



# 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)

---

Wednesday, January 21, 2015

7:00 PM

City Hall, 301 E. Huron St., 2nd Fl.

---

Commission public meetings are held the first and third Tuesday of each month. Both of these meetings provide opportunities for the public to address the Commission. Persons with disabilities are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: [cityclerk@a2gov.org](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**

*Chair Woods called the meeting to order at 7:02 p.m.*

#### **2** **ROLL CALL**

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

**Absent** 3 - Adenekan, Mills, and Bona

#### **3** **INTRODUCTIONS**

*Chair Woods welcomed the new Planning Commissioner, Alex Milshteyn, and asked him to introduce himself.*

*Milshteyn said that he is not new to public service, explaining that he currently serves as the Chair of the Zoning Board of Appeals and has served on the Sign Board of Appeals and the Building Board of Appeals in the past.*

*Briere acknowledged the contributions of Ethel Potts, former Planning Commissioner, who is turning 90 this week. She thanked Ms. Potts for her service.*

#### **4** **APPROVAL OF AGENDA**

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

**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**

*Briere reported that there were no Planning Commission items at the previous night's Council meeting. She noted there was a lengthy discussion about homelessness, which led to more off-camera discussion about accessory dwelling units and opening up neighborhoods for diverse housing options.*

**6-b Planning Manager**

*Rampson noted that she had no additional information to share.*

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

*Peters updated the Commission on recent discussion at the DDA Partnerships Committee. He said they heard the presentation from the Washtenaw County Office of Planning and Economic Development related to the Affordable Housing Needs Assessment. He said there was a lively discussion about the steps we can take locally and regionally to address housing demand and supply issues. He said the DDA might look at prioritizing affordable housing in its grant making choices and will let the Commission know more as it sorts itself out.*

*Clein said last week's joint working session with Council was very productive. He said he hopes there will be opportunities to have more frequent conversations with City Council.*

**6-d Written Communications and Petitions**

**15-0062** Various Correspondences to the City Planning Commission

**Received and Filed**

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

*None.*

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

**15-0063** Public Hearings Scheduled for the February 3, 2015 City Planning Commission Meeting

*Chair Woods read the public hearing notice as published.*

**Received and Filed**

**9 UNFINISHED BUSINESS**

**9-a 15-0064** Flagstar Bank Branch Bank Site Plan and Special Exception Use for Drive-Thru Facility - A proposal to develop a 1 acre parcel of the existing hotel site located at 3600 Plymouth Road and construct a 3,000 square feet bank with a drive thru facility with 16 parking spaces. Special Exception Use is required for the drive thru. (Ward 2) Staff Recommendation: Postponement

*Chris Cheng presented the staff report.*

***PUBLIC HEARING:***

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

**Moved by Briere, seconded by Peters, that the Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Sections 5:10.12(3)(c) and 5:104 (Special Exceptions), and, therefore, approves the Flagstar Bank Special Exception Use for a three-lane drive-thru financial facility; and**

**The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Flagstar Bank Site Plan, subject to Zoning Board of Appeals approval of a variance for the drive-thru location, and subject to completion of the following prior to issuance of any permits for construction of the new building: 1) approval of an administrative amendment to the parent site plan, 2) recording of an ingress/egress easement along the existing drive from Plymouth Road, 3) and recording of cross parking easements.**

*COMMISSION DISCUSSION:*

*Briere asked if the exiting driveway will remain right turn only onto Plymouth Road.*

*Cheng said yes.*

*Briere said this is an issue that she hears about from many people. She asked for a definition of a "cross parking easement."*

*Cheng said this is an easement that allows people to park their cars on each other's sites.*

*Briere asked to see the street frontage image from Plymouth Road. She noted there are significant trees in this area. She asked if any of the trees adjacent to Plymouth Road would be removed.*

*Cheng said the street trees in the right-of-way will remain. He showed one landmark tree on the interior of the site that is proposed to be removed with mitigation of additional trees to be planted on the site due to that loss.*

*Clein asked about the reason to keep the drive connection between the two parking area.*

*Cheng reviewed the site plan with the Commission, showing that as traffic is exiting the site, it is a restricted right turn only onto Plymouth Road, going eastbound. He said there is an island that will prevent people from taking a left turn onto the driveway, noting that traffic will still probably try to make an illegal turn anyway, so the drive connection will allow for less traffic conflicts.*

*Milshteyn asked if traffic can turn left onto Green Road.*

*Cheng said he believed they can turn left and right.*

*Milshteyn said his concern is about the flow and how traffic will be able to exit out onto Green Road.*

*Cynthia Redinger, Traffic Engineer for the City, said she agreed with Milshteyn that there were times when the area got packed and said the issue had been addressed in the traffic impact study. She said the fortunate situation for this site is the fact that there are multiple points of ingress and egress throughout the site.*

*Peters noted he was not in attendance at the earlier meeting when the*

*item was discussed. He asked about the location of drive-thru bays.*

*Cheng said the matter had not really been discussed, but noted the drive-thru needs Special Exception Use approval from the Planning Commission as well as a variance from the Zoning Board of Appeals because the exit ramp from US23 is considered a frontage.*

*Peters noted there is landscape screening along the ramp.*

*Woods noted that staff recommended postponement.*

*Mike Boggio, 30100 Telegraph Road, Suite 216, Bingham Farms, MI, architect for the petitioner, said the last change came up today, and they are working through coordinating with City staff and what the City feels is best. He said they would appreciate coming back to the Commission for the February 17th meeting. He explained that the driveways that connect to the Holiday Inn site were specifically asked by the Planning Commission to be removed, which they have done; however, Planning is now recommending that they be put back in, which they have no problem doing, since they feel it is a good layout and will help with the flow of traffic. He said they are looking for a positive reaction at the next meeting, unless the Commission feels differently tonight, they would appreciate knowing that, so they can positively work through the matter.*

*Peters clarified that staff is asking for postponement.*

*Cheng said yes. He explained that the changes were made, but the City Forrester noted that the landmark tree could be saved with re-working the plans and removing the aisle connection. Cheng said it seems like a good solution for everyone and the item can come back when the revisions have been made.*

*Franciscus asked for clarification about the site plan configuration being shown.*

*Cheng said the Commission was seeing the first configuration that originally came before the Commission.*

*Franciscus asked if this same configuration would be coming back before them.*

*Cheng said partially, with the exception of removing some impervious surface.*

*Briere said the original plan had one exit and entrance driveway, she asked why there were now two.*

*Cheng described the proposed changes on the site plan.*

*Briere asked about traffic flow throughout the site.*

*Cheng said there will be two entry and exit points to the site.*

*Briere asked how internal traffic will be directed on site, noting that the internal loop crosses itself.*

*Cheng said there would be additional signage on site directing traffic and he was not sure there would be a lot of conflicts, given the traffic signs.*

*Redinger said she hasn't analyzed the proposed plan yet, but believed the low traffic volumes would unlikely warrant traffic control such as a stop sign at that location.*

*Briere said she wondered whether they needed two entrances and two exits for this site, noting that if they had a single route, such as keeping the lower entrance and closing the upper one, they might not have any conflicts. She asked why that was not the preferred option.*

*Woods said she believed the mentioned portion was on the adjacent property.*

*Cheng agreed, adding that the bank may want their own means of ingress/egress, and he would have to discuss the matter further with the petitioner, to move in that direction.*

*Briere said she was not eager to close that entrance/exit, and was just asking questions.*

*Clein said another aspect is that if the northern entrance were to be closed off traffic would be directed along parking aisles with cars going behind parking spaces with a higher risk for accidents with cars pulling out. He didn't disagree that people will need to be careful at the internal intersection.*

*Clein asked if the landmark tree could be relocated.*

*Cheng said they had not considered relocation but with the newly proposed revisions, they would be able to save the landmark tree.*

*Clein said, in a perfect world, it would be optimal just to have one loop, but given the situation of the site he felt the newly proposed revisions that the petitioner will bring back before the Commission is an appropriate compromise and one he can support.*

**Moved by Peters, seconded by Milshteyn, that the petition be postponed until revisions are made to address staff comments. On a voice vote, the Chair declared the motion carried.**

**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.)

- 10-a 15-0065** South Pond Village Site Condominium Site Plan and Wetland Use Permit - A proposal to develop 73 single-family site condominium lots on this 46.5 acre parcel, located at 3850 East Huron River Drive, zoned R1B (Single-Family Dwelling District). The site will contain private streets and be accessed from Algebe Way with a new public street connection to Chalmers Drive, to be constructed in an undeveloped right-of-way south of Woodcreek Condominiums. (Ward 2) Staff Recommendation: Postponement

*Matt Kowalski presented the staff report.*

**PUBLIC HEARING:**

*Michael Homel, 3473 Wooddale Court, Ann Arbor, Secretary of Woodcreek Area Homeowner Association, introduced the association's board members. He said they ask that the City Planning Commission not approve the project as currently configured, given Chalmers access is problematic. He said most critical is that it is difficult to exit Chalmers onto Washtenaw Avenue throughout most of the day and there is not likely to be a traffic signal installed. He said they are playing chicken if they want to turn left to go east towards US 23. He said staff data shows 9 crashes, but there are many near misses, and even though the impact on Washtenaw will be minimal, the impact on Chalmers will be worse, since it is already difficult. He said adding 73 homes and 150 cars will make it more difficult. He noted traffic engineer's comments, and said*

*they believe there should be another route. He said another issue is the unpaved nature of Chalmers, which is often in terrible condition. He said to the credit of the developer, they have agreed to pave it; however, his understanding is that neighbors of Chalmers could veto the paving. He said for the future, they would like to see a different site plan.*

*Jim Bardwell, 830 N. University Drive, Ann Arbor, volunteer park steward at the South Pond Preserve, author of a petition that is opposed to the development said the primary reason they are opposed to the development is run-off that will impact the wetland and South Pond itself. He said this site is habitat for the only animal in Ann Arbor's parklands to be classified as "critically impaired"; the Dukes' skipper butterfly. He said run-off will go into a holding pond, adding that such ponds are very good for holding sediment but not so good for holding nutrients, as well as pesticides and herbicides. He said he had included a letter from Barb Barton in his communications, and said they desire the pond to be more activated, rather than passive, and more aerated. He said in their review, Natural Area and Preservation [NAP] had requested the developer to identify the critical habitat, which they have failed to do. He said unfortunately the habitat area is not clearly delineated by anyone so while they know where the species was spotted, it is not known where its habitat is and if the proposed development will impact the habitat of the Dukes' skipper butterfly. He said the developer has also not responded to a letter from Lori Sargent, Endangered Species Specialist, Wildlife Division, Department of Natural Resources [DNR] in regards to any impact of the development on the butterfly. He said the lack of response is probably due to the lack of knowing the exact habitat of the butterfly. He said he would like to do a survey of the habitat and he would like for land that is outside of the construction fences to be donated to the City's parkland as well as active treatment of the holding land and a redo of the traffic study.*

*Richard Mazzari, 1615 Meadowside Drive, Ann Arbor, in the Meadowcreek subdivision, had concerns for the safety of children in the neighborhood. He said the streets in their subdivision were not designed for two-way traffic, and with cars parked on either side of the street, and numerous speeding violations going through the subdivision and the Algebe Way stub being too narrow, and if children are going to the park it won't work. He said they are a young subdivision with numerous children running around and the children's lives would be put in jeopardy. He said they propose that the stub only be maintained for emergency vehicles and not as a through street. He said he doesn't see why his subdivision has to get more traffic through their neighborhood, given that they have no traffic enforcement currently for the speeding and with numerous complaints from the residents on the speeding problem. He said they have had numerous accidents at the entryway to*



*the subdivision.*

*Jenny Allan, 1485 Chalmers Drive, Ann Arbor, said she is a member of the Woodcreek Homeowner Association. She said she appreciates the proposed park shown on the site plan, and from her understanding it was built for servicing South Pond, but will also service Woodcreek and the Chalmers residents and should therefore be at least 2 acres. She said she wanted to address the condition of Chalmers, where she lives and looks out on it everyday and helps people out of ditches every other week, noting that it is an unsafe road. She said it is a tempting cut-through that is parallel to Huron Parkway and US 23. She said neighbors lost their mailbox the other day and they also have traffic from Jimmy Johns who doesn't have a slogan that they are freaky safe. She said she has two small children that can't let play in their front yard because of the traffic situation and added traffic will only exacerbate the situation. She said last year there was a fatality at Chalmers and Huron River Drive when a car hit a bike.*

*Noreen Aziz, 1829 Meadowside Drive, Ann Arbor, said she has three children and they are starting to see some crime in the neighborhood and she has concerns that they will see more crime when people realize they are back there. She said she would like to see the addition of a wall alongside the trees and the best idea would be to have a different access point. She said they moved there last June and Chalmers has only gotten worse and needs to be paved, since it is in the City but still has a township feel. She said she uses the road a lot driving her kids to different schools and expressed that the street is too dangerous to have only one access point. She liked the proposed park but felt with the taxes they pay in Ann Arbor, they don't have the feel of a City.*

*Brad Cardinale, professor of Natural Resources at the University of Michigan, said he doesn't live anywhere nearby this development but has spent the last 25 years of his life studying streams, ponds and wetlands. He said storm retention ponds like this one, will overtime, become a cesspool, because they are there to collect all of the accumulated run-off with oils, pesticides and herbicides and will overtime accumulate sediment, nutrients and invasive species. He said in his scientific opinion, it's a bit concerning when you take such a big development and pond and stick it right up next to what you call high quality habitat with green space that a lot of people like to recreate in. He said he guarantees that overtime the pond will become a source of degrading that high quality habitat and at the very least the storm water pond needs some serious reconsideration in how it runs and operates.*

*Kristine Bolhuis, 4099 E. Huron River service drive, Ann Arbor, president of the Thoroaks Neighborhood Association, brought concerns with the*

condition of Huron River Drive. She said there was a marked decay of the surface of that road after last year's harsh winter and with the topography and blind curves of that road, with portions of the road sloping toward South Pond, she urged the Planning Commission to study this road given the proposed added traffic from new development in the area. She said people will avoid exiting onto Washtenaw Avenue and will instead go to Huron River Drive, which has no sidewalk or shoulder or bike path and cars go rather fast considering the conditions of the road. She also brought concerns over the proposed retention pond, noting that when they attended the Question & Answer session with the developer, they asked who would be responsible for overseeing and maintaining the pond. She said at that session the developer stated that the residents of South Pond Village would be responsible. She questioned if that was a wise decision and if a neighborhood association would be knowledgeable about how to manage water and drainage issues and asked the Commission to take that into consideration. She also said they have concerns with the possible use of fertilizers that could drain into the pond as well. She urged the Commission to think carefully about how this parcel is developed, realizing that it is a precious parcel within Ann Arbor's highway ring.

Ethel Potts, 1014 Elder Blvd, Ann Arbor, said this is a very important natural area for the City. She said most of the site plan pages were not in the Commission packet but could be found on-line. She said with help, she found pages with lots of important information. She said she was sure that the Washtenaw County Water Resource Commission was studying the relationship between the outlet of Mallett's Creek and the wetland, noting that there was also a floodplain in this area. She said these things have the possibility of conflicting and asked if the two water bodies will drain each other or if there would be a barrier so they cannot relate to each other. She felt that the wetland should be split off into an area that is not part of this development and to improve the quality and quantity of the water they would thereby be improving the health of South Pond. She said the proposed Alternative A. plan seemed to move construction away from the steep slope, which was good, but it would extend the houses along highway US23 that seemed to cut more into the natural features, which was not good. She said she hoped that the Commission realized the difficulty of entering Washtenaw Avenue from Chalmers as well as entering Chalmers and the impossibility of turning left onto Washtenaw Avenue when entering as well as turning right.

Amir Mortazawi, 1710 Woodcreek Blvd, Ann Arbor, asked if the traffic on Washtenaw had become bad overnight. He said no, unfortunately most of the traffic is incremental impact on traffic introduced which marginalized the safety and wellbeing of the residents in the area that is not addressed in the area. He said there is no direct correlation between

*the wellbeing of residents and incremental traffic increase. He asked if we double the traffic on Washtenaw is the wellbeing of everybody reduced by half; he said, no, the whole thing is going to collapse. He said these types of studies are flawed so therefore ultimately at the end, it's you, your moral compass and judgment that is there to provide safety for us, for our children, and protect us from unfortunately unquenchable thirst for making more money off developers. He asked the Commission to please vote against the planned subdivision.*

*James Murray, 1879 Meadowside Drive, Ann Arbor, said he has lived there for four years and the traffic has gotten worse. He said it can be challenging to get out of the subdivision and hopes that the Commission would take the time to visit the site during busier times to try to get in and out. He said he considers himself an experienced driver and it's difficult for him and he sees the younger less experienced drivers struggling with the difficult traffic situation. He said there are nine driveways between Paesanos and Huron Parkway, and it's just too busy, and he sees people getting agitated and they get blocked in. He said he attended a presentation by Mayor Heiftje where he convinced the voters of Ann Arbor for the creation of a green zone. He said in that presentation the former Mayor had said that Ann Arbor needs to attract some of the brightest employable people for the University of Michigan and some of the companies here and in order to do that we need to keep the City beautiful. He said we are losing some of these beautiful areas in Ann Arbor, like the area of South Pond that we need to keep and preserve.*

*Raman Ranganathan, 1635 Meadowside Drive, Ann Arbor, said he has lived there for the past 15 years, and he drives to Dearborn. He said starting 6:30 am until 8:30 am it is impossible to get onto Washtenaw Avenue and turn left when getting out, and what will happen is that there will be more traffic added that will cause traffic to be backed up onto Chalmers. He said they can already hear road noise from US 23 and the small plantings will not protect them from noise. He said what they will be getting is a better park area that they hope will protect them better.*

*Robert Lindsay, 1305 Chalmers, Ann Arbor, said the major problem is traffic. He said several years ago, he and his neighbors spent lots of time trying to get changes to the Woodcreek plan and those changes resulted in that the traffic situation is marginally acceptable but the proposed development plan would make it totally unacceptable. He said one thing they achieved is the right-of-way reserved along Arborland to allow the traffic from Woodcreek to connect to Washtenaw Avenue where Pittsfield Avenue intersects where there is already a traffic light. He said you can't put a traffic light 50 feet away from there at Chalmers. He said if this right-of-way is still available, he suggested that the only way to solve the traffic problem would be to develop that entrance and allow all*

*the traffic on Chalmers to use that connector to access Washtenaw Avenue. He said this suggestion would not solve the problem of the traffic going through the Woodcreek subdivision but it would provide a safe and usable exit onto Washtenaw Avenue from these three areas.*

*Nina Homel, 3473 Wooddale Court, Ann Arbor, said she agreed with many comments mentioned. She said she felt she had a partial solution for the problem of turning onto Washtenaw from Chalmers; if people were not permitted to turn right at the Pittsfield intersection, on a red light, it would allow for a greater gap in traffic flow, which would allow them to turn onto Washtenaw.*

*Nancy Kaplan, 3065 Hunting Valley Drive, Ann Arbor, read a statement from a group of citizens who propose a unique concept for the park system of Ann Arbor: South Geddes Pond Art Park group. She offered her full support for the permanent preservation of all of South Pond wetlands drain basin as a nature area and wildlife sanctuary. She said they propose to compliment these worthy goals with an art park as presented to the Commission in their packet. She said such a park would include input from well-credentialed supporters while providing sustainable protection of the park's ecosystem. She said their mission is to protect and preserve one of Ann Arbor's last endangered woodlands that would provide the greater area of Ann Arbor an opportunity to interact with nature and art. She asked the Commission to respectfully consider the opportunity and the potential for creative enjoyment of this land. She said please think beyond another ordinary use; Think big, nature and art, the beautiful potential and importance of this land. She said you have the opportunity to make a historic difference with this piece of land, please do so!*

*Shirley White-Black, 3595 East Huron River Drive, Ann Arbor, said her backyard is on South Pond. She asked the Commission to focus on the site that they are hoping to protect, envisioning a walk north to the Huron River from the eastern edge of Arborland. She said she steps into a field just waiting to be an outdoor Exploratorium; an art park, where artists use their ideas to create a garden sculpture, installations, and trails as in Central Park. She said she envisioned sculptures scattered among the trees as the land begins to descend, as in Legacy Sculpture Park near Traverse City, or the Skokie Art Park in Illinois or a children's outdoor garden such as Matthei. She continued reading from a written statement what her she envisioned for this parcel of land and South Pond, noting that it included NAP's new headquarters and outdoor classrooms. She said on the pond's north shores, she envisioned NAP conducting burns to protect species on the peninsula. She said in the winter she can walk the frozen parcel under a wide open sky, all the time while the Huron is flowing, protected by natural connection to the*

wetlands. She said she thinks we must keep these 100 acres, given the potential is vast and destruction is permanent. She quoted lyrics from a Joni Mitchell song, "They paved paradise, put up a parking lot, took all the trees and put them in a museum... you don't know what you've got until it's gone".

Myra Larson, 3575 East Huron River Drive, Ann Arbor, thanked the Commission for their service to the City, she read from a written statement, noting that there have been many changes since 3850 Huron River Drive came before them. She spoke of the need for sustainability in the 21st century, noting that Ann Arbor values green space and open space and that we tax ourselves for the greenbelt millage. She said per published reports that Greenbelt fund currently has \$4.7 million so they could buy this parcel for an art park, similar to the NAP headquarters across the street. She said an Art Park would be an added attraction that beautifies the area with no added impervious surface, and the entrance to the Art Park could be designed off of Arborland. She said the iconic A could signal the way to the Art Park, noting that using this 48 acres for an art park would honor sustainability and the arts.

Harvey Kaplan, 3065 Hunting Valley Drive, Ann Arbor, said he was speaking in opposition to the development of this land and in support to protecting it as a wildlife sanctuary. He said he was also speaking about the unique opportunity for a South Geddes Pond Art Park to protect the city from an environmentally destructive proposal. He said this art park initiative is affordable and consistent with tax payer funding through the greenbelt millage and has the potential of having a positive economic impact on the city. He said after three unsuccessful attempts to develop this land, he couldn't understand why an environmentally protective and economically sound proposal has not been given the priority it deserves.

Stacy Printon, 2311 Lancashire Drive, Ann Arbor, said she is concerned about this type of development in this part of town. She said she came to support residents that have come together in beautiful way to present all sorts of initiatives. She noted that one of the speakers talked about attracting people to Ann Arbor, noting that communities who are successful in attracting people are those who save and protect their valued natural resources such as Marin County, CA. She said she was speaking with experience having a degree in Landscaping from the School of Natural Resources, adding that she felt it was important for the Council to consider a creative plan for northeast Ann Arbor.

Meng Tan, 1595 Meadowside Dr, Ann Arbor, said he has to exit on Chalmers and make a left turn on Washtenaw and then he has a very short commute to get to work, but for the last year it has been almost impossible to turn left onto Washtenaw. He said he has been taking the

*alternative route to Huron River Drive which can be dangerous and the road is in bad condition. He said he would like to challenge the Commission to come to Woodcreek and try to turn left onto Washtenaw, they will then understand what the residents have to go through five days a week.*

*Michael Klement, 1029 Chestnut, Ann Arbor, said he does not live anywhere near by this proposed development, but he has friends who do. He said he was shocked to learn that after three failed attempts, they are still giving it a try. He said Ann Arbor purports itself to be a progressive, green town, but if there is even a remote chance of there being an endangered species on this site, what does that say about this town and its decision makers. He encouraged the Commission to consider the proposal to a greater extent and to put the South Pond proposal behind them.*

*Meg Brown, 8 Geddes Heights Drive, Ann Arbor, said she does not live nearby. She said when she heard about the idea of an art park she thought it was like pie in the sky. She said something like Grand Rapid's Art Walk shows could work for Ann Arbor and bring in lots of people. She said if they can put together art along with environment protection and saving the Huron River from more destruction she felt it was a no-brainer.*

*Tom Covert, Midwestern Consulting, 3815 Plaza Drive, Ann Arbor, representing the petitioner, said they have gone through four iterations for the project, holding multiple meetings with stakeholders about the concept and stakeholders, City staff, Washtenaw County Water Resources Commissioner, Woodcreek Homeowners Association, Malletts Creek, Mr. Bardswell, Department of Natural Resources [DNR] representatives, and in citizen meetings. He said they submitted the site plan, gained input from those concerned. He said the plan before the Commission is a culmination of many dialogs and competing interests in their parcel, noting that the project is a single-family 73-unit proposal with the average lot size being 11,300 square feet. He said they did listen to comments about the northern site and that is why they are proposing to split it off and work towards pursuing some other goals on that site. He said this would preserve the wetlands and the adjacent upland, which they understand would be the preferred habitat of the Duke Skipper butterfly. He said that would also allow for the contiguous nature preservation areas and access to those. He said access to the proposed development site would be from Chalmers through a road they would create as well as using Algebe Way access. He said they have both active and passive extensive open space; 19 acres being in open space and 30% of the site being in active open space. He said they have a one acre park in the center that is close to the intersection of the road,*

*as well as 2 miles of sidewalks and paths to be enjoyed by the public. He said utility connections are available adjacent to the site, and they will be treating water for quality and quantity. He said they would anticipate that they would become a drainage district, similar to what Woodcreek has, where property owners are responsible, but can be assessed by WCWRC if they don't maintain the site. He said they have listened to concerns and added landscaping along the roadway. He said they removed two lots along Huron River Drive, which was a concern to neighbors adding that they continue to be interested in paving Chalmers Drive and their goal is to continue to participate in dialog and provide answers to questions.*

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

#### COMMISSION BREAK

**Moved by Briere, seconded by Clein, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the South Pond Village Site Plan and Development Agreement, subject to preliminary plan approval by the Washtenaw County Water Resources Commissioner.**

#### COMMISSION DISCUSSION:

*Briere said many comments received by the Commission dealt with the detention pond and whether it would become an environmental negative at some point in the future. She asked if it is possible to require that the pond be aerated and routinely cleaned and the residents not be allowed to use certain chemicals in the development.*

*Kowalski said that restrictions on limiting the use of fertilizers, etc, could be added to the development agreement and homeowner restrictions. He said as for aeration of the pond, it would be up to the WCWRC but if they agreed to it, the City could include that into the development agreement as well.*

*Briere said she was concerned because of the proximity to Malletts Creek, noting in past there have been problems with algae blooms in South Pond and she would not like to see that happen.*

*Briere said she was also concerned about the new street "Clark Road" and that it seems that there will be lots of outlets onto Chalmers in a narrow area. She asked if this was the best possible design for this type of subdivision or if there were other opportunity to connect to Chalmers at other locations. She said good design would not have each subdivision ending in an islands with cul-de-sacs, and while she is not in*

*favor of creating convoluted traffic patterns, she was asking if they would be creating another problem and if there was an another alternative.*

*Kowalski said there is not much alternative to go north with the steep slopes, which leaves the existing City right-of-way that borders Arborland. He said this option would be the best, most viable option available to them.*

*Briere asked for clarification about connections in the area.*

*Rampson explained that at the same time that the Woodcreek study was done, the City acquired the east-west right-of-way, as well as a 50 foot portion along the west edge of Arborland, which goes all the way down to Pittsfield Road. She noted that the latter would be too narrow for two-way traffic and would be in the back of a shopping center. She said currently that area is used as a service drive but the City has retained it for the ability of connection purposes in the future.*

*Woods suggested that perhaps these connectors and how they would actually work could be raised in further discussion if the item is postponed.*

*Clein asked if there were studies for how the Pittsfield intersection with a traffic light could help with traffic flow, or if elimination of the right turn on red from Arborland could help create a gap in traffic. He said it would seem that the added cars from the proposed development wouldn't be catastrophic but certainly add to the incremental change, and it seems like it probably won't make it much better. He said he would like for the option to be looked at if it hasn't already been looked at, adding that the access to site seems to be a little strained, and he wondered about it from a development aspect. He said when looking at the environmental side of the site, the steep slopes and natural features, he commended the developer with the layout that does a reasonable job of respecting the natural areas, even while there are some wetlands and woodlands being impacted. He asked for the description of the basin, as to approximate size and depth.*

*Covert said the detention basin has a 1 to 5 slope, meeting the WCWRC standards, and would not require a fence or barrier. He showed on the site plan that from Pondview Drive, it begins to slope back to the front of the house and then down to the detention pond. He said there would be a flat perimeter for access to the pond and the pond would be vegetated and seeded in its natural fashion. He said the pond is designed not to hold water and would be a dry pond, except in storm events, the water would back up and 2-3 days later it would release the water. He showed on the site plan where water would outlet to a sediment fore-bay before*



*out letting and being released.*

*Clein asked if the flow is mostly underground.*

*Covert said yes, and that the WCWRC commended them for their design noting that it is easier to maintain in single-family developments.*

*Clein asked if lawn is seeded/sod.*

*Covert said yes, it would be seeded and then up to the owner what they would like.*

*Clein asked about the proposed sizes of the homes and number of bedrooms.*

*Bob Halsey, Pulte Homes, 100 Bloomfield Hills Parkway, Bloomfield Hills, MI said they have conducted focus groups with Ann Arbor realtors to test appropriate product line-up, which resulted in homes ranging from 2,800-3,500 square feet, intended for families, similar to the Woodcreek residences. He shared the results of the focus groups noting that the realtors are excited to have new construction within the City, and that they realize the traffic is a result of the urban environment and they understand that traffic is a concern. He said the realtors in reviewing the specific plans, found they were very conducive to the way families live today, compared to outdated housing stock available right now [realtor's words]. He said the pricing in the \$400,000 range, principally colonial plans with 4.5 bedrooms and 2.5 bathrooms with open kitchen great-rooms, first floor libraries, essentially, is what people are looking for today.*

*Clein asked about the footprints which are preliminary and what the plan would represent*

*Halsey said the footprints on the plan are designed to accommodate the largest plan. He said they typically offer half a dozen plans to allow the people to chose and let the market take its course. He said they have their own monotony rule and don't allow people to build the same colors or elevations within a few houses of each other, adding that they have a vested interest in the community looking good as well.*

*Clein asked about issues with access in and out of the development.*

*Halsey said realtors were shown the specific site plan before the Commission, and their feedback was that it is an acceptable entry way to live within Ann Arbor in a new home, which is something that they cannot offer today.*

*Franciscus said in the last meeting with City Council, in looking at the vision for Ann Arbor and how we can accommodate the stressors that we have in coming into the City and developing today, she asked how the City can accommodate low income housing within a development such as the one being proposed. She asked if this has been looked at and in moving forward what opportunities exist.*

*Kowalski said staff did not bring up the request to provide low income housing on this site.*

*Franciscus said the developer did a great job of designing around the constraints, but she had concerns about access and how residents in the area might be able to find a better way to safely travel to and from their homes. She asked about the proposed connection from the new subdivision to the established subdivision and was curious to know and understand how this would affect residents and children and their safety in the area.*

*Redinger said as a traffic engineer, she likes to see cross access, as it is important to have connections between neighbors so people are not forced to drive out of the way. She said she sees this particular connection of Algebe Way getting some use but she doesn't foresee it getting lots of use, because the path of least resistance for the homeowners would be to come down and come across the straight route which has no conflict point and side friction. She said the benefits will outweigh the concerns with having interconnected neighborhoods.*

*Franciscus asked about the more direct path, going south and if it was conceivable that it would get backed up during rush hour, which would encourage people to go the other way.*

*Redinger said a revised traffic impact study has been submitted, and she will check and verify.*

*Briere said if it is anticipated that Algebe Way would be rarely used, why wouldn't it be used as an emergency route or reduced to a pedestrian and bike path only. She said she had concerns that people will be car dependent, when they are so physically close to a destination they shouldn't be encouraged to getting in the car to pick up kids. She said the park should be the destination for most children wandering in the area and she was not seeing a routine regular need for the connector and wondered if there wasn't a better design.*

*Redinger said good neighborhood design includes interconnectedness of all modes, and it is always good to have more than one access point*

*into a neighborhood and to have the opportunity to provide multiple access points. She said it is always a good thing to have more than one way to get people in and out of neighborhoods, especially during future road construction.*

*Franciscus said she agreed with Briere that Algebe Way access would connect to the parks and would be great for kids to enjoy the thoroughway, without the interference of vehicles, given that it would not be the same with feel and ease with cars sharing the road. She said she understands that they want two different entry ways into the subdivision but she had concerns about the access and pedestrians and kids playing.*

*Clein said he agreed with the traffic engineer, noting that he understands that neighbors are concerned about new traffic near their homes but from the perspective of the number of homes and type of development, one would not anticipate huge amounts of traffic. He said he could see this connector as a benefit for children in each neighborhood and to force them to go all the way around during wintery months would be difficult. He said the real traffic issue is the access to Washtenaw Avenue and he would like consideration of alternatives. He asked if the developer could provide access that doesn't overburden the neighborhood and if there was discussion with Arborland about the cross access easement.*

*Covert said there had been attempts with previous proposals, but the terms that were part of this were not sustainable.*

*Clein asked about what becomes of the 12 acres to the north that is staying with the ownership of the developer.*

*Covert said it would stay with the developer and they are looking at a land division and have approached the Greenbelt program about evaluating the property.*

*Clein said this means there is potential for the City to acquire it so it couldn't be developed in the future.*

*Covert said yes.*

*Clein asked if paving Chalmers Drive would require residents to assess themselves.*

*Kowalski said there are numerous ways the road could be improved; he said part of the cost for paving the road could be added to the South Pond site and then per the development agreement for Woodcreek*

*subdivision, part of the costs would be assessed to them. He said past the entrance to Woodcreek, going north, it is a county road.*

*Rampson explained that the residents wanted to keep the rural character of the road, and there was concern that if the road would be paved it would become a more desirable connection that parallels Huron Parkway, and the intersection at Huron River Drive is not acceptable to that kind of cut through traffic, and finally the cost was a factor. She clarified that it was not simply a matter of the City absorbing the fees to pave the road.*

*Milshteyn said access and traffic are his biggest concerns for the site. He said one of solutions is going through the right-of-way at Arborland, but it is not doable because there is only one way out of Arborland, and there is already so much traffic coming out at that location. He said Chalmers is a concern, and when you use Huron River Drive one cannot see approaching cars. He said he is stuck on the idea that there are a lot of cars, and what's going to happen with all the people. He wasn't sure if there was a good solution.*

*Peters said he wanted to echo concerns about traffic and access issues, noting that he had had an opportunity to explore Chalmers, and had looked at the stub street (East Huron River Access Drive), verifying that it seems like a lot of concerns are valid. He said he was personally interested in investigating the right-or-way onto Pittsfield Boulevard, because there is a traffic signal at the intersection on Washtenaw Avenue and it looks like it could provide an access point out of this development, as well as Woodcreek. He said he also had other concerns regarding the holding pond and run-off and he was interested to see details from WCWRC to find out about the effects on high quality wetlands. He said he was hopeful that they would be able to know more about a land division and the possibility that it is being looked at by the Greenbelt Commission.*

*Briere said she was unaware of what types of protection are available for specific species, such as the Dukes skipper butterfly and what types of habitat are necessary for this type of butterfly to survive, other than that it lays its eggs on sedges in wooded wetlands. She said she would like to understand what can be done to protect the habitat before going about and destroying it in ignorance.*

*Woods said she also has that question and is concerned about what they have to do to preserve the habitat before land is divided etc. She said the community of Ann Arbor is a very resourceful community and possibly there are experts at the University that could find them answers.*

*Kowalski said he spoken with Lori Sargent, DNR and the City's Natural Area Preservation [NAP] staff who could not give specific parameters/distance how far from the habitat development would need to be. He said he did learn that the 12 acre site is the primary habitat for the butterfly, while the vast majority of the development site that would be disturbed, contains buckthorn and would not be inhabited. He said the butterfly lived in wetlands and sedge meadows, which are not directly impacted by the development proposal.*

*Woods asked Redinger about what the results on traffic would be of having a no right turn on red when exiting out of Arborland.*

*Redinger said this is a MDOT route, and she had made note about the issue to further review how it could impact the traffic, but recommended engagement of discussion with MDOT.*

*Woods noted there are other exits out of Arborland. She asked if the City has an easement, what needs to happen in order to get a road through there.*

*Covert said there had been discussion about connection to the southeast that was not sustainable previously.*

*Woods said she would be interested in hearing more about the southwest access point.*

*Peters asked staff to identify Malletts Creek and South Pond and if there were maps showing floodplain.*

*Covert showed these areas on the map.*

*Woods asked if there were additional questions, for the Commission to bring them up.*

*Milshiteyn said if this moved forward, could it be required that Chalmers could be paved.*

*Kowalski said in theory, yes, it could be added into the development agreement.*

*Rampson said per Michigan law they can't require the paving of Chalmers as a result of this proposal.*

*Briere said since this is family housing, what type of transportation to and from school would be necessary and where would they catch a bus from.*

*Melissa James, 1380 Creekbend Court, Ann Arbor, said the school bus stops south of Algebe Way.*

*Jennifer Allan, 1485 Chamers Drive, Ann Arbor, said there is also a bus stop on Chalmers.*

*Rampson said staff could talk with the Schools about school bus stops for current needs as well as for future needs.*

**Moved by Clein, seconded by Franciscus, to postpone this petition until concerns raised by commissioners have been addressed. On a voice vote, the Chair declared the motion carried.**

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

*Ethel Potts, 1014 Elder Blvd., Ann Arbor, said many years ago there was a venerable attorney on the Planning Commission who said there are some pieces of land that should not be developed, and I think he was thinking about this piece.*

*James D'Amour, 2771 Maplewood, said he sat on the Planning Commission together with Ethel Potts, and during his time on the Commission all parcels included in the Northeast Area Plan were discussed. He said he felt at the time, there was too much staff input for increased density. He mentioned the Nixon Farms parcels and said the City needs to review the Northeast Area Plan. He praised the Commission for asking the public for their input at tonight's meeting, adding that something great happened tonight.*

*Noreen Aziz, 1829 Meadowside Drive, brought concerns that there are no fences bordering the properties along Meadowside Drive and said if there is a possibility for the developer to add a fence so children don't sled down the hill and into the street that would be good. She said safety is her main concern as a mother of three small children.*

*Seeing no further speakers, the Chair closed the audience participation.*

**12 COMMISSION PROPOSED BUSINESS**

**13 ADJOURNMENT**

**Moved by Peters, seconded by Milshteyn, that the meeting be adjourned at 10:06 p.m. On a voice vote, the Chair declared the motion carried.**

Wendy Woods, Chair  
mg

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