



City of Ann Arbor

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

Meeting Minutes City Planning Commission

Tuesday, March 1, 2011

7:00 PM Main Street County Administration Bldg - Board Room

PLEASE NOTE NEW TEMPORARY LOCATION

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. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office at 734-794-6140 (V/TDD) at least 24 hours in advance. 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 5th 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 top of 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

Chairperson Mahler called the meeting to order at 7:00 PM.

2 ROLL CALL

Planning Manager Wendy Rampson called the roll.

On a roll call, the record reflected the following members present.

Present 6 - Pratt, Mahler, Carlberg, Briggs, Westphal, and Giannola

Absent 3 - Bona, Woods, and Derezinski

3 APPROVAL OF AGENDA

A motion was made by Briggs, seconded by Pratt, that the agenda be Approved as presented. On a voice vote, the Chair declared the motion carried.

4 INTRODUCTIONS

None

5 MINUTES OF PREVIOUS MEETING

[11-0241](#)

January 4, 2011 Draft City Planning Commission Meeting Minutes

A motion was made by Carlberg, seconded by Giannola, that the Minutes be Approved by the Commission and forwarded to the City Council and should be returned by 4/4/2011. 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**a City Administration**

Rampson reported that Roger Fraser has announced he would be leaving the City to work for the State of Michigan. His last day with the City will be April 29, 2011, which will give him the opportunity to present the budget to City Council.

b City Council

None

c Planning Manager

Rampson brought the Commission's attention to the March 2011 Calendar. She said staff has yet to schedule the R4C/R2A and Master Plan Review meetings that will occur in March.

Rampson reported that the Commission will continue to meet in the current temporary location, at the County Building. Rampson said that the move back to City Hall had been delayed about a month due to flooding in the basement of City Hall.

Rampson gave a brief overview of the agenda items for next week's working session, noting that there would be a legislative update on planning statutes, retreat planning, and a presentation on the Sustainability Framework.

Rampson reported that she had provided the Commission with a draft of the Complete Streets resolution that would be going before City Council next Monday. She asked for the Commission to review the document and forward any comments to Jeff Kahan or herself before the resolution goes to City Council.

Rampson said she had learned there would be an Open House for the new North Quad Complex at the University of Michigan on March 31 from 3-6 PM.

[11-0279](#)

March Meeting Calendar 2011

Received and Filed

d Planning Commission Officers and Committees

Westphal reported that the Ordinance Revisions Committee had met with staff to review preliminary language meant to incorporate the new Downtown Design Guidelines into the site plan review process.

Mahler reported that the Library Lot Advisory Committee will meet this Thursday at 9:00 AM on the 4th floor of the Municipal Building.

7 WRITTEN COMMUNICATIONS AND PETITIONS

[11-0278](#) Various Correspondence to the Planning Commission

Received and Filed

8 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

9 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

[11-0275](#) Millcreek Townhouses Annexation and Zoning - A request to annex three parcels totaling approximately 1-acre on the East side of Stone School Road at Birch Hollow Drive into the City and zone it R3 Townhouse Dwelling Use.

215 N. Fifth Ave Site Plan for City Council Approval - A proposal to demolish an industrial structure and construct a two-story single family dwelling in the D2 [Downtown Interface] zoning district.

Packard Square Site Plan for City Council Approval - A request to demolish the existing structures and to construct a mixed-use development (230 apartments and street level retail) with 150 covered spaces and 309 at-grade parking spaces and 54 bicycle parking spaces on the 6.52 acre site at 2502 Packard Street.

Chairperson Mahler read the Public Hearing Notice as published.

- 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.)

10-1272

Jeff Kahan gave the staff report.

Noting no public speakers, Mahler declared the Public Hearing closed.

Jeff Kahan presented the staff report, noting that the Planning Commission had postponed taking action on the proposed Chapter 62 amendments at its December 7, 2010 meeting to give staff an opportunity to address Commission comments. He reviewed the brief summary of how staff proposes to address the issues raised.

Kahan stated that Jerry Hancock and Kerry Gray from Systems Planning were present to answer any questions the Commission might have.

Approved by the City Planning Commission.

A motion was made by Pratt, seconded by Giannola, that The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the text amendments to Chapter 62 (Landscaping and Screening Ordinance) pertaining to conflicting land use buffers, interior landscape islands, bioretention, and non-native invasive vegetation.

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

Motion carried unanimously. 6-0

Yeas: 6 - Evan Pratt, Eric A. Mahler, Jean Carlberg, Erica Briggs, Kirk Westphal, and Diane Giannola

Nays: 0

Absent: 3 - Bonnie Bona, Wendy Woods, and Tony Derezinski

11-0243

Sigma Phi Epsilon Fraternity Special Exception for Planning Commission Approval -
A request for Special Exception Permission to utilize the property at 730 Tappan as a
fraternity house for a maximum of 44 occupants, no external changes are proposed.
- Staff Recommendation: Approval

Mahler opened the Public Hearing at 7:31 PM.

Jon Kucera, 3711 Darby Drive, Virginia, architect for the project, spoke as a volunteer on behalf of Sigma Phi Epsilon. He explained that the existing church would be moving and the fraternity believed their proposed usage was a very appropriate adaptive re-use of an existing building. He stated that the fraternity had been searching for a permanent home and the proximity to the U of M campus, so this location was excellent as was the layout of the building. He hoped that by July 2012, they could be complete with their remodel and moved in.

Gerald Mangona, President of the local chapter of the Sigma Phi Epsilon, Michigan Alpha Alumni Association, 21641 Bedford Drive, Northville, spoke in support of Sigma Phi Epsilon and the project. He stated that this Chapter of Sigma Phi Epsilon had re-colonized in 1997 and they have demonstrated that a chapter can be successful with a no pledging, no hazing program.

Jane Cooper, 2222 Pine Grove Court, Ann Arbor, President of the Iota House Corporation Board of Delta Delta Delta, the sorority next door to the proposed project, asked the Commission to review her letter she had sent to them. She expressed that the sleeping areas of their house are on the side where the fraternity will be, and they have concerns with possible light, noise and visual access. She said she was more in support of the project than opposed but she did have concerns about their property.

Kucera responded to Cooper's concerns, stating that there are parking lot lighting standards in the City that will be followed, which he believed would be satisfactory with the neighbors. He noted that their plan shows light levels and cut-offs that should help with light not infiltrating on adjacent properties.

Kucera said the visibility issue is more elusive, since the sleeping areas are at a 45° angle from the ground level so any ground screening would have to be very high in order to be useful. He felt that they could work with the neighboring sorority to come up with practical solutions for both parties. He said that the lower level of the building is half below grade which helps segregate noise as well as visibility from neighboring properties. He referred to two letters of support for their project.

Noting no further public speakers, Mahler closed the Public Hearing at 7:42 PM.

Jeff Kahan presented the staff report.

COMMISSION DISCUSSION:

Carlberg asked Kucera where their proposed sleeping quarters would be located, noting that she didn't see any windows facing north on the plan. She asked if they would be adding windows.

Kucera responded that the educational wing has window walls on the east and west on both levels and those rooms would be used for sleeping rooms. He said that there would only be one new window added on the upper level on the north side.

Carlberg asked how much car activity is anticipated in the evenings, since the car lights would shine directly into the neighboring property, noting that there was only a chain link fence separating their buildings.

Kucera answered that he didn't believe there would be more cars than there currently are with the church using the facility.

Mangona stated that at their current location they have four cars that use the six- car parking lot. He said that most of their students live within walking distance to their social events so he didn't expect more than 17 cars to use the parking lot in any given day, which is the parking capacity for this property.

Carlberg asked that they consider installing a wooden fence on their property that would screen the car lights from the neighboring property unless the neighbors don't consider it a nuisance.

Carlberg also asked that the petitioner be careful to make sure that their light source in the parking lot be blocked to prevent spillover into the neighboring buildings.

Kucera said that the City of Ann Arbor's light level standards address levels of intrusion to adjacent properties. He asked if the Commission was asking them to provide more than the required standards.

Carlberg stated that the City's light level standards didn't mean that there would be no light intrusion to neighboring properties, rather that it would be very low, and given the closeness of the neighboring building to their parking lot. She said they should take a careful look at where the light is being directed so not to cause a nuisance to the neighbors. She suggested that they work with their neighbors in finding lighting that works for both of them.

Pratt said that there are certain light fixtures, like wall-mounted fixtures, that point light to adjacent properties and he hoped that they would think about these issues when choosing fixtures for the parking lot.

Kucera said they were more than willing to work with the sorority on both the fencing and the lighting and asked the Commission to allow them to reach a solution rather than make the items a part of stipulations or contingent conditions.

Westphal asked for a definition of a resident manager and their role in the fraternity.

Mangona said that their board is still deliberating and discussing the definition of the resident manager. He said that the project would be costing them around \$ 3 million and that the resident manager will be managing a considerable asset for the fraternity.

Rampson explained that the current zoning ordinance doesn't define " resident manager." She said that they accept someone who lives on the premises and is responsible for the management of the building and is a contact person for the fraternity. Rampson said it could be a student or a graduate student, if they were responsible for the operation of the house and are accountable if any issues should go awry.

Mangona said that he could confirm that it would not be an undergraduate student.

Briggs asked if the mentioned surface water issues in Cooper's letter had been addressed.

Kucera said that during the several months of working with the City on this site, there hadn't been any mention of drainage issues, and he believed that if there were any

issues they could be resolved during construction on site. He said that it would be helpful to hear from Cooper of specific issues.

Cooper stated that the drainage issue had been raised by Jan Culbertson, who is on their board and is an architect. She said that she believed that Culbertson wanted to make sure that nothing new that was done on the neighboring site would exacerbate the problems that already exist on their property. Cooper suggested that they work with Culbertson who is familiar with the problems that have always existed on their site.

Kucera said that the comments might have arisen from speculation that there would be additional construction on the site, which isn't the plan, with exception of bicycle parking. He said that if there are surface water and drainage issues, they would be delighted to address those during the construction phase.

A motion was made by Carlberg, seconded by Pratt, that The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards contained in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), and, therefore, approves the Sigma Phi Epsilon Special Exception Use for a fraternity with not more than 44 occupants, subject to the combination of parcels.

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

Motion carried unanimously. 6-0

Yeas: 6 - Evan Pratt, Eric A. Mahler, Jean Carlberg, Erica Briggs, Kirk Westphal, and Diane Giannola

Nays: 0

Absent: 3 - Bonnie Bona, Wendy Woods, and Tony Derezinski

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

None

12 COMMISSION PROPOSED BUSINESS

Briggs suggested that the Commission review and discuss the Complete Streets Resolution at their Working Session in April, since she felt that Ann Arbor needs to work harder at being a leader and moving to the next level with the Complete Streets issue.

Rampson asked if there were any other Commissioners that wished to attend the Complete Streets Training Workshop or the Transportation Summit.

13 ADJOURNMENT

Meeting was unanimously adjourned at 8:00 PM.

**Eric Mahler, Chair
mg**

