitigating for the trees they are impacting, maybe a little more, being conservative, for the ones they are developing near and mitigating for. He said their goal for this meeting tonight is to answer any questions the Commission might have, and respectfully request action on their project tonight. He clarified that DTE did not ask for permission to remove or maintain trees, within their right-of-way, they notified us of their work.

Mrs. Taylor, 2814 Cranbrook Road, said she has lived there 34 years and she wants to echo the comments from the other speakers. She wants to alert the Commission to the fact that most of the neighbors on Cranbrook and those living on the streets leading into Cranbrook have had flooding issues. She spoke of plumbing issue in the street as well as, just this week she received a letter from the City notifying her that the City is testing her area to see if there is leakage between sewerage and the other clean water flows that have been put in. She also said she had just learned of a water main breakage on Packard Road near to this proposed project site, which is just another issue to look at. She said the developer and the City both say everything is fine and everyone is happy with it, but having lived there 34 years she knows people are not happy with it.

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

**Moved by Briggs, seconded by Mills, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Weber Site Plan and Development Agreement, subject to recording of storm water easements.**

**COMMISSION DISCUSSION:**

*The Commission took into consideration the presented petition and discussed the matter. [For a complete record of the discussion, please see available video format]*

*Ackerman said he supported the rezoning of this property when it came before City Council with conditional requirements, believing R1E was a more appropriate zoning than R1C. He stated when the adjacent developments were built half a century ago, the standard was smaller ranch houses, while R1C of today represented the opportunity for houses to be built that quadrupled that size. Ackerman said it was in the best interest of the neighborhood in trying to reserve character, if development is to happen, to ensure that larger houses aren't overlooking backyards of older homes and residents whom have lived there for decades. He felt the conditional zoning would allow for ranch houses and guarantee a 15-foot land use buffer, giving increased privacy for existing resident, all of which he felt comfortable thinking they were sympathetic to the neighborhood, and he was anxious to see how the site plan would look. He was dismayed that with each revision, it appeared that the site regressed as it relates to natural features; open space became less and less, and our most cherished natural features, our forests, that existed long before any of our predecessors arrived, are not being protected. He agreed with staff that this site plan does not meet the zoning ordinance, noting that the developer, through their Alternative Plan 1, has shown how it is possible to have an attractive layout with a minimal disturbance to the natural features. He said he will not be supporting the site plan, but he will to hear the petitioner explain how they got from the Area Plan to this proposal, including the two iterations that came before this site plan.*

*Ackerman said Area Plans make him uncomfortable, because things like this can unfold.*

*Mills said when this came before the Commission she was the lone dissenting vote on the original vote. She agreed with Ackerman in limiting the size of houses built here, and the reason she was generally in support of the rezoning of this parcel to R1E, was to allow the developer some flexibility, to have some smaller lots, to work around the natural features; however, the reason she voted against the rezoning was because she had concerns about the use of an Area Plan for this site. The fact that the natural features have not been accommodated defeats the rezoning, and is disappointing. She expressed that Alternative Plan 1 shows that it is*

*possible to work around the natural features; by providing a similar number of units, but allowing them to be clustered to save natural features.*

*Mills commented that when the details are worked out you don't know what it will come back as, therefore she felt the City should rethink the use of Area Plans in the future.*

*Mills asked about the proposed housing sizes.*

*Cheng clarified that the lot sizes must be a minimum of 4,000 square feet, and a maximum 2,000 square feet dwelling unit.*

*Jim Haussler, Peter's Building Company, said they currently don't have the housing layouts, noting that it will be up to what the market demand is at that time, but the lot sizes would not allow them to build a 2,000 square foot ranch house and make it work. He estimates the sizes of ranch homes to be around 1,600 square feet.*

*Haussler indicated he has followed all of the City requirements associated with development, and while it is okay for the Planning Commission to not like the rules, those are the rules that exist.*

*Mills asked staff if site plans usually include renderings of proposed buildings.*

*Cheng said yes, they usually do, but it is not a requirement.*

*Mills requested that proposed house plans, indicating square footage, be provided, as the site plan moves on, since that was of concern for the Planning Commission, during the rezoning process.*

*Clein expressed his support for the R1E rezoning with Area Plan when the petitioner brought it before them, in that it would provide affordability both in unit sizes and cost, along with providing more flexibility to the petitioner with the natural features as well as the historic home, noting that the original plan showed the historic home and landmark trees remaining. He agreed with other Commissioners in his disappointment of not saving the landmark trees, specifically the landmark Oak trees.*

*Clein appreciated the petitioner's effort to meet the City's rules and requirements to do business in Ann Arbor, recognized they are numerous in Ann Arbor and it's not easy, but it's generally intention for the*



*community, along with the City wanting to encourage affordable housing. Since there is no mention of such a component with these houses, we are left to understand they will be at the market rate.*

*Clein indicated that all of the City's standards must be met, not most of the City's standards. Regarding preservation of the home, Clein explained there is no mechanism for the protection of it, since it is not a historic protected landmark, nor in a historic district, even though a home of that age has historic value and definitely worth saving. Clein said he had trouble supporting the petition in its' current state, because there is a real challenge of balancing what is shown in Alternate Plan 1 of the site plan, with the affordability aspect, and to him does not meet the balance.*

*Milshiteyn, asked about the emergency access, and about mountable curbs.*

*Cheng explained that there are mountable curbs all along Packard, as well as breakable bollards for emergency access. He commented that the plan had been reviewed and approved by the City's Fire Marshall..*

*Milshiteyn asked about functionality.*

*Covert said as far as the hardened walkway, it will function more like a plaza area or sidewalk with benches around.*

*Milshiteyn asked about parking and garage sizes.*

*Covert said each unit will have a two-car garage and allow for two additional parked cars in the driveway, along with the 51 spaces along the road.*

*Milshiteyn asked for clarification on ownership of the house.*

*Covert said as part of the property sale, the house was not included.*

*Milshiteyn asked if there is a plan.*

*Hausler said the owner kept all rights to the house and has 90 days to remove the house after he closes on the property.*

*Milshiteyn asked if the purchase contract was contingent on City approval of the site plan.*

*Haussler said that was his deal, adding that he has invested over \$200,000 in the engineering plans alone.*

*Milshteyn asked staff about the provided Alternative Plans shown on the site plan.*

*Cheng explained they are required anytime Natural Features are proposed to be removed.*

*Gibb-Randall asked about development of the alternatives.*

*Jim Haussler responded that the alternatives meet different criteria, but does not meet the financial criteria of the owner's property rights. He explained that given the required stormwater detention, alone, it now costs double from what it did a year ago; and the added easements that are now required; and the added access, roads and connections all cost money, so the economic perspective is an important criteria. He said while the economics might not matter to any of you sitting up there, it certainly matters to the property owner having to pay taxes for 20 years, and for him, who spent the money to follow the City's ordinances. He said he didn't write the rules, the City did, and he is simply following them, and since the City has limited him on the house sizes to 2,000 square feet he is limited by financial feasibility.*

*Gibb-Randall and Clein reminded the petitioner that he approached the City to rezone the property.*

*Gibb-Randall commented that they had had the opportunity to have a clear dialogue and the Commission had given the petitioner clear feedback on matters that are not reflected in this site plan at all. She asked what was meant by the petitioner already having 'preliminary approval', did they already have the WCWRC approval. and had they done soil borings.*

*Covert responded to Gibb-Randall's question on storm approval, that numerous soil borings had been conducted as part of the aerial plan and they were currently conducting a second round of infiltration tests.*

*Covert indicated that they can not infiltrate to the rate the soil will allow, but rather by the maximum allowed by the County, which grew from what they were earlier. He said they could show stormwater systems under the roadways, but that just increases the cost further. He said they are not able to use swales on the site, but rather storm pipes to convey the water,*

*because the easements for them are way smaller. Covert said they could have alternatives that have more impacts to more lots, with costs to infrastructure; however, they focused on staff recommendation of fewer lots and preserving the open area. He said they have been on the site 3 times for infiltration testing and feel confident there is good infiltration currently on site.*

*Gibb-Randall asked about the timing when testing was done, if it was during a high water table.*

*Covert indicated yes, it was, which was the reason for him returning; he noted that the County's standards want them to stay 2-3 feet above groundwater, which they thought they could, but it turned out they are not allowed.*

*Weatherbee agreed with Commission comments, adding that with the rezoning and area plan she felt it was to make it less cookie cutter, and had the potential for a unique character, yet looking at what is before them now, it isn't at all what she perceived it would be. Weatherbee explained while in other circumstances, the Commission has reviewed at other times and discussed removal of landmark trees, and whether they should be removed for type of species, health, or other factors; in this case, the Burr Oak is part of the City's heritage and identity; therefore, she cannot support the proposed project.*

*Briggs agreed with Weatherbee on reasons for her no vote.*

*Ackerman asked the petitioner if they would be willing to work with staff to consider other alternatives, given the indications of a lack of support.*

*Haussler indicated he would prefer a vote tonight.*

**On a voice vote, the vote was as follows with the Chair declaring the motion denied.**

**Vote: 0-7**

**Yeas:** 0

**Nays:** 7 - Erica Briggs, Kenneth Clein, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Julie Weatherbee, and Zachary Ackerman

**Absent:** 2 - Wendy Woods, and Scott Trudeau

mixed-use hotel/residential/retail building.

*City Planner, Jill Thacher provided an overview of the site and the proposed project; she reported the proposed zoning includes Supplemental Regulations that were included with the staff report. She reviewed the zoning map, showing most of the surrounding parcels to the west and south being zoned R4C and predominantly single-family construction, historically, with a couple fraternity/sorority buildings, a couple apartment buildings and one Commercial zoned parcel. The large blocks across from Ann Street as well as across from Glen Avenue are owned by the University of Michigan and should all be zoned PL (Public Land). The corner parcel of Glen Avenue and Ann Street used to be the home of a gas station. Thacher showed the location of the two landmark Black Walnut trees, straddling the rear parcel lot line, adding their mitigation would include three Crimson Spire Red Oaks to be planted on site.*

*Thacher said the combined parcels make it a 0.54-acre site, with the Planned Unit Development (PUD) proposal to construct a nine-story 139,903 square foot mixed use building with a 252 space, four-level underground parking garage. The mix of uses is proposed to be 162 hotel rooms, 24 one-bedroom apartments, a 2,300 square foot hotel restaurant (on the first floor), and 5,135 square feet of retail in three storefronts to be located on the corner of Glen Avenue and Catherine Street. The main entrance into the site and exiting is proposed off Ann Street, which is a one-way street going east.*

*Thacher explained there is a secondary service drive off Ann Street that would only be used for deliveries, solid waste, and recycling pick-up. She showed a new pull-off on Glen Avenue that would service the new building, but be owned by the City. A part of the City sidewalk would be setback onto private property in order to allow for the proposed pull-off, and will require an easement. The site plan shows a number of street trees to be planted as part of this project, while only one currently remains. Thacher reviewed the first floor underground parking plan on the site plan, pointing out the eight dedicated parking spots for Angelos Restaurant, along with a bike parking room, with bike hoops as required, and valet controlled parking to include double-parking and isle parking.*

*Thacher showed the proposed second floor containing a large ballroom, and multiple conference rooms, and break-out rooms, meeting rooms and a large lobby area. The hotel rooms are proposed to begin on the third floor and go through the sixth floor. The project includes a number of proposed terraces (third level, eight and nine) allowing the building to be*

*stepped back. Floors eight and nine are being proposed for the one-bedroom apartments that could be rented out by the day, month or year; Thacher specified that the units would need to be inspected as part of the City's Rental Housing Program. She reviewed the elevations, noting the predominantly brick cladding materials as well as some metal cladding.*

*The proposed zoning is to allow zero feet at each lot line, with a maximum height of 109 feet, 4 inches (the same height proposed by the previously proposed project) the maximum floor area ratio (FAR) is 590.4 percent, and ten street trees are required on Glen Avenue, East Ann Avenue, and Catherine, and 34 bicycle parking spaces are required. A Traffic Study was prepared and reviewed extensively by City Traffic Engineering staff; it showed an extensive slowed traffic delay near to the development due to the new trips generated, and the petitioner has agreed to provide a grid smart system at the Glen and Ann, and Glen and Catherine intersections. Thacher explained a Conflicting Land Use Buffer is required for screening of trash and recycling containers when located next to residential uses. As part of the requested PUD (Planned Unit Development) Zoning, a nine foot setback on the north side of the site's trash area is shown to be screened with Arborvitae, and no buffer is proposed on the west side where the trash area abuts the neighboring apartment site's trash area and a parking area for the apartment residents.*

*Management of a 100-year storm event in volume is proposed, plus an additional 20% capacity because infiltration of stormwater to the ground is not permitted due to clay soil conditions, soil contamination and groundwater elevations. Stormwater will be captured by the roof collection system and piped to an underground detention tank under the service drive that will drain to an existing storm sewer in Catherine Street. A Baseline Environmental Assessment was conducted in 2014 that identifies the site as a "facility" because numerous hazardous substances were found in the soil and groundwater exceeding residential land use clean up criteria. Thacher said the contamination was probably caused by previous gas station (1948-2007) and dry cleaner (1938-1962) businesses at 201 Glen Avenue. The leaking underground storage tanks on site have been removed. She stated the petitioner is making a contribution of over \$14,000 to be used to improve nearby parks.*

*Thacher explained the application process how the project had made it to the Planning Commission. She said there was a citizen participation meeting on September 18, 2015 when the applicant reviewed the*

*proposed rezoning and site plan with the neighbors. In November, 2015, the Historic District Commission (HDC) denied an application for a similar building, stating it was immense in scale. The petitioner then applied for a Notice to Proceed from the HDC, under the criteria that the site's environmental condition constitutes a hazard, and the proposed project would remove the hazard. A Notice to Proceed is the only mechanism under which the HDC may approve work that is inappropriate. On December 10, 2015 the HDC issued a Notice to Proceed for construction of the current project on the basis that the site's environmental contamination constitutes a hazard to the safety of the public, and that construction of the project would remove the hazard.*

*The design review was done a bit at the first HDC meeting, since the site is not in the downtown area, it would not be subject to the Design Review Board review. Thacher noted that the petitioner has not sought Brownfield tax incentives so they would be paying for remediation on their own. The petition includes a \$500,000 voluntary contribution to the City's Affordable Housing Fund, proposed by the petitioner, and is in no way tied to the PUD Zoning, but will be included in the project's Development Agreement as something the developer has agreed to pay. It was noted that the Draft Development Agreement and Draft Supplemental regulations have not yet been reviewed by the City Attorney's Office.*

*Chair Clein asked for clarification on HDC specific definitions of appropriate versus inappropriate, as they relate to the review of the Historic District Commission.*

*Thacher explained these references are based on the Secretary of Interior Standards of Historic Preservation that the Historic District Commission must follow; if they are granting a Certificate of Appropriateness, it is appropriate, and meets all of the Secretary of the Interior Standards and Guidelines the Commission must follow. If they are not granting a Certificate of Appropriateness, they could be Granting a Notice to Proceed, by default, work that is not appropriate, per the Secretary of the Interior Standards.*

**PUBLIC HEARING:**

*Julie Ritter, 920 Catherine Street, said that at the first meeting with the developer she had said, "Not Bad, except for parking and traffic," and she came back to say, parking and traffic, parking and traffic. She said the traffic study is out dated because it was based on a completely different traffic circulation than what is before them tonight. She said there is no*

mention of daytime traffic events, which she wanted an explanation for from the City's Traffic Engineer. She said there are many unsubstantiated claims about traffic, but right now, there is no way to get there without going through the historic neighborhood. Ritter said, right now, the traffic is impassable, adding these vehicle trips are going to have a negative impact on the neighborhood. She said, sometimes now, police cars and busses can't go up the hill when we have ice or snow and the salt trucks can't get to them. It's one way with cars parked on both sides of the street that get plowed in when it snows, and to this we are adding over 1,000 cars. Ritter said this traffic pattern will affect this neighborhood for a very long time.

Mary Ivers, 920 East Ann, said she has the same issue with traffic as Ms. Ritter, since all vehicles traveling to this hotel will go by my house, which is half a block west from this hotel, and will almost double the peak traffic number of cars in the evenings, and a 50% increase in the peak morning hours, on a one-way, one-lane street. She stated the traffic study also does not address current conditions appropriately at Ann and Glen, and Catherine and Glen, which fills up the short blocks of Glen very quickly and one isn't able to turn onto Glen because it is all backed up. The traffic report implies that all this traffic will decline simply by retiming the lights on Glen, which she doesn't believe will take care of the level of service, because there is too much traffic.

Chris Crockett, President of the Old Fourth Ward, 506 E Kingsley, said this particular design was never approved by the HDC, and the only reason they are here tonight is with the Notice to Proceed was issued on the basis of the toxic substances contaminating the soils, which they have done little for some time to deal with. She said the new iron in the fire, is the 'train station' that is pretty much at the foot of Glen, on Fuller, which is going to add even more to the already dense, dense traffic that exists now and will exist with this new building that is inappropriate for a residential neighborhood. The residents of the Old Fourth Ward should not have to deal with hundreds and hundreds of cars in their neighborhood. She said she knows the developer wants to maximize his profits, but the residents want their neighborhood also. Crockett said there is only one way to get to their entrance and that is on Ann Street, which will greatly increase traffic on Ann Street which is residential. She said, this doesn't contribute to, reference, or complement the Old Fourth Ward; and it was insulting that in their report they didn't reference the correct age of most of the houses in the Old Fourth Ward, being over 100 years old, along with not understanding the architectural style of the community. She urged the Planning Commission to go slowly on this, and work with them to find a

*more appropriate way to realize development adjacent to the City's oldest neighborhood, The Old Fourth Ward.*

*Ray Detter, 120 N. Division Street, said he agrees with Crockett that this development will impact many. He said there will be many added cars and utility trucks that will be turning off N. Division Street, near his house, to go down Ann Street. He said it's also important to be looking forward with strategic planning in mind, knowing that several years ago The Connector was going to go down Glen, and then make a turn down North University in order to avoid that part of Glen, until the University backed out of this building, and now there is no Connector, but it could be back in the future. He stated there are rumors that the University wants to put a parking structure on Fuller Court, and they have already acquired some of the land, because the parking structure on Wall Street didn't meet the needs; these are real issues to consider, said Detter. The developer got a Notice to Proceed, they are claiming that by having a commercial use that enables them to go down four levels, but why not residential which the Old Fourth Ward had previously considered and supported for this site. Detter said, we should be careful, and we should be considerate about how the traffic grid situation goes in regards to this project and how it proceeds needs to be an important question we ask ourselves. He said now knowing where the location of the Depot will be should make a difference in terms of the nature of our thinking in regards to this area and future plans on where traffic will go, and the impact traffic will have on the residential areas should be discussed.*

*(No name given) She stated her day job is to take care of the 1854 U of M Observatory at the top of the hill on Ann Street. She brought concerns about the lights coming from the observatory, adding that they do viewing nights from the structure. She said right now, they are repairing the dome at the observatory at a great expense, so they can continue to enable views, because the students love it, as do the public. She said she is concerned because when the Cardio Vascular Center building was built, they had to drill down instead of pounding down, because she has an 1854 load bearing brick building that needed to be preserved. So, she has concerns for any possible ground shifting which would be detrimental to her 1854 Observatory structure.*

*Ilene Tyler, 126 N. Division, said she lives at the corner of N. Division and E. Ann Street, and she thinks it's a shame that for 20 years we've been making poor decisions on approvals for this site, and Jill's report didn't reference the legal issues of this site of the past. Tyler said this is a proposed 9-story building based on a false premise, but when the HDC*



*originally met, they discussed a 6-story building, which was not realized, which all of a sudden became a 9-story building. A six story building, viewed from the steps on Ingalls, brings it to a 6-story building, making it acceptable in our neighborhood, and would be more appropriate for the scale of the neighborhood.*

*Jeff Crockett, 506 E Kingsley, stated he lives in the Old Fourth Ward, at Kingsley and State and he was confused by the staff report, which stated the project would not have an adverse impact on the City. He said that statement is true, unless you live on Ann or Catherine Streets, in the adjacent neighborhood, and he felt it would have been better if the report recognized the public comments, making it of value, instead of discrediting the public comments made. Crockett suggested the reports should be more straightforward about adding citizen input into the reports, calling out something the public expressed as being a nuisance instead of making when it will cause a nuisance.*

*Doug Kelbaugh, 223 E. Ann Street, Nr. 13, stated he lives on E Ann Street in the Armory Building and is an Architect, Urban Designer and Urban Planner, practicing and teaching both. He said while he doesn't live close to the site, he bikes or drives through the area frequently; he apologized to neighbors, stating this site does not feel, in any way, like it is part of the Old Fourth Ward, but rather like part of the University hospital/medical complex. He thinks if Ann Arbor is going to maintain its true character, then it's a good place to add density to the City, on a transit corridor. He thinks this is a worthy project, and while he wishes it would generate less traffic, and was a story or two less, he spoke in favor of the project, adding that he hopes we get a Connector coming up Glen Avenue and stopping right in front of it.*

*Craig Singer, Catherine Ann Development Company, LLC, 121 W. Long Lake Road, 3rd Floor, Bloomfield Hills, owner, said he was excited to finally present his project, The Glen, to the Planning Commission, along with his partners, Fred Goldberg and Larry Deutch, his architects, Scott Bonney, consulting architect Brad Moore, as well as traffic and civil engineers Mike and Robert Wagner from Midwestern Consulting.*

*Scott Bonney, Neumann, Smith & Associates, 400 Galleria Office Center, Suite 555, Southfield, Architect, provided copies of a presentation to the Commission. He said the neighbors challenged them to find a way to address the style of their neighborhood, and pointed Commissioners to a building on Kingsley that is a three-story Art Deco Moderne Office Building, that helped form the design that they used as inspiration for the*

*style of their proposed building. He said they wanted to reference other surrounding buildings, and desired to cap off the building with ocular windows, containing a tree etching, similar to the City's tree logo. The project wraps and ends Glen, and they focused on the streetscape making it a very walkable design. The building steps at the corner to reduce massing, and moves more of the massing to Glen. He explained that there is about a 25 foot slope (or 3 story's) from the top of North Ingalls to Glen, while from North Ingalls down to Catherine, the drop is closer to 31 feet. He said the building really will feel like it is built into the site, given the slopes of the parcels, along with the many cool features of the tiered design.*

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

**Moved by Mills, seconded by Gibb-Randall, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Glen Mixed Use Development Planned Unit Development (PUD) Zoning District and Supplemental Regulations, PUD Site Plan, and Development Agreement, with the condition that the five lots are combined before issuance of any permits.**

*COMMISSION BREAK 5 MINUTES*

*COMMISSION RECONVEINED MEETING*

*COMMISSION DISCUSSION:*

*The Commission took into consideration the presented petition and discussed the matter. [For a complete record of the discussion, please see available video format]*

*Planning Manager Brett Lenart explained how application of the Zoning Ordinance is done by the Planning Department. He said it is how they measure the detrimental affect of the health, safety, and welfare, is application of our ordinances. He explained that we write ordinances, to attempt to achieve that development happens without such adverse affect. He said in the case with a PUD (Planned Unit Development) the City still looks to some of their base regulations to answer that question, because those are the standards that we, as a Community, have adopted by ordinance to say, If these are met, we are not being detrimental to the public, wellbeing and welfare.*

*Ackerman had questions around four main areas; environmental aspect,*

*the traffic and its' impact on the neighborhood immediately as well as the Fuller Corridor, and stormwater. He was impressed to hear that the petitioner is not requesting Brownfield financial assistance for cleanup. Ackerman asked if the contamination has spread any.*

*Petitioner Singer, indicated that the contaminants were on both sides and in the middle of the site, but has largely been contained. The contamination goes down to about 35 to 40 feet, so by excavating the site to four stories, they should be able to remove all sources of contaminants.*

*Ackerman asked for verification from Singer that they would not be seeking Brownfield financing.*

*Singer said they would not.*

*Ackerman commented he was impressed.*

*Ackerman asked, why they are proposing to route traffic through a neighborhood onto a one-way street.*

*Singer responded that earlier site plan editions had traffic exit/enter from Glen Avenue but they were unable to achieve approval of those plans.*

*Ackerman asked City Traffic Engineer, Luke Liu to address why they wouldn't want traffic onto a main thoroughfare.*

*Luke Liu said for any development they review trips into the area, not just one street versus another.*

*Ackerman asked why traffic through the neighborhood was necessary, was it staff's firm recommendation that the safest method is via Ann Street.*

*Liu said staff made the recommendation to have traffic directly onto and off Ann Street and they worked with the development team in finding the best final result, instead of choosing a route that isn't intuitive or considered safe, as the route directly onto and off Glen Avenue.*

*Clein asked if vehicular traffic could still turn left or right onto Glen.*

*Liu said yes.*

*Clein asked if there had been any exploration or splitting the traffic and some coming in off Ann Street, but others entering from Glen Avenue.*

*Liu said they discussed this, and staff realized as soon as we have traffic off Glen Avenue, they will immediately have either intended or unintended left turn maneuvers trying to enter the site from Glen Avenue.*

*Sarah Mills asked if there were any discussions about doing an entrance from Ann and an exit from Catherine.*

*Bonney explained that the transition was only 66 feet, not wide enough, while it would erode more than one-third of the site just for an entrance.*

*Weatherbee asked how they envisioned the four parking spots on Glen Avenue to be used, and if they would ever be used for valet drop-off. She said she was wondering if those spots would end up as a de facto entrance if someone is coming up Glen to just drop off their car and someone else would be dealing with it.*

*Bonney said the spaces on Glen Avenue are not viewed as parking spaces, but as drop-offs for Uber, busses, etc.*

*Milshteyn asked if four spaces were considered adequate enough given the amount of drop-offs for the size of hotel.*

*Liu responded that this area was not included in the traffic analysis, but since there was another circular drive inside the hotel building, if the four spots on Glen were not enough to accommodate the needs.*

*Lenart explained that the City doesn't have a drop-off standard for specific sized hotels, as for parking standards.*

*Milshteyn said the reason he asks is because he often travels past Ashley where the Residence Inn has the right lane based up, so in the Glen Ave proposal, they might be better off not having the drop-off spaces.*

*Liu said in terms of strict analysis that was not taken into consideration, but he concurs with the observations of Milshteyn on the hotel drop-off area on Huron and Ashley Streets.*

*Milshteyn asked about the GRIDSMART system and if it really makes a difference at intersections.*

*Liu indicated that the GRIDSMART System is a camera-based vehicle detection system, which actuates and gathers important traffic data to adjust signal timing and traffic flow strategies, enabling real-time remote monitoring and visual assessment. He added that currently the City doesn't have this system at neither of the two intersections, and they are currently working off 'best guess' of the traffic engineers, while once they are installed they will work off real time data analysis.*

*Briggs asked about the transportation on the sidewalk area where it juts under the buildings roof, and the poor bicycle infrastructure on this route.*

*Liu explained that he only reviewed the sidewalk area for compliance with the detailed design standards.*

*Briggs asked for the width of the sidewalk at that location.*

*Bonney explained the width of the sidewalk is 8 feet, per City recommendations, with a 15-foot smooth radius. Bonney explained that the drop-off spaces in front of the hotel is full size width.*

*Singer explained that the Ashley Street hotel drop-off lane is 10 feet wide and the City reviewers have asked them to make theirs 12 feet wide.*

*Briggs asked if the petitioner thought that the original entrance location on and off Glen helped address some of the traffic concerns mentioned.*

*Petitioner Singer said yes, we find it somewhat confusing, because Glen Avenue is the main street the hotel is located on; however, they are satisfied that they can operate a successful operation with the entrance and exit off Ann Street, with the drop-off on Glen Avenue as it is proposed and staff recommended.*

*Clein asked about the configuration of the parking levels and whether multiple cars would have to be moved in the valet parking.*

*Singer indicated yes, at peak times that would be true.*

*Milshiteyn asked about valet ratio per rooms.*

*Singer said on a typical night, he foresees there being 140 cars valeted from the Glen Avenue drop-off area to the valet parking spaces. He said during the days, unless during special event on week-ends, he doesn't*

*think there would be any.*

*Ackerman asked Liu why the petitioner's suggestions and the resident's conclusions are the same.*

*Liu discussed movements coming into The Glen, noting that staff's goal is to not have northbound traffic going into The Glen. He explained that when you combine the drop-off lane and the lane into the property and with vehicles temporarily parked in that lane, it limits the right term movements.*

*Ackerman said if there is an opportunity to open that discussion again, he felt it's worth having, but if the Commission is comfortable about leaving it the way it is, he's fine with that as well.*

*Mills asked if the entrance were on Glen, how could a guest be able to turn around if they'd missed the entrance on Glen Avenue if they were heading northbound.*

*Singer said Google Maps or any directional device would be programmed to make the one-way turns necessary.*

*Gibb-Randall said not being able to take a northbound turn into the site off Glen Ave almost feels non-intuitive or less intuitive than driving around the whole block in order to enter from Ann Street.*

*Clein referred to whether the building is too tall or massive, based on public comments.*

*Gibb-Randall reviewed the historic district boundary, which relates more to the big, tall, massive, university buildings to the east, and this scale relates to those institutional uses more than the residential area. She said as long as the two large 1960's apartment buildings come between this site and the historic district, she didn't think it would ever feel like it was part of the historic district. She added that she would love to see this area as a node instead of having Angelos Restaurant be there all by itself.*

*Clein asked if the height of the building is the same as what was in the original PUD Zoning.*

*Thacher said, Yes.*

*Clein asked the petitioner about the highest point of the building and where it was measured from.*

*Bonney pointed to the parapet wall on the rendering, and explained the height is calculated from the average grade of the site.*

*Thacher agreed.*

*Briggs concurred with Gibb-Randall's comments about the height and massing, that she feels it fits into the area, explaining that she was more concerned with the traffic.*

*Weatherbee indicates that she feels the building pulls the massing towards Glen Avenue, which reminds her of 618 S. Main project. She said the terraces are appreciative and she feels it is important that the terrace development can be a condition of the terraces instead of allowing them to become simple rooms. Weatherbee expressed concern about them turning into undeveloped terraces.*

*Clein noted that if the Commission felt their development be included in the Development Agreement, it could be added.*

*Thacher commented that staff had never verified if trees could grow in specific sized pots, but they could, she guessed.*

*Weatherbee indicated that the proposed Glen Building does not replicate the details of the Art Deco/Kingsley building as referenced by the petitioner's architect. She cautioned continued comparison, since she really likes the other older building on Kingsley.*

*Clein asked about incorporating the detail in a large building. He said where he wishes he could see the detail a little bit more, is not on the upper floors, but on the pedestrian level, where it's meeting grade on the bottom two floors where people can see it. He felt the pilars looked more like something one would see on a parking garage. He explained that while his design might be considered a noble nod, he's sure the neighbors in the historic district would be far more appreciative if he put pedestrian scaling into the design.*

*Bonney provided further details on the architecture of the building.*

*Clein asked how far out the metal cornice sticks out from the building, and how they are addressing drainage from the cornice. He pointed out*

*that it's important that they are designed to drain back into the building and not allowed to build up ice that then falls on the pedestrians and becomes a pedestrian problem.*

*Bonney said, four feet, and drainage would be through independent drains conducting back into the inside of the building.*

*Clein asked about the mechanical equipment, noting that the building will have a high visibility from all sides, so it is important that mechanical equipment is screened from all sides.*

*Bonney responded that the mechanical room is in a rooftop building, with all units being screened, or within a penthouse.*

*Clein said the more detail that can be brought in, similar to what has been done on the corner and bring more of the architecture down inform so it doesn't feel like it's floating above ground so much, the better it will feel.*

*Bonney said they have done that on the corner, cutting it open for people to cut the corner.*

*Clein commended Bonney and the petitioner for their work on attention to details from all sides of the building.*

*Ackerman said he would like to see more details on the Ann and Catherine sides of the building.*

*Weatherbee suggested the petitioner consider possible use of murals, maybe something that could be referred back to the Old Fourth Ward to decide, or the City.*

*Ackerman commented, at no cost to the City.*

*Bonney said they would really like to do what Weatherbee suggested; whereas for now, the areas are currently only place-holders for art to be publicly viewable, but on private property.*

*Gibb-Randall shared her appreciation for the massing of the building, thanking Bonney and the petitioner for the details included, such as the broken-up massing, and the different window detailing, making it a pleasure to look at up close as well as from a distance.*

*Bonney further explained that the logo window would be softly lit up in the*



*nighttime, providing a pleasant glow to the neighborhood. He said they would also not be using any up-lighting, but all lighting would be down-lit for the consideration of the neighborhood.*

*Milshteyn, this is a huge improvement over what's currently there now; and he does like the massing of it as well. On a side note, he said he feels the color of the building is a bit too brown and the City is starting to look a bit too brown.*

*Milshteyn commented that the signage on the building is quite minimum, and he wanted to know if there is a plan for signage.*

*Bonney responded that right now, they don't have a client for the hotel, it would independently run and operated as The Glen.*

*Thacher indicated that once built, it would function as a non-contributing structure in the Historic District, and any signage would be reviewed as similarly categorized buildings in the Historic District.*

*Milshteyn asked if the 24 one-bedroom units would be unit driven pricing at the time.*

*Singer said yes, he foresees all of the units having the same service amenities, as the rest of the hotel guests, such as housekeeping, food, etc.*

*Clein asked about retention and how they propose it will be done.*

*Bonney said he believes it will be similar to the underground at Zaragon Place, in that they will use a rotating auger based wall, likely, to protect the public way. He said they are doing another project with auger cast walls, and it is their preferred method.*

*Clein asked if their intention is to build the building at LEED Silver Certified.*

*Bonney said they have discussed following the LEED certification, just not apply for it. They would submit the same materials to the City for LEED 4.0, exactly the same as with the Hyatt Place, just not with the added cost. The intent is to meet the environmental standards.*

*Thacher noted that there is specific language in the Development Agreement that requires an independent reviewer.*

*Gibb-Randall noted there is a performance component that she did not think that the City has to handle; and how could the new standards be incorporated into the language of the Development Agreements.*

*Briggs thanked the developer for the huge clean-up efforts on this project. She asked about the pedestrian scale of details and small changes that can really enhance the public streetscape. She said it doesn't look very dynamic and pedestrian friendly at this point. She said we want the hotel to be open and accessible to Glen users, so that the hotel has a presence at that location.*

*Mills asked about stormwater.*

*The petition Engineer, explained it will be a 100-year storm event that will be stored in an 11 foot pipe under the service drive and discharges to a stormwater drain in Catherine by gravity.*

*Mills urged the benefit of petitioner-funded Brownfield cleanup clearly articulated as one of the public benefits. She said she was glad it was going beyond putting solar panels on the roof, adding that we are hoping that this development adds up to the community.*

**Move by Ackerman, seconded by Milshteyn, to expand the meeting past 11:40 pm. On a voice vote the Chair declared the motion passed unanimously.**

**COMMISSION DISCUSSION:**

*Weatherbee expressed support for a hotel at this location near the hospital, where we're not taking down historic buildings.*

*Clein asked if we're comfortable progressing with this plan based on staff recommendation, or if there would be a desire to architectural. Curiosity about exploring Glen entrance, my introduction would be to introduce postponement.*

*Briggs asked the petitioner what their interest would be in removing the drop off spaces in front of the hotel.*

*Petitioner Singer indicated that the traffic review is taking the human element out of it. A valet will be located there, and will help to direct traffic, recommendation to City Council.*

*Mills is very concerned about the 8 feet sidewalk, and the bottleneck located.*

**On a voice vote, the vote was as following with the Chair declaring the motion carried.**

**Vote: 6-1**

**Yeas:** 6 - Erica Briggs, Kenneth Clein, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, and Zachary Ackerman

**Nays:** 1 - Julie Weatherbee

**Absent:** 2 - Wendy Woods, and Scott Trudeau

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

*Julie Ritter said she finds it unbelievable that staff would recommend putting 1,900 cars a day through our neighborhood, with the streets being so narrow, that they cannot be 2-way streets.*

*Chris Crockett, stated that when you talk about making the streets of the old fourth ward to two-way streets, keep in mind all of the streets have on-street parking and there is not enough right of way space.*

**11 COMMISSION PROPOSED BUSINESS**

*Sara Mills – Add to our work plan to look at consideration of making all Re-Zonings to be accompanied by a site plan and (removing Area Plans).*

*Briggs, commented that she would like to have staff look at having Ann Street become a two-way street.*

**12 ADJOURNMENT**

**Moved by Mills, seconded by Gibb-Randall, that the meeting be adjourned at 11:50 pm. On a voice vote, the Chair declared the motion carried.**

Ken Clein, Chair  
/mg

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