



# City of Ann Arbor

## Formal Minutes

### Planning Commission, City

301 E. Huron St.  
Ann Arbor, MI 48104  
[http://a2gov.legistar.com/  
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Tuesday, August 1, 2017

7:00 PM

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

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**1**      **CALL TO ORDER**

*Chair Clein called the meeting to order at 7:00 p.m.*

**2**      **ROLL CALL**

*Planning Manager Brett Lenart called the roll.*

**Present**    7 -    Woods, Briggs, Clein, Mills, Gibb-Randall, Trudeau, and  
Weatherbee

**Absent**    2 -    Milshteyn, and Ackerman

**3**      **APPROVAL OF AGENDA**

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

**4**      **INTRODUCTIONS**

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

**5-a**      **[17-1160](#)**    City Planning Commission Meeting Minutes of April 18, 2017

**Approved by the Commission with changes and forwarded to the  
City Council.**

**5-b**      **[17-1161](#)**    City Planning Commission Meeting Minutes of May 2, 2017

**Approved by the Commission and forwarded to the City Council.**

**5-c**      **[17-1162](#)**    City Planning Commission Meeting Minutes of May16, 2017

**Approved by the Commission and forwarded to the City Council.**

5-d [17-1163](#) City Planning Commission Meeting Minutes of June 6, 2017

**Approved by the Commission with changes and forwarded to the City Council.**

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

6-a City Council

*None.*

6-b Planning Manager

*Lenart explained the Inglis House Draft Historic District Study Report that had been distributed to Commission members. He also informed the Commission about the scheduled working session on August 8th to review zoning as it relates to recent state legislation changes regarding medical marijuana.*

6-c Planning Commission Officers and Committees

*Commissioner Sarah Mills informed the committee about updates made on the Allen Creek Greenway project, which she explained it is now called the Treeline Urban Trail. She added that there is a citizen participation meeting for that project on October 4th. She mentioned that the project will likely come before the Planning Commission in November.*

*Commissioner Scott Trudeau provided updates from the Transportation Commission. He explained that a subcommittee to make recommendations to the capital improvement plan has formed.*

6-d Written Communications

[17-1159](#) 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.)**

*Ethel Potts, 1014 Elder Boulevard, inquired about the 1140 Broadway project and expressed appreciation for the Commission members using their microphones.*

*Jeff Hannah, 1067 Young Place, inquired about the public hearing for 1140 Broadway Street. He discussed issues regarding gentrification as well as the Freedom of Information Act. Hannah commented on affordable housing in Ann Arbor and on the role of a Planning Commission member.*

*Glenn Hieber, 1118 Maiden Lane Court #101, Ann Arbor, expressed concerns about different inspections and closures of resident areas at the apartment where he lives. He also expressed concern about accessibility to voting areas in his precinct.*

*Kathy Griswold, 3565 Fox Hunt Drive, thanked the members for serving on the Planning Commission. Griswold suggested the use of transportation engineering when reviewing site plans. She expressed concern for 3500 Washtenaw, stating that it is a "Death Trap". Griswold also provided other examples of perceived unsafe situations regarding traffic and pedestrians in Ann Arbor.*

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

*Lenart reviewed upcoming projects with the Commission and the public hearing notice as published.*

**17-1164** Public Hearings Scheduled for the August 15, 2017 City Planning Commission Meeting

**Received and Filed**

## **9 UNFINISHED BUSINESS**

- 9-a**      **17-1016**      1140 Broadway Zoning and Planned Project Site Plan for City Council Approval- A proposal to develop three mid-rise residential buildings that provide a total of 620 residential units and 4,500-square feet of retail space on a vacant 6.4-acre site. A 451-space parking structure, an 85-space parking garage and 37 surface parking spaces are proposed. Access to the site is proposed from Broadway Street, Maiden Lane and Nielsen Court. Planned project modifications are requested to allow reduced

setbacks on Broadway Street and Maiden Lane. Landscape Modifications are requested to waive requirements for stormwater infiltration. The site plan petition is submitted in conjunction with a rezoning petition from PUD (Planned Unit Development) to C1A/R with Conditions (Campus Business Residential, with the condition that a maximum height limit is established). A brownfield application has also been submitted separately. (Ward 1)  
Staff Recommendation: Approval

*Lenart presented the staff report.*

**PUBLIC HEARING:**

*Chair Clein inquired about traffic at the 1140 Broadway site.*

*Cynthia Redinger, City of Ann Arbor Civil Engineer, explained that she would like to see a signal warrant analysis completed with all the data that is available.*

*Gibb-Randall inquired about the projected pedestrian numbers for the traffic analysis.*

*Redinger answered that the numbers used in the analysis are projected amounts.*

*Ron Mucha, representing Morningside Group, explained the changes made to the original plans for 1140 Broadway.*

*Mark Kurensky, Land Planner working with Morningside Group, explained some of the exterior changes to the project including building height, setbacks, sidewalks, and retail location.*

*Mark Hopkins, Architect working with Morningside Group, explained the changes to massing made on the site plan, landscaping, and possible changes to retail space.*

*Laura Stowe, 1327 Broadway Street, representing the Broadway Neighborhood Association, expressed dissatisfaction with the changes made by Morningside to the 1140 Broadway site. She commented that the project is too large for the neighborhood and does not align with the Master Plan.*

*Tom Stullberg, 1202 Traver Street, representing the Traver Street Neighborhood Association, expressed concern regarding the 1140*

*Broadway site. He commented that the project does not align with the Master Plan. He commented that there is not enough commercial space or amenities.*

*Rose Majeran, 1638 Broadway, read a letter from former City Planning Commissioner Sabre Briere. The letter explained that the massing of the project is too large, there is not enough commercial area, and general dissatisfaction with the proposed project.*

*Jordan Solano-Reed, 905 E. Cross Street, suggested that the sidewalks and paths be at least 10 feet wide to accommodate pedestrians and cyclists. He also commented on the aesthetic of the buildings, encouraging the developer to be more consistent in design. Solano-Reed also commented on the cost of renting in the proposed project, suggesting that the building be more mixed in rent prices.*

*Andrew Pieknik, 711 Argo Drive, expressed dissatisfaction with the proposed plans for 1140 Broadway Street regarding mass, retail space, and appearance.*

*Nancy Stull, 1314 Broadway Street, expressed dissatisfaction with the proposed 1140 Broadway project. Stull explained that the proposed building does not fit in with the character of the neighborhood where most buildings are brick and significantly smaller. She encouraged the Planning Commission not to settle for any development on the site and expressed that the City of Ann Arbor can do better than this development.*

*Bill Rosemurgy, 1206 Broadway Street, explained that this project does not align with the Master Plan. He explained that individuals have cars and use them for more than commuting. He expressed dissatisfaction with the proposed roundabout.*

*Andrew Strowe, 1327 Broadway Street, asked the Planning Commission not to approve the 1140 Broadway project. He expressed concerns regarding noise, pollution, and safety.*

*Ethel Potts, 1014 Elder Boulevard, explained that it appeared that the Master Plan was ignored when planning the 1140 Broadway Project.*

*Jody Tull, 1632, 1630, 1634 Broadway Street, expressed concerns regarding traffic congestion and noise, lighting, urban congestion, obstructed or diminished views, the targeted transient population, and what is currently enjoyable about the neighborhood. Tull stated that she*

*opposes the project.*

*Ken Garber, 2387 Hilldale Drive, representing the Huron Highlands Neighborhood Association, commented that the buildings proposed are too tall and too dense, and that there isn't enough retail space. He explained that the deficiencies of the project could be overlooked if the developer was offering more to benefit the community. He recommended denial or postponement of the site plan.*

*Karen Hart, 1233 Bending Road, explained her experience as a Planning Director and gave some background on the project site. Hart expressed that she was pleased with the changes made by the developer and praised their work on other projects. She explained how the new development will benefit the neighborhood.*

*Randall Jacob, 1510 Jones Drive, explained that he believes the zoning is inappropriate, and expressed dissatisfaction with the project.*

*Maris Laporter, 1303 Pear Street, explained that the neighborhood is in need of affordable owner occupied housing rather than renter occupied housing. Laporter added that more retail and office space in the development would be beneficial.*

*Nicole Eisenmann, 711 Argo Drive, explained that she walks past the development site on her way to work. She expressed satisfaction with the project modifications, however stated that she believes there should be more mixed use space, and more pleasant exteriors to the buildings to engage with the street and sidewalk. Eisenmann added that she does not recommend approval of the project.*

*Glen Heiber, 1118 Maiden Lane Court, expressed dissatisfaction with the project. He also made complaints regarding the public notice process and demanded that the process be changed to notice the public of public hearing opportunities sooner.*

*Morgan Penny, 1221 Broadway Street, expressed dissatisfaction with the eight story proposed building, and stated that the project as a whole does not fit in with the neighborhood.*

*Shannon Tatum, 1206 Broadway Street, opposed the project. She stated that her property is in the shade of the eight story building for the majority of the year, she expressed desire for additional retail space close to her home. She added that she does not believe the proposed plans fit in with*

*the historic nature of the surrounding neighborhoods.*

*Christine Crocket, 506 E. Kingsley Street, President of the Old Fourth Ward Association, described the differences between the Foundry Lofts and the 1140 Broadway project regarding the public involvement with the site plans. She expressed appreciation for the retail space existing, and requested that space for additional retail be built into the development.*

*Steve Kaplan, 406 N. Division, explained that retail space is not needed until there is the density existing that requires it. He added that this project is one of the first steps to catalyze the area into needing all the amenities that are discussed.*

*Ellen Ramsburgh, 1503 Cambridge Road, expressed her reservations about the use of a zoning change rather than a Planned Unit Development (PUD). She explained that more power is then given to the developer. Ramsburgh explained that the massing of the structure is too large for the parcel of land than it is proposed to be on. She inquired about repairs to the parking garage that is proposed to be contained inside of the apartment structure.*

*Elmer Martinez, 1137 Traver Street, agreed with the comments of previous speakers and explained the importance of recognizing the historical value of the neighborhood.*

*Cullen Leggett, 1312 Broadway Street, expressed appreciation for the changes made by Morningside. Leggett made suggestions for the placement of the proposed buildings. Leggett discussed concerns about parking and asked that the item be tabled in order to find a more satisfactory solution.*

*Anne Bannister, 612 N. Main Street, explained that the proposed project does not align with the Master Plan and that it could change the neighborhood forever. Bannister asked the planning commission adhere to the PUD and the Master Plan for this project.*

*Edward Vielmetti, 1210 Brooklyn Avenue, explained the proposed parking structure and inquired about how it will function in a northern climate. He also inquired about other aspects regarding parking including rush hour, heating of the structure, and residents having a window into the garage.*

*Ray Detter, representing the Downtown Citizen's Advisory Council,*

*explained that the old Kroger lot needs to be developed in a thoughtful way. He added that the site is in an area that connects many parts of Ann Arbor.*

*Jim Moran, 611 Long Shore Drive, explained his experience working with sustainable development. Morane added that the developer has listened to the public and has been flexible with changes to the plan. He also stated that Lowertown needs change in order to bring in the desired retail.*

*Chuck Boltman, 1009 Broadway Street, expressed support for the proposed project.*

*Chair Clein closed the Public Hearing.*

## **MAIN MOTIONS**

### **MOTION 1**

**Moved by Mills, seconded by Gibb-Randall that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 1140 Broadway Rezoning Petition to C1A/R (Campus Business Residential) district and accept the condition that the maximum building height is limited to four stories and 60 feet within 70 feet of Traver Creek and eight stories and 100 feet everywhere else in the district, subject to executing a Conditional Zoning Statement of Conditions,**

**and**

### **MOTION 2**

**Moved by Mills, seconded by Gibb-Randall that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 1140 Broadway Site Plan with Planned Project Modifications and Landscape Modifications, and Authorization of Activity in the Natural Feature Open Space, subject to granting of variances, and Development Agreement.**

## **COMMISSION DISCUSSION**

*Chair Clein explained the Masterplan and the use of it by the Planning Commission. He also provided information on the proposed 1140 Broadway project.*



*Commissioner Erica Briggs explained that she believes that a PUD makes more sense for the proposed project.*

*Commissioner Sarah Mills, asked for clarification on a PUD as it related to the proposed project.*

*Lenart explained the former use of a PUD at the proposed development site.*

*Mills inquired about the affordable housing proposed in the existing planned project compared to the affordable housing required as part of a PUD.*

*Lenart answered that he suspects the current planned project would not meet the affordable housing requirements of a PUD.*

*Mills clarified that under a PUD for this project there would be more affordable housing.*

*Lenart answered that the proposal includes 15 units that are considered affordable, and that originally the developer planned to provide 30 units that were planned to be affordable to a range of incomes.*

*Mills inquired about those requirements within a PUD.*

*Lenart answered that code defines lower income households at or below 80% of the median income in the City of Ann Arbor, which would be someone who made less than \$47,800, clarifying that the units created using a PUD would be less affordable than units created by a zoning change.*

*Commissioner Julie Weatherbee inquired about the long term effects of rezoning as compared to a PUD concerning development.*

*Lenart answered that the rezoning would stay with the site if the proposed development was never completed.*

*Commissioner Scott Trudeau discussed the plan process further, explaining benefits and drawbacks.*

*Chair Clein added that he is comfortable with the current zoning for the 1140 Broadway project.*

*Commissioner Briggs commented on the amount of public comment against the project as it relates to using a PUD as a tool for the site.*

*Mucha explained why a PUD was not chosen as a way to pursue development on 1140 Broadway, he cited their lack of success rate, the cost, and the hardships associated with it.*

*Jerry Lax, Lawyer working with Morningside, commented that the zoning of parcels can be changed by the city.*

*Commissioner Wendy Woods commented on her experience with the site, explaining that she is pleased with the proposed project. She commented that a PUD is not an easy solution to the problems that many see with this project. She also commented that the developers for this project are local.*

*Chair Clein mentioned that the top issues spoken about by citizens during the public comment period were height, density and massing, and the retail and commercial space. He also discussed the Master Plan explaining the intentions of it as well as how it functions in practice concerning the 1140 Broadway site.*

*Commissioner Gibb-Randall responded to the issue of massing, asking if a tall and slender parking structure would be more desirable than the 'Texas Donut' style of parking. She also discussed the connection between population and need for retail and commercial space.*

*Commissioner Trudeau commented that for this site, parking must be above ground. He also discussed the relationship between dense population and retail.*

*Chair Clein added that there is a 'Texas Donut' style parking structure in Lansing, Michigan. He also asked if the garage will be naturally ventilated.*

*Hopkins responded yes, and that the structure is 6.5 stories.*

*Commissioner Mills inquired about the retail expansion and the plan for phasing.*

*Mucha answered that building A would be built first, followed by building B and C, which he explained allows for more flexibility if additional retail needs to be added.*

*Mills, Clein, and Mucha further discussed the proposed retail space.*

*Commissioner Weatherbee inquired about the different needs that might arise for the proposed buildings in the future.*

*Mucha gave examples of retail, office, and residential.*

*Lenart commented that offices no greater than 8,000 square feet are permitted in the current zoning.*

*Commissioner Weatherbee commented that she has experiences with the 'Texas Donut' style parking structures and stated that they were successful in the cold northern climate of Boulder, Colorado. She also commented on the transient population in Ann Arbor stating that renters are also residents. She also inquired about the façade of the east side of the proposed building. Weatherbee also inquired about balconies and air conditioning units on the exterior of the buildings.*

*Hopkins answered that there is a combination of Juliet balconies and standard balconies. He also added that there are in unit air conditioners that will be painted to match the exterior color of the building.*

*Weatherbee inquired about the construction process related to the phasing of the project and how that will affect the neighbors.*

*Mucha explained that all rules for construction in the right of way will be followed.*

*Commissioner Gibb-Randall inquired about the parking requirements for the commercial portion of the 1140 Broadway project if more commercial space is added.*

*Lenart answered that the petitioner is meeting the parking requirements and making improvements to the right of way to create more parking. He added that if that more retail space is added, parking would be reconsidered.*

*Commissioner Gibb-Randall inquired about the number of parking spaces on the site if there was more retail and office space than is currently proposed.*

*Lenart answered that more parking would be needed if there was more*

*office or retail space.*

*Commissioner Gibb-Randall inquired about invasive species management on the 1140 Broadway site. She also asked where the property line is as it relates to the creek*

*Kurensky answered that invasive species will be managed regularly and that depending on the location, their property line extends either into the creek or across the creek.*

*Commissioner Gibb-Randall inquired about the enforcement procedure for maintaining the invasive species management and the properties near the creek, and park contribution.*

*Lennart answered explaining that performance standards would be set and that the site plan will be enforced. He added that there is potential for easement for public access, and a potential conservation easement over the creek portion of the property.*

*Mucha offered to make improvements to the existing path near the creek and property line.*

*Chair Clein inquired about methods to create a more active sidewalk area for pedestrians. He also inquired about façade materials.*

*Hopkins explained the different aspects on the façade used to create interest for pedestrians, including windows, lobby space, a pool area, storefront, and bike storage. He added that the materials for the outside of the building are planned to be cut stone.*

*Commissioner Briggs asked for clarification on building A. She also inquired about maintenance with the parking structure long term, and how the parking structure relates to the energy efficiency of the apartment building.*

*Chair Clein stated that because it is 10:59 p.m. there needs to be a motion to extend the meeting past 11:00 p.m. to continue discussion.*

**Moved by Mills, seconded by Gibb-Randall that the Planning Commission Meeting extend to 11:30 p.m.**

**VOTE ON MEETING EXTENSION:**

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

**motion carried.**

**Vote: 7-0**

*RESUMED DISCUSSION ON MAIN MOTIONS:*

*Hopkins used the rendering from the slideshow to describe the different levels in building A. He commented that the buildings need to be considered as 2 buildings. He added the maintenance is extremely low.*

*Commissioner Woods inquired about the possibility of a two lane roundabout.*

*Redinger responded that the two lane roundabout on Fuller Street and Maiden Lane is currently a planned project. She explained that roundabouts, particularly one lane roundabouts have many benefits.*

*Mills inquired about sidewalk width and pedestrian traffic.*

*Redinger answered that the existing traffic study of the area only includes the existing pedestrian traffic, and that a study with the projected pedestrian traffic has been requested.*

*Commissioner Clein inquired about bike lanes on the surrounding streets of the project.*

*Redinger answered, no.*

*The Commission further discussed the width of the sidewalk in Maiden Lane as it related to the needs of pedestrians and cyclists in the area.*

*Mucha added that the sidewalk installation would be completed in the right-of-way and explained that the power poles in that area are expensive and due to that are not in the best interested of morningside to remove them unless the City paid for it.*

**FRIENDLY AMENDMENT TO MAIN MOTIONS:**

**Moved by Woods, seconded by Trudeau that Motion 2 be conditioned upon resolution of outstanding traffic review, prior to progressing to City Council.**

**Amendment accepted.**

**VOTE ON MAIN MOTION:**

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

**Vote: 6-1**

**Yeas:** 6 - Wendy Woods, Kenneth Clein, Sarah Mills, Shannan Gibb-Randall, Scott Trudeau, and Julie Weatherbee

**Nays:** 1 - Erica Briggs

**Absent:** 2 - Alex Milshteyn, and Zachary Ackerman

**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](http://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.)

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

**12     COMMISSION PROPOSED BUSINESS**

**13     ADJOURNMENT**

**Moved by Trudeau, seconded by Mills, that the meeting be adjourned at 11:30 p.m. Unanimously passed.**

*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 Thursdays at 8:00 AM and Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website ([www.a2gov.org](http://www.a2gov.org)).*

*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.*