



# City of Ann Arbor

## Formal Minutes

### Planning Commission, City

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

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Tuesday, July 12, 2016

7:00 PM

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

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**Rescheduled from 7/5/2016**

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

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

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

#### **2 ROLL CALL**

*Planning Manager Ben Carlisle called the roll.*

**Present** 8 - Woods, Clein, Briere, Peters, Mills, Milshteyn,  
Gibb-Randall, and Trudeau

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

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

#### **4 INTRODUCTIONS**

*Chair Woods welcomed the new Planning Commission member, Scott Trudeau.*

*Trudeau introduced himself and gave a few words on his interest in*

*serving on the Commission.*

*Chair Woods thanked departing Planning Commissioner, Jeremy Peters, for his service.*

*Ken Clein, Sarah Mills, Alex Milshteyn, and Councilperson Briere each spoke, thanking Peters for his service.*

*Peters responded and shared parting remarks with the Commission.*

*Jill Thacher reported that the game code for tonight's meeting for the Ann Arbor District Library Summer Game players is "PLANAHEAD."*

## **5 MINUTES OF PREVIOUS MEETING**

**5-a**     [16-1013](#)     June 7, 2016 City Planning Commission Meeting Minutes

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

**5-b**     [16-1014](#)     June 21, 2016 City Planning Commission Meeting Minutes

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

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

**6-a**     **City Council**

*Briere noted that she had nothing to report.*

**6-b**     **Planning Manager**

*Carlisle thanked Peters on behalf of the City for his dedication and service on the Planning Commission. He welcomed new Commissioner Scott Trudeau.*

*Carlisle reported that the City has hired a full-time Planning Manager to*

*take his place, Brett Lenart, who is currently serving as the Interim Executive Director for the Washtenaw County Office of Community and Economic Development. He stated that Lenart brings a wealth of knowledge in planning and experience in Washtenaw County. He explained that Lenart will start on August 8th and his first Planning Commission meeting will be on August 9th. Carlisle said his last day with the City will be on August 3rd.*

*He stated that the City received a significant amount of correspondence regarding the Farmers Market and the Woodbury Club projects which are going before the Commission this evening and that any correspondence sent to his office as of 5 p.m. this evening has either been included in the packet or forwarded to the Commission electronically.*

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

**6-d Written Communications and Petitions**

**16-1015** 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.)**

*Donna Pueller, Ohio, Farmer's Market vendor, asked the Commission not to approve the plan for the new farmer's market building. She said it will ruin the market, widely known as a true farmer's market. She stated that it will eliminate parking for vendors and cause them to have to park far away and walk with their produce to their stall. She asked what will happen to the handicapped vendors. Pueller said this shed is not designed for the true farmers who can deal with the cold in the winter. She said this shed will cause vendors to have to downsize from multiple stalls to one or two. She explained that this shed will create a chain of bumping vendors from their designated locations, creating chaos and unhappiness. She said that the money could be better spent to improve the pavement and eaves in the existing market. She said this is a farmer's market, not a party market for weddings and other activities.*

*Jane Klingsten, 3347 Elsinore Court, Ann Arbor, stated that she is the President of the Nixon Area Alliance and has lived in Ann Arbor since*

*she was five years old. She explained that she passed through Chattanooga, a river town like Ann Arbor, and noted that they were more intentional about dealing with stormwater there. She said most of the sidewalks are pervious; there were green spaces to retain water and live up the public realm. She also noticed that Chattanooga adheres to Complete Streets design principles, using curb separators between bike lanes and pedestrian walkways. Klingsten stated that the pedestrian walkways seemed more accessible as she did not have difficulty getting around. She said there were few van accessible spaces, but other than that, feels Ann Arbor could learn from the City of Chattanooga.*

*Steven Turner, 3355 Elsinore Court, Ann Arbor, said he had a few comments to make about noise and quality of life in Ann Arbor. He stated that Ann Arbor is circled by freeways and has a high concentration of noise. He said he would like the City to do a noise study for all the neighborhoods that are adjacent to the freeway. He explained that he conducted a simple study of his own in his neighborhood and recorded 85 decibels. Turner stated that there are not sufficient noise buffers in the City.*

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

**16-1016** Public Hearings Scheduled for the July 19, 2016 City Planning Commission Meeting

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

**Received and Filed**

**9 UNFINISHED BUSINESS**

**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**    **16-1011**    Farmers Market Enclosure Site Plan and Landscape Modification for City Council Approval - The proposed Farmers Market public project, located at 315 Detroit Street, is to construct a new 4000 square foot structure that will increase the capacity of the existing market, provide cover for existing vendors who currently must provide their own tents and do not have access to electricity, and provide heated space for the winter market. The structure will feature glass pull-down garage style doors to allow for a fully open structure for spring, summer and fall, an enclosed, heated space for winter market, and landscaping with a conflicting land use buffer modification and seating areas for public use. (Ward 1) Staff Recommendation: Approval  
*Jill Thacher presented the staff report.*

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

**PUBLIC HEARING:**

*Eric Kampe, 817 Pomona Road, Ann Arbor, stated that he is a vendor at the Farmer's Market and is in support of the project. He said he looks forward to seeing new life in the market, a way to draw customers in the winter. He stated that he operates the Ann Arbor Seed Company, and his sale season is in the winter and spring, during the cold time of year. He said they actively avoid the market in the wintertime because the conditions in the market are cold and there are not enough shoppers to justify his company's presence. He said this new shed could help their sales. Kampe said he understands that he is a vendor with low seniority, so he may not be able to get a spot inside of the shed, but even so, he thinks he will benefit from the added customers drawn by the presence of the shed. He said he believes there will always be parking challenges when dealing with a market in an urban environment but thinks with flexibility everyone can be accommodated.*

*Cayla Tinny, 1700 Warren Road, Ann Arbor, said she moved back to Ann Arbor and has been spending a lot of time with her elderly neighbor. She stated that she goes to the market with this neighbor and buys groceries every week. She said it is a community gathering space, where those young and old can connect. Tinny said she supports this project because in the winter her neighbor can't go because he does not walk very well and cannot brave the ice and snow.*

*Mary Wessel Walker, 3007 Geddes Avenue, Ann Arbor, stated that she is a vendor at the Ann Arbor Farmers Market. She said her business is called Harvest Kitchen; they make prepared foods using ingredients sourced exclusively from local and organic farms. She voiced her support for the building but said she respects her farmers market elders who are worried about the changes it will bring to the market. She stated that overall there will not be one plan to make a perfect solution, but investing in the market with this building is a great first step. Wessel Walker said she hopes that upon the success of this building additional steps can be taken to increase the winterized area of the market. She stated that she knows that improving the pavement in the parking lot and repairing the gutters are other steps to be taken—hopefully before this building is constructed—but believes the construction of the building will be a way of showing that the farmers market is here to stay, and the community is investing in it and valuing it.*

*Jaena Field, Dexter, Ann Arbor Farmers Market vendor, said the proposed building is being constructed under the guise of winterizing the market, but what the vendors wanted was to winterize the existing stalls, not have a new building. She stated that the Toledo Farmers Market was able to winterize for just \$70,000 and they have almost the same layout as the Ann Arbor Farmers Market. Field surveyed the vendors at the Ann Arbor Farmers Market and stated that 92 percent are against the new building. She said stall fees went up 40 percent in 2015 to help pay for the new building. She stated that the parking lot is falling apart, the gutters leak, and the stalls and aisles need a good cleaning. Field explained that the stalls that will be eliminated for the new building are the last four of the middle aisle and eight parking spaces; these stalls are occupied by seniority vendors, herself included. She said the City doesn't know what they are going to do with the displaced vendors and this is a very stressful experience. She stated that the new building will encourage only one table boutique vendors that make their products in their kitchens; older vendors will not use the building because there will not be enough space. She noted that at the beginning of this process, Parks and Recreation*

*said they were in need of a new events building. She asked why this location had to be selected with 2,088 acres of parkland in the City available. She said the building will ruin the open feel of the market and create chaos with loading and unloading as the driveway will now be one way and not as wide. Field asked the City to think outside of the box and consider opening a second farmers market in a park or on open land. She urged the Commission not to ruin a market that is a treasure and nearly 100 years old.*

*Tom Blaske, 3040 Foxcroft, Ann Arbor, said he has been frequenting the Ann Arbor Farmers Market since he began school in Ann Arbor in 1969. He stated that the market is supposed to be an open, urban park. He said the farmers are up in arms over the project. He explained that the market has evolved over 97 years to become Ann Arbor's Saturday morning living room. Blaske said it is fragile and precious and worries that this project, which will reduce the number of parking spaces, will negatively impact the market. He added that it is a concern that vendor spaces will be taken away. He stated that they are not addressing the real issues at the market, such as eroding pavement and a leaky roof. Blaske said this building is not preserving a downtown urban park; it is too big. He stated that calling the new building a "modern urban barn" is a mythology. He said the building is being financed on the backs of farmers who are paying 40 percent more now than they were a year ago. Blaske said the Commission has substantial basis to reject the proposal based on the variances the petitioner is seeking and the damage it will do to the market.*

*Meredith Kahn, 817 Pomona Road, Ann Arbor, stated that she is a farmer and co-owner of Ann Arbor Seed Company and in support of the new shed. She said her business has been a daily vendor at the Ann Arbor Farmers Market for over four years. She stated that she is also a customer at the market, shopping weekly throughout the year for fresh, local produce, meat, prepared foods, and much more. Kahn explained that both farmers and home gardeners are familiar with the concept of season extension, which allows one to cultivate crops outside of their typical growing season. She listed examples of season extension such as row cover, cold frames and hoop houses. She noted that season extension is often what provides the first local greens of the spring and allows people to have warm weather crops such as tomatoes well into the fall. Kahn said that season extension allows farmers to do more and believes the practice is an apt metaphor for the way the new market building will enhance the experience of the Farmers Market. She explained that the market project seeks to make the market a good*

*experience for shoppers and vendors at times when the cold can make it unpleasant or impractical. She added that the building will also activate what is now a sad, underutilized streetscape, serving as a front door to the market, and providing a place for events and programming. She thanked Sarah Dewitt, Market Manager, City staff, and the Public Market Advisory Commission for their hard work and careful planning. Kahn stated that as a customer, vendor, farmer, and community member, she wholeheartedly supports the project without reservation.*

*George Gaston, 1217 Island Drive, Ann Arbor, said he is a resident that visits the market every Saturday throughout the year. He said this project is a bad idea because parking is at a premium and the vendors need the space to unload their trucks. He stated that the objective of the farmer's market is to provide produce, not boutique items, and hopes the Commission will reject the proposal.*

*John Ellison, 331 East Kingsley Street, Ann Arbor, stated that it seems as though he always receives a postcard about projects from the City at the eleventh hour, so something is still not working in terms of public notice. He said he is very nervous about this project, worried about changing the use of the land and having farmers have to go across the street to sell. He stated that he is concerned about the building being used as event space, as events could be loud and attract crowds. He said he would like to see regulation about the programming allowed in the building. Ellison also said he is concerned about the fee structure the City is imposing on the farmers; it must be high if there is enough of a surplus to build this building. He stated that he does not want this building to kill the market; if the farmers are unable to sell large produce such as watermelon and corn in the building, they may go to different markets to sell.*

*Darren Otis, Livonia, stated that she has been a market vendor for close to thirty years. She said she has noticed that many of the people speaking in support of the new project are low seniority vendors. She noted that many of the seniority vendors that have large space needs are not here. She said the logistics of parking and unloading are already difficult in present conditions and does not know how it will work when the space for parking is reduced further for the proposed building. She explained that Fourth Avenue is currently mostly handicap parking and luckily City officials don't enforce that during the unloading window; this shows how limited the parking already is, that vendors park illegally to unload. She said the building will only make this worse. Otis added that this building will take away needed parking from other businesses in Kerrytown the days when the market is not up. She stated that she has*



*talked with people who were previous vendors at the Ann Arbor Farmers Market but have stopped attending because of the hassle of parking and unloading.*

*Amanda Sweetman, 1700 Warren Road, Ann Arbor, said she has lived in Ann Arbor for the past ten years and has been both a customer and helped vendors at the market. She said she has moved around a lot and always gravitates to farmer's markets because it is a great way to meet people in the community. She stated that currently, the City of Ann Arbor is letting her down with their farmer's market. Sweetman explained that there is poor infrastructure and it doesn't support the vendors. She said the seniority system puts those lower on the totem pole at a severe disadvantage, getting less space and a more obscure location at the market. She stated that she cares about the produce she purchases and wants to know where it was grown, how many miles it traveled to get to the market, but the vendors that are supported via local initiatives such as the Tilian Farm Development Center are low seniority and are thus difficult to find at the market. She said those farmers already don't have a place to park but they come every week, rain or shine. Sweetman said she wants to see a warm, welcoming community space at the market and believes the new building will help achieve this. She said the building will be a better utilization of space and add needed greenery by adding plantings. She stated that she does not agree that the market is Ann Arbor's living room; it is a place one walks through on the way to Zingerman's as a tourist. She said it is not a place she wants to go as a local resident. Sweetman said she knows the building is a change, but change is inevitable and she believes this project will benefit everyone in the community.*

*Carol Brooks stated that she has been a vendor for over 35 years. She urged the Commission to listen to the farmers and put up a shelter attached to dead man's alley and put sides on it. She said that power washing the sidewalks, paving the parking lot, turning on the lights earlier in the morning, and cleaning up the image of the farmer's market in general is more of a priority than a new building. She noted that poorer farmers are suffering with the way things are going now.*

*Jae Gerhart, 1321 Traver Road, Ann Arbor, said she works for MSU Extension as a local foods coordinator for Ann Arbor and has been a resident for ten years. She stated that she has been both a vendor and a customer at the farmer's market. She cited the Argus Farm Stop as an example of how customers will shop more when the experience of shopping is improved by creating an indoor space. She said this new*

*building will create a similarly enhanced customer experience, making them more comfortable. Gerhart said this building will increase sales for all farmers and enhance the local food scene.*

*David Santacroce, 509 Detroit Street, Ann Arbor, stated that he sits on the Parks Advisory Commission and also the Public Market Advisory Commission. He said there are many misconceptions that have been aired tonight about the new building, but it is not the purview of the Commission to make their decision based on some of those misconceptions. He said he will speak not as a member of those two advisory commissions but as a Kerrytown resident for almost 16 years. He stated that adding this building will expand winter operation and that is something that is needed. Santacroce noted that the building is of the appropriate size and scale for the neighborhood. He said it also fits the needs of the neighborhood; they have done customer surveys and people want to be able to come and buy lettuce in the winter, for example. He admitted that parking is an issue; however, the DDA has data that shows that the parking lot is never at capacity during the week and weekend days when there is no market. Santacroce said even as a resident who has had people park in front of his driveway to go to Zingerman's he is still not concerned; he believes there is capacity.*

*Jane Klingsten, 3347 Elsinore Court, Ann Arbor, said the proposed building will not be impacting existing natural features, is a better use of existing space, and will allow for year-round accessibility. She stated that she is not a vendor so she can't speak to any vendor-related issues such as seniority, but the new space requirements may encourage the vendors to be more organized and creative about their use of space, such as laying out produce vertically instead of horizontally. Klingsten said it is not possible to just add shutters to the existing stalls because that raises the threshold to accessibility, following Title II. She stated that currently the sandlot is not particularly accessible to her. She said she likes that new greenery will be added, which will help with stormwater capture. She added that the new building may be beneficial to Community High School, serving as a group space, formally or informally. She said this project is DDA funded and is not being funded on the backs of farmers from what she understands, and feels it is a good use of DDA funds, as opposed to other projects. Klingsten stated that if vendors want the stalls to be improved, they should try talking to the Parks Department, as there is an adopt a park program that could be used for minor improvements.*

*Nathan Lada, 3825 Nixon Road, Ann Arbor, owner of Green Things farm with his wife in Ann Arbor Township, stated that they were very excited*

*when they started six years ago to grow food in the community that they wanted to feed and to join the farmers market. He said this potential building could offer benefits with regards to how the market functions. He explained that they have been discouraged by the seniority-based stall selection process; it creates a huge inequality among vendors. He said there is a perception that the market operation rules are never going to change. He stated that the longer one is a vendor at the market, the less likely one is to speak out about the inequality because generally one gets a better stall over time. Lada said it is sad that it is a joke among daily vendors that they are literally waiting for people with seniority to die to get a better space at the market. He stated that this new building will provide an opportunity for new market procedures, which will address some of these inequality issues that he finds so problematic. He added that the building will provide better accessibility in winter and improve market flow. Lada said he sees a 40 percent reduction in sales when they are located in the sand lot versus selling inside. He stated that several people tonight have talked about the new building being exclusionary to farmers, but he is a farmer that is being excluded under the current arrangement. He said he is looking into attending other farmer's markets because of this exclusionary feel and if the Commission wants to see farmers like him at the market, they should vote for this building.*

*Amy Kuras, Parks Planner, introduced Sarah DeWitt, Farmers Market Manager, and Keith Kohler, architect for the project. She reported that the DDA has announced that they will repair the entire parking lot, in addition to paying for a significant portion of the proposed building. She added that she currently has contractors making improvements to the existing structure, including repairing the down spouts and rust on the framework and rafters. She stated that they will be adding solar panels to the proposed building as a part of an energy fund in the City, at no cost to the market.*

*DeWitt said she wanted to touch on a few of the key aspects of the proposal. She stated that they focused on creating a barrier free entrance along Fourth and this design came out of significant input from vendors and residents in community meetings. She said they have tried earnestly to incorporate elements into the design that declare that it is a community space where all are welcome. She said they are also adding pervious pavement and greenery to help with stormwater as well as indicate what the City of Ann Arbor values. DeWitt said the building is attempting to enhance the user experience of the market in the wintertime as well as encourage social activity. She explained that the proposed building can serve as event space and she has been in talks with various community*

*groups about how best to utilize the space. She added that the City already has special events at the farmer's market even without this building and that 75 percent of them have been community-wide events. DeWitt said this is an opportunity to increase the number of vendors that can access the market as they currently cannot accommodate as many people as want to participate; the building will add 16 year-round stalls and winterize 36 stalls. She added that the building is going to have a low impact environmentally speaking; it will be minimally heated and open air during the summer. She said staff will be happy to answer any other questions that people have.*

*Jill Lada, 3825 Nixon Road, Ann Arbor, said she owns Green Things Farm with her husband and has been selling year-round at the farmer's market for six years and has served for five years on the Public Market Advisory Commission. She stated that they have been talking about this project for five years. She said they manage over 100 acres organically in the Greenbelt program, five miles from the market. She urged the Commission to consider who they want to invest in the most: future farmers and vendors who live and grow in Ann Arbor or those that do not. Lada stated that they sell out every week, which shows her that even if they are in the most marginal of spaces, people really want what they are selling. She said she thinks this is a valuable starting place to solving the inequality within the marketplace and meeting infrastructure needs. Lada said more housing is being located downtown and most people walk to the market, which means that parking is becoming less of an issue. She stated that there already is not enough vendor parking which is an issue they are working on and this building will hopefully address loading zones and vendor parking in a more systematic and safe way.*

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

**Moved by Mills, seconded by Clein, WHEREAS, the City Administrator is directed to obtain comments and suggestions from the appropriate City departments with regard to certain City projects meeting private development regulations prior to recommending that City Council approve funding for them; and**

**WHEREAS, such projects are to be review by the City Planning Commission prior to City Council approval; therefore be it**

**RESOLVED, that the Ann Arbor City Planning Commission finds that New Farmers Market Enclosure adheres to City private development standards, with the exception of the following: (1) The proposed**

driveway width of up to 24'3" exceeds the fifteen to twenty-foot width allowed for one-way drives (Chapter 47, Section 4:20(4)(c)) and (2) Useless curb cuts must be eliminated (Chapter 47, Section 4:20(8)); and

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the proposed modifications to the vehicular use, area, landscape, and screening requirements of Chapter 62 (Landscape and Screening Ordinance), because the standards contained in Section 5:608 (Modifications) have been met.

*COMMISSION DISCUSSION:*

*Ken Clein said he and his wife attend the farmers market virtually every Wednesday and Saturday throughout the year. He stated that he has frequented the farmer's markets of all the cities he has lived in and in the cities to which he has traveled. He said he is not an expert, but a connoisseur of farmers markets, if you will. He said he loves the Ann Arbor Farmers Market but in the winter it can get pretty darn cold out there. Clein stated that he likes the idea of having an indoor space for vendors regardless of how long they have been coming to the market or what they sell. He said as he understands it the building is designed as one level raised above Fourth Avenue on a slab, necessitating a long ramp and stairs to enter, as opposed to the other sides of the market that have sloped paths with flat pads for the vendors to be on. He asked how vendors will load their goods into the shed building if it is raised.*

*Kuras responded that one of the constraints of the site is its slope of about six feet, and in order to make a floor that is flat, there needed to be some elevation. She said they met with vendors to discuss the logistics of loading and unloading, and there will be gates that open that vendors can drive their trucks up to directly.*

*DeWitt added that they narrowed the width of the walkway behind where the garage door and gates are; they initially had it wider, thinking pedestrians would be walking on both sides of the building, but vendors recommended that they keep this area pedestrian free for safety and security. She said they will have gates on the east and west side of this drive so there is not pedestrian traffic behind the stalls.*

*Kuras stated that there will still be a couple of feet, behind the vendors, outside of the shed to store things behind their stalls as well.*

*Clein asked where the mechanical equipment to heat the building will be located.*

*Keith Kohler, architect of the petitioner, responded that the mechanical system will be electric infrared and be suspended from the ceiling, and additional unit heaters, also electric, will be suspended from the ceiling as well.*

*Clein asked if the energy from the solar panels will be fed directly into the system or if it will go back into the net metering grid.*

*Kuras said the solar panels will be used to offset the electrical use.*

*Clein said he asked because he was wondering if there would be a mechanical unit on the roof, so that is encouraging. He said it appears there are no bathrooms in the building, which could make using it as an event space more challenging, although the other building could be opened while events are going on.*

*DeWitt said that is how they handle events now, by keeping the other building open with a Parks staff member so people can use the restroom. She added that no additional infrastructure was added for events because they wanted as much of the square footage as possible to be devoted to vendor space.*

*Clein asked how trash pickup will function.*

*Kuras responded that it will function in much the same way as it does now but the trash receptacles will be placed behind the proposed building to meet City code. She explained that there will be a shed on the side of the existing office building with an enclosure fence in front of it to provide screening. She said right now the receptacles are lined up in front of the office, but they will be better concealed now. She added that they are not adding a significant number of vendors so the trash generated will be similar to what it is now.*

*Clein asked if the vendors are responsible for taking their trash to the receptacles.*

*DeWitt said yes, which is how it works currently. She said they have trash pickup once a week currently, with two trash receptacles, two recycling receptacles, and one compost bin. She added that they could increase pickup to twice a week, but they do not believe they will need to add*

*additional receptacles.*

*Clein asked how construction of the new building will affect market operation.*

*DeWitt responded that it is undoubtedly challenging to construct a building at a year-round farmer's market, so their aim is to minimize the impact as much as possible by starting construction in the late fall when things are slower for vendors. She said they would like to get foundations and related things done around then and finish the building before the spring season, by May or so. She explained that it has been made clear to the architect and contractors that no construction will happen on market days and that as much as possible the existing market structure will be able to function.*

*Kuras added that the fence will be brought in so on market days the vendors will be able to access the stalls.*

*Clein asked if the project is approved will construction begin this winter.*

*Kuras said yes.*

*DeWitt added that the timeline is also due to the DDA grant funding they secured, it was sort of in their mandate that they begin construction as soon as possible.*

*Clein said as a frequenter of farmers markets, when there is an indoor space, selling things like baked goods and coffee in addition to produce, it would be nice to have a few more places to sit down. He stated that he knows space is at a premium.*

*Kuras said they are adding five or six benches in front of the building as a part of the project.*

*Clein stated that he was at the Columbus Farmers Market a few weeks ago and while their outdoor market can't hold a candle to Ann Arbor—they only have ten vendors or something like that—they do have a very nice covered area with tables.*

*Kuras stated that the City and the DDA are partnering on making improvements to Detroit Street and Fifth and she and DeWitt have been involved in discussions. She said it will include a bump out where Detroit joins to Fifth and they are interested in adding seating and trees and*

*making it another place where people can sit down and enjoy the market.*

*Clein said it is a concern to many to lose parking, which is at a premium in the City, but he is interested in having a more walkable downtown and does not think losing a few spaces here will destroy the market or the Kerrytown area. He stated that if it kept happening, there could be cause for concern, but he thinks this is a reasonable trade off in this case. He added that he would even be in favor of losing parking spaces on Detroit Street for example so more temporary stalls or seating could be added. Clein said as it is a vibrant area there is going to be some change as it grows. He thanked the petitioner for their efforts.*

*Briere said she goes to the farmer's market every Saturday morning, she gets there at 7:30ish and leaves at 8:30ish, so she gets the freshest strawberries, or whatever it is she is looking for that is in season. She stated that in the winter she keeps shopping until she is confronted with frozen cider. She said the concerns she has heard tonight, and received in writing, have heavily weighed the concerns of parking, seniority, and their impact on current stall owners. Briere said many current stall owners are understandably concerned because they don't know what is going to happen to the stall that they think of as theirs; the language is significant, they think of themselves as stall owners, not as someone who pays a lease and is given a stall. She noted that this is clearly a very disruptive proposal, so in the interest of understanding the project fully, she asked why they did not opt to enclose, winterize, and otherwise improve the existing stalls as the preferred option.*

*Kuras said they looked at multiple options, hiring a structural engineer to determine what it would take to weatherize the existing stalls. She stated that it is not a simple fix, the structures would have to be modified substantially, and as they were looking into that more questions came up regarding doors and storage; it is difficult to retrofit 90-year old structures.*

*Kohler said the original design was never intended for adding sides. He stated that they are adding a vendor canopy under which people can drive, and they are building it to allow for adding side curtains in the future. He explained that for the existing stalls, however, they don't know the state of the foundation and there are other accessibility issues that are problematic.*

*DeWitt added that they did provide a cost estimate for enclosing the main aisle of the market, which runs parallel to Detroit Street, in the memo that was sent to the Parks Advisory Commission, and that figure is anywhere*



*from \$275 thousand to \$450 thousand. She noted that that option that would decrease the stall size of existing vendors and would not be adding any capacity to the market. She said the new shed is the option that they see as providing the most benefit at the least detriment to existing stalls. DeWitt said that the majority of their annual vendors will be able to utilize their stalls in exactly the same way as they do now with the construction of the shed. She explained that there are a small number of vendors that will have to relocate a stall that they use now, and a few that will need instruction on how to utilize their stalls in concert with the new drive through canopy that is being constructed.*

*Briere noted that the designs she sees in the Commission packet are slightly different than those from the Design Review Board and asked what those differences are.*

*Kuras said the biggest difference is the clear story above to add relief to the large roof and add more natural light into the building. She added that they changed the configuration of the doors.*

*Briere said the DRB also suggested making them shatterproof glass at the bottom instead of opaque, which was a good suggestion.*

*Kuras responded that the DRB had many good suggestions.*

*Briere asked if there is a long term plan to address the shed roofs that were never intended to last 100 years.*

*Kuras said she is working on the Parks and Recreation Open Space plan currently, which will be available in a few months, and one of the things that has been noted is a desire to winterize more of the market. She explained that once that is listed as an objective in the plan, it will be budgeted for eventually. She also reminded the Commission that repair work is being done to the existing infrastructure currently.*

*Briere said she appreciated that they are proactively addressing those concerns. She stated that she also had an operations question even though it is not pertinent to the decision at hand. She said she understands that the current market operates on a basis of seniority and that those without it often find themselves in interesting places, often lacking shelter, but can find themselves under shelter if other vendors do not show up. She asked if the new shed will accommodate those that sell goods versus produce and will allow lower seniority produce vendors to move under the existing roofs.*

*DeWitt said no. She said her job is to allow the market rules to happen, and those pretty clearly dictate who gets to choose which stalls and how, and that will be true of the new shed as well. She explained that there is a recommended period in which they don't annually assign those stalls on a reoccurring basis so they can see what the flow is like, and then reconvene with vendors to see if they would like to assign space in the building more permanently. She said it probably will not happen so uniformly that certain item types of vendors go inside, and part of that is because they will not permanently assign them in the first year, and part is because certain vendors will want to have their trucks with them, which is not possible for the vendors inside of the new structure. She added that she spent a great deal of time with vendors working out the right size for stalls to be inside the shed and they determined it should be no smaller than 8 feet by 8 feet. DeWitt noted that currently they have stalls that are as small as 7 feet by 5 feet, although sometimes they spill out into the parking lot a bit. She said they tried to use a footprint for each stall that any type of vendor could use the space comfortably as long as they are okay with not having their vehicle. She explained that vendors can have up to three stalls if they are a producer and up to two stalls if they are an artisan. She said there is enough flexibility that there will not be just one type of vendor inside of the building, at least in the first year.*

*Briere said she certainly understands the vendors' concerns about accommodating large items and the lack of parking. She stated that she has heard concerns about a lack of parking at night, when the Kerrytown Concert House has an event for instance. She said there is a lot of parking pressure in this neighborhood so even losing 21 spots becomes a big issue, not for Kerrytown alone but the Kerrytown Area, so it is something they will need to be careful about.*

*Sarah Mills stated that she is not as frequent of a visitor to the market as others on the Commission, but she walks her children to and from daycare through this area every day. She said that most of the time the parking lot is empty, so she thinks the information that it is underutilized apart from market days is accurate. She noted that when there are events in Kerrytown the lot can fill, and certainly on market days it is almost impossible to find parking, but she is not so concerned about the parking for peripheral activities. She said she is most curious about how the loading and unloading will be improved with this plan.*

*DeWitt said they have been working with the DDA determine loading zones that already exist as commercial loading zones on Fourth to use as*

customer loading zones. Possible zones include the space right outside of the entrance to Hollander's in the Kerrytown Shops, in front of the entrance to the new shed, or on Detroit Street. She stated that they would like to designate those as customer pick up and drop off zones on market days. DeWitt added that the DDA has a section in their downtown parking study specifically about the farmer's market area with recommendations for helping customers navigate the market, either by parking in structures or traveling to the market by bike. She said they have heard from others that they should add more bike parking, potentially with temporary racks that would not have to be there all week. She stated that with regards to the operating rules of vendors, those changes would have to be recommended by the Community Services Area Administrator and go through City Council, and they have not yet formulated anything because the project has not yet been approved. She said these operational rules contain very specific guidelines on sign in and set up procedures, dictating where certain vendors can go and when; these present a major opportunity to improve market operations, such as specifying staggered loading and unloading times and implementing guidelines on how to utilize the one-way drive in a more efficient manner. DeWitt said this building has provided an opportunity to have conversations with their vendor committees on utilizing staggered loading zones in the street outside of hours when there is traffic or parking meter regulations and getting trucks in and out of the lot efficiently and then parking somewhere off site. She added that they are working with the Kerrytown District Association and the Kerrytown Concert House to coordinate communication about special events and guiding guests to parking spaces.

Mills added that she has been heartened in this discussion that the DDA is on board and that the improvements to Kerrytown can happen in collaboration with each other. She said there is going to be a lot of change here anyway, and it seems like there is efficiency in working together on these changes. She stated that it will be a little painful during construction, but that is to be expected, and they will come out of it with a much improved situation.

Shannan Gibb-Randall asked whether vendors can still be outside in the winter, those that may need more space.

DeWitt said yes.

Gibb-Randall asked how stormwater management will function with this building, as it has a big roof and just a small rain garden.

*Kuras responded that at the encouragement of Jerry Hancock, they are doing soil borings. She said they have done calculations and the pervious pavement at the entrance is going to pick up the surface drainage and then the down spouts are directing stormwater to the rain garden with an overflow into the area below the pervious pavement.*

*Gibb-Randall said she has a concern about a few of the plants they have selected for the rain garden, as they are self-seeders and could get out of hand. She stated that all the water will be coming at once and some of the plants are on the drier side. She said she would be happy to discuss this with them in more detail after the meeting. She added that she is looking forward to the changes.*

**On a voice vote, the vote was as follows with the Chair declaring the motion carried. Vote: 8-0**

**Yeas:** 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, and Scott Trudeau

**Nays:** 0

**10-b**    [16-1012](#)

Woodbury Club Planned Project Site Plan, Zoning, and Wetland Use Permit for City Council Approval - A proposal to construct 282 apartment units in 4 buildings and a clubhouse on the western portion of the site, located at 3380 Nixon Road. A Wetland Use Permit has been submitted to allow filling and mitigation of 2,550 square feet of wetland and on-site mitigation. (Ward 2) Staff Recommendation: Approval

*Jeff Kahan presented the staff report.*

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

**PUBLIC HEARING:**

*David Friedrichs, Miller Road, Ann Arbor, thanked the Commission for considering two items this evening of significant public interest. He said this proposal is back before the Commission because the public wasn't there last time due to deficiencies in public notice. He said he has served as the Senior Leasing Agent for Barclay Park for the past ten years. He stated that he has had a variety of developer roles since he came to Ann Arbor for business in 1971. Friedrichs explained that he and his community feel there is a serious location problem with this proposal and the negatives vastly outweigh the positives. He said they want and support positive development in Ann Arbor but this is not the location. He*

*said this developer has developed well in the past; they were responsible for Woodbury Gardens on Stadium and South Industrial, a place he managed in the 1970s. He stated that in this area, however, there are already 500 units coming in with the Nixon project and Barclay Park has close to 300 units. He said there is a lot of information in the packet and extensive expertise included in the comments. He stated that they have brought an architect that they hired to show what could be done on the site instead; presenting an alternative that meets the goals of development but in a less closed, institutionalized manner. Friedrichs introduced the hired architect, Sahba Laal, who he describes as creative, sensible, and progressive.*

*Sahba Laal, architect hired by Barclay Park Condominium Association, Ann Arbor, said he was asked to look at this project in a different way focusing on three goals: lowering the impact to wetlands, creating a sense of community, and integrating the buildings and parking into the landscape as much as possible. He showed the existing site plan for Woodbury Club and stated that the current buildings are clinched and close together. He then showed his reimagining of the development, which had three buildings instead of four, and extended less into the wetlands. He said he lifted the building up and put parking on the first level, instead of surface parking. Laal indicated a plaza in between the two main buildings. He said there would be stormwater detention underneath the parking surface. He explained that in his design the imperviousness is reduced by 1.3 acres and the area per apartment remains almost the same.*

*William Quinn, 3001 Barclay Way, Ann Arbor, stated that he is the President of the Barclay Park Condominium Association. He said that in their packets, Commissioners have comments from environmental experts, who are very familiar with Barclay Park and the surrounding neighborhoods, which confirm the fears of the BPCA: that this development will negatively impact Barclay Park and the residents of northeast Ann Arbor. He asked the Commission to deny approval of this planned project and to withhold any change in zoning pending information on environmental impact. He said they ask for the following: a new wetlands delineation of both parcels of the Woodbury Club site to confirm or deny apparent changes since 2012 and clear up discrepancies between the official delineation and the one produced by a consultant BPCA has hired; no disturbance by the new development to wetlands shared with Barclay Park; a redesign of the architectural footprints and placements of the buildings to lessen their impact on their neighbors; green roofs, permeable pavements, and underground parking*

*with stormwater detention; that the easternmost parcel never be zoned for residential uses due to its 100 percent wetland delineation; and a requirement that the developer adhere to current County Water Resource rules for water management.*

*Usha Jindal, 3219 Kilburn Park Circle, Ann Arbor, Arbor Hills Condominium Association President, stated that they have many concerns about the Woodbury Club site plan, zoning, and wetland permit. She said Arbor Hills has been in the Northeast Area for over twenty years; they are 200 detached units. She stated that they are concerned about inappropriate use of the wetland, traffic, and over capacity of schools for their children, which could burden them for a long time. Jindal asked for an assurance in writing that the wetlands surrounding Arbor Hills on the west side will not be removed, thereby creating flooding. She asked them to conduct a new wetland study before granting development rights to the developer.*

*James D'Amour, 2771 Maplewood Avenue, Ann Arbor, stated that he is speaking as the Vice Chair of the Sierra Club, Huron Valley Group, and former member of the Planning Commission. He said the Sierra Club of Huron Valley is a 2,300 member organization comprised of individuals from Washtenaw, Monroe, and Lenawee Counties, dedicated to practicing and promoting responsible use of the Earth's ecosystems and resources and educating and enlisting humanity to protect and restore the quality of the natural and human environment. He stated that they have been appearing before the Commission for quite some time now expressing their concerns about the development of the former Nixon properties. D'Amour said that in their judgment, there has been insufficient analysis given to wetland delineation on this property. He added that despite numerous conversations with neighbors and other stakeholders, the petitioner has made no changes to the project since 2014. He said he is aware that some Commissioners have taken an aggressive stance toward development both downtown and in the outskirts, but they have overlooked and underestimated the interconnectivity and scale of the natural systems that are affected by said development. He explained that the headwaters of Traver Creek will be affected by this project. He stated that flooding of existing neighborhoods with each new development have been underreported or dismissed. D'Amour said he is surprised that these issues, as well as those relating to transportation, have not been revised by the developer after numerous meetings with the public. He stated that Planning & Development Services need to do better. He said his organization asks for the following changes: a revised wetland delineation study, as the original was conducted in the very dry summer*

*of 2012 and a lower density recommendation for the site and revision of the northeast area portion of the Master Plan. He urged the Commission to not listen dismissively to residents that are voicing concern about flooding, endangered species, and other issues.*

*Steven Turner, 3355 Elsinore Court, Ann Arbor, stated that he lives in Arbor Hills and is concerned about flooding due to wetland removal. He said when he walks to the back of his condominium association; he can see water flow in from M-14. He stated that he would like the wetland delineation study to be done again to ensure that there is no flooding threat to his home or the homes of his neighbors. He added that current construction on Devon Road is sending wildlife into his neighborhood; he has lived there for ten years and never seen so many animals. He said if this project passes it will further push animals into his neighborhood. He said it would be nice to have escrow for wildlife removal. Turner said they keep hearing about a sale of land to the City of Ann Arbor; he would like to have that agreement before development starts. He stated that in the public meeting held two weeks ago, the petitioner was very disrespectful. He expressed displeasure that the meeting was held on private property where the petitioner was in control of the run of the meeting.*

*Amy Seetoo, 3111 Cedarbrook Road, Ann Arbor, stated that she has been a resident of Ann Arbor since 1980. She said she is a board member of the Orchard Hills-Maplewood Homeowners Association, as well as a board member for the Nixon Area Alliance. She noted that the public meeting referenced by the previous public speaker ended in a shouting match. Seetoo lives south of Windemere Apartments, across from the wetlands. She said when she moved into her home in 1995, she did not know her house would be victim to bad planning from the past. She stated that her home was built upon a wetland and a few years ago she had to pay thousands of dollars to deal with water in her backyard. Seetoo said more development in the wetland area will create more flooding for existing neighbors. She added that public transit is another concern; adding more people to the area requires community access, and thinking about pedestrian and bicyclist safety concerns, as well as automotive traffic concerns. She stated that Thurston Elementary School is already overcrowded at 108 percent and is expected to grow to 125 percent capacity. She said legally protected Trumpeter Swans, Great White Herons, and other species have been seen on site and are threatened by further development. Seetoo said rising water levels are a threat to the site and neighbors from poor site design and reduced water storage from impacts to the wetlands. She stated that worldwide, more flooding is occurring.*

*Jill Lada, 3825 Nixon Road, Ann Arbor, stated that she owns land that borders the development to the north, on the other side of M-14/US-23. She said the wetland on the north side of the highway overflows onto her land and last year they had twice the average rainfall in June and had more than five acres underwater that is typically not, and they lost a third of the crops they planted. She expressed concern that the water in this area is all connected, the soil is very heavy and does not drain, so building on this site and reducing the wetland would impact her land. She added that there are many endangered species in her neighborhood; they are doing a lot of wetland restoration on her property and had a University of Michigan botanist come out and they found endangered sedge on her property. She has noticed many endangered birds as well. Lada said she does not think the scale of the development is suitable for the area and infrastructure such as roads and schools are not ready for the additional residents. She stated that it makes sense to develop here, as it is a part of the City's Master Plan, but the scale of this project is inappropriate and does not justify the wetland disturbance. She added that she has not heard anything about what will be done to mitigate this disturbance, and as a landowner she feels disappointed and unsure about this. She challenged the Commission to drive north on Nixon Road from Plymouth Road anytime between 4 and 6 p.m. and one will probably wait over an hour at that four-way stop. She said she doesn't know how the new development will further impact congestion.*

*Jane Klingsten, 3347 Elsinore Court, Ann Arbor, President of the Nixon Area Alliance, stated that she will be speaking on behalf of the Nixon Area Alliance and other concerned neighbors. She explained that the Nixon Area Alliance is a 501c3 nonprofit organization of local neighborhood stakeholders dedicated to preserving the community, environmental, and recreational quality of life in Ann Arbor, focused on the northeast. She stated that they support responsible development, but this project is not in the interest of the public's welfare, health, and safety. She said they cannot support the project as proposed. She said the site design is very poor, the buildings are massive, each about the size of the Michigan Theater, and all four are connected by a paved impervious surface. Klingsten stated that they have been told by Jerry Hancock, Stormwater and Floodplain Program Coordinator for the City of Ann Arbor, that the development will impact the area, regardless of what Planning Staff states. She stated that they hired experts of their own to do a survey of the wetland, and were told that the wetland delineation study being used by the developer has gross and flagrant errors. Klingsten noted that they had retained Huron Ecologic to conduct a preliminary*



report and it shows that all of the wetlands in the area are connected. She said the use of detention is considered outdated; it creates opportunities for invasive species to situate themselves, and has been replaced as a best practice by bio retention. She stated that although the developer insists otherwise, pervious pavers and vegetated surfaces can be integrated without significant cost. She explained that the State's laws on wetland protection have been around for over 40 years and it is crucial that the City incorporates wetland protection into their code. She said it is the developer's responsibility to provide an updated and accurate wetland study, it is the City's responsibility to verify it, and should this fail, the citizens have a clear right to protect the public's interest, a right that they are not afraid to exercise, as they are currently doing for the North Oaks development, formerly known as Nixon Farms. Klingsten said City staff has said a wetland delineation study is not needed for this site, but it is clear under City ordinance, Chapter 62, Section 5:203 that it is because the study is more than one-year old. She added that the wetland connection is verified by ground penetrating radar and visible in aerial photos. She said there are legally protected species on the site and work needs to be done to the Migratory Birds Act to protect these further. Klingsten said they have spent a lot of time looking at this project and site extensively and it is clear that the petitioner is proposing something that would be detrimental to the public.

Scott Betzoldt, Midwestern Consulting, development team, stated that he is the civil engineer that worked on the site design of the project. He stated that Kahan did a great job summarizing the history and characteristics of the project. He noted that the project before the Commission tonight is virtually identical to the one approved by the Commission in 2014, with the only change being six fewer units in order to make the west parcel consistent with zoning requirements for density. He stated that the Commission should have received a memo discussing the validity of the wetland verification flagging as well as stormwater management. Betzoldt explained that with regards to flooding in the Arbor Hills neighborhood, this site is not hydrologically connected to that site whatsoever; Arbor Hills and the site of the proposed development are in two different watersheds. He said he believes this proposal has significant merits; they have worked with staff to condense the proposal almost entirely onto the existing tilled land and to maintain the existing woodland and wetlands. He explained that there are several hundreds of square feet of wetland disturbance on site, totaling the space of a few parking spaces. He said the density is what the Master Plan calls for, supporting mass transit and efficiency of use, the parkland dedication is second to none, the open space is larger than what is required, and the developer

*has agreed to contribute to the traffic solution for the Nixon-Dhu Varren intersection. Betzoldt stated that they are still very happy with the project, happy to be back before the Commission two years later and available to answer any questions.*

*Dawn Bizzell, 1614 Longshore Drive, Ann Arbor, stated that she is a Ward 1 resident and wanted to talk about how much water Barclay pumps out due to storm events. She stated that Barclay Park has to pump water into a retention pond after storm events to prevent flooding and water damage. She said the water is all connected.*

*Nate Lada, 3825 Nixon Road, Ann Arbor, said his farm is adjacent to the proposed development so he is keenly aware of the hydrological and environmental impacts of developments like this. He stated that his farm is in the land preservation program, so he is also aware of the open space impacts of developments like this. He said is a big supporter of open land preservation and so developments like these don't feel good in that regard, but he can understand the City boundaries and the need for additional housing. He stated that there are County drains connecting across the highway between sites and when he has called the County Road Commission about drainage issues on his farm that connects to the land north of this development, he was told there were no records publically available documenting those drains. He said he would be interested to see maps that show those drains, because he has seen them in person and they show to him that these sites are connected.*

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

**Moved by Mills, seconded by Gibb-Randall, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve Woodbury Club Apartments R4A Zoning, Planned Project Site Plan, and Development Agreement; and**

**That the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Woodbury Club Apartments Wetland Use Permit to allow filling and mitigation of 2,550 square feet of wetland and on-site mitigation.**

**COMMISSION DISCUSSION:**

*Peters asked how the current site would fare under the new 2014 Washtenaw County Water Resource Office standards and apologized if that question had been asked at a previous meeting he was unable to*

*attend.*

*Betzoldt responded that the stormwater management system under the current standards requires that one investigates to see if infiltration is possible. He said they did eight soil borings on the site and took a total of 42 samples from those borings. He explained that 37 of those samples were classified as CL by the Unified Soil Classification System, which is the most impervious type of clay one can get; the rest were sandy clays and clay loams. He said these results show that they can't really get any infiltration on site so under the County standards they have to increase their detention tanks by 20 percent as a penalty; however, the allowable level or rate of discharge does not change. He explained that the rate of discharge is determined by the total drainage area that is going into the detention pond; in this case they are collecting from about 17 acres. Betzoldt explained that if the allowable rate of discharge is 1 cubic foot per second per acre, they would be allowed to discharge 17 cubic feet per second; that rate has not changed under the new rules. He said they are discharging exactly the same thing as they would be as under the previous 2012 rules. He stated that the only difference is that the tub you are collecting it in is bigger.*

*Peters asked why the bigger basin is now being required.*

*Betzoldt responded that he honestly did not know, as the allowable discharge is the same. He said one would have to ask the authors of the new rules.*

*Peters asked if there has been a wildlife protected species analysis done on the parcel. He said it seems that there are pictures and mentions of Trumpeter Swans on the site, which could bring up issues with the Migratory Birds Act. He said he understands that it is out of their purview, legally, but wanted to know if an analysis had been done.*

*Kahan said the analysis was provided initially and is required by Chapter 57 of City code, which looks at natural features preservation. He said they ask developers to determine whether any threatened or endangered species are on the site. He stated that at the time of the initial analysis, none were found. He said it was brought to his attention this afternoon that there had been sighting of Trumpeter Swans in the wetland. Kahan stated that he relayed that information to Kerry Gray, who regulates natural features for the City, and she said Trumpeter Swans are a threatened species and regulated by the Michigan Department of Environmental Quality, but there is no proposed impact to their habitat, which is wet. He*

*said the only impact to the wetland being made by this proposal is in a highly degraded section where no active water is shown.*

*Briere asked Kahan to indicate where that is.*

*Kahan showed where the wetland and buffer were encroached upon by the development, in the southwest corner of the site, a space of 2,550 square feet. He said the developer is proposing mitigation of that wetland in the northern section of the site in an excess of 5,700 square feet, essentially expanding and enhancing that wetland. He said it is his understanding that the habitat of the Trumpeter Swan is not something that the City regulates and that these swans are known to move on and off sites throughout the region.*

*Peters said it was helpful to know that the matter of the swans was discussed among City staff in other departments.*

*Clein said there is a map provided as part of the packet from the Barclay Park Condominium Association showing where the Trumpeter Swans have their nests and where they have been sighted. He stated that according to the map, a nest is located on the Barclay Park site, not on the site in question. He said there were a number of statements made tonight about the wetland delineation being erroneous or out of date but in a memo from City staff dated July 8, 2016, including comments from Jerry Hancock, Cresson Slotten, and Kerry Gray, it says that MDEQ went to the site to determine whether wetlands two and three were hydrologically connected and did not find evidence of that based on wetland characteristics and the presence of flora and fauna. He asked staff if this was accurate.*

*Kahan responded yes.*

*Clein asked if the City's and MDEQ's estimation that the wetland delineation is correct is sufficient.*

*Kahan said yes.*

*Clein stated that he understands that wetland delineation is not an exact science, it ebbs and flows from year to year. He asked with regards to the Water Resource Commissioner's requirements for stormwater, whether this project has received an extension until November of this year.*

*Kahan responded yes that is his understanding.*

*Clein asked if that means they need to pull their permits prior to that date.*

*Kahan said yes.*

*Gibb-Randall asked Betzoldt to describe the flow of the stormwater on site.*

*Kahan showed the Landscape Plan – South, and indicated the two large detention areas.*

*Betzoldt explained that essentially there is a ridge against the border of Arbor Hills and the vacant site in between. He explained that water flows to the east and to the west from that ridge; the ridge is about 12 feet to 22 feet in its highest point. He said from the drive in Barclay Park, most of the water flows into the wetland that this site shares with Barclay Park. He said all the stormwater that hits the development will flow into the shared wetland as well. Betzoldt stated that the wetland outlets to the north, under the expressway. He said they have two detention ponds.*

*Gibb-Randall asked if there is stormwater management before the water goes into the wetland.*

*Betzoldt said yes, they have two detention ponds that stormwater will go through first, and those discharge into the wetland. He said the wetland drains under the expressway in a 54-inch culver, it goes north to a wetland, continues over to the west, crosses back under the expressway, then connects to the wetland in the northwest corner of the site. He said that wetland is connected to a drain that crosses underneath Nixon Road and traverses through the Nixon Farms development and then touches the Southeast border of Foxfire at which point when it crosses Dhu Varren Road it becomes a legally established County drain that is Traver Creek.*

*Gibb-Randall clarified that it seems that a ridge separates the water in the area from Arbor Hills, and Barclay is sort of part of the watershed.*

*Betzoldt said yes and handed her a picture of the Fleming Creek Watershed delineated by the Huron River Watershed Council showing the separation.*

*Briere said she is beginning to get a sense of the geography, which is very hard when looking only at pictures. She asked about the wetlands to the south of Barclay, adjacent to Whisperwood and Windwood and how*

*they are connected to the wetlands on site.*

*Betzoldt said there is a culvert crossing under the road into Barclay Park in the event that the large wetland to the north were to rise so that it could drain into the wetland to the south of Barclay Park. He said this would be unlikely.*

*Briere asked in the event that the wetland on the site we are discussing were to flood, would the flooding be more likely to impact the property of the people who farm to the north or the people in Barclay Park.*

*Betzoldt said it would be more likely to impact the people to the north because that is the way the water drains currently; there is no water force to the south. He stated that in 95 percent of all instances, the water will go to the north; this is the headwaters of the Traver Creek.*

*Briere clarified the directions of the route of the water flow from the wetland to the Traver Creek.*

*Kahan indicated the direction of the stormwater on site, referring to the aerial map. He explained that in a situation where there is an epic storm, where the lake level rises a foot and a half or more, there is an overflow to the southeast of the wetland that would bring water down to Barclay Park and into their wetland to the south. He said in no instance would the homes of Barclay Park be affected because they are substantially higher up than the wetland system.*

*Briere asked where the wetlands to the south of Barclay Park drain under normal circumstances.*

*Kahan said to his understanding they drain under Green Road and eventually to Millers Creek.*

*Betzoldt stated that he believes that Kahan is correct.*

*Kahan said he knows that at the corner of Plymouth and Green is one of the headwaters of Miller Creek. He offered to pass around a map showing all nine of the creek-sheds in Ann Arbor.*

*Briere asked if the ridge that separates the proposed development from Arbor Hills separates two watersheds.*

*Betzoldt said yes.*

*Briere asked which watersheds.*

*Kahan interjected, correcting his previous statement, noting that the wetland to the south of Barclay Park drain into Traver Creek.*

*Betzoldt responded that the ridge separates the Fleming Creek watershed to the east and the Traver Creek watershed to the west.*

*Briere thanked him for that clarification.*

*Betzoldt said stormwater from Arbor Hills goes toward the expressway and that proceeds toward Dominos Farm and down eventually to cross Plymouth Road.*

*Briere said whether or not it is possible to put pervious pavement on the site, there has been constant concern about how close the southern building is to Barclay Park. She stated that there has also been consistent concern about the amount of paving. She said this is the same plan that this body recommended for approval nearly two years ago, and in that time, a lot of questions have been raised. She stated that while some of them relating to stormwater have been addressed, they haven't really addressed the design of the site given the concerns the adjacent neighbors have about proximity. She said these concerns are louder now than they were two years ago. Briere asked whether there is a better design that could be brought before the Commission that would still meet the developer's desires but also be more considerate of the impact on the adjacent property owners. She said she understands the concerns about traffic, but does not think it is a problem they will magically solve in this city or in this location. She added that she also understands the concerns about stormwater but that those already exist and the goal in this project is just to not make them any worse. However, she said it is within the control of the developer to change the design and location of the buildings and those have not been addressed. She asked if they had considered alternative designs to make the footprint smaller, given the repeated concerns of the neighbors, voiced at numerous meetings.*

*Betzoldt responded that they did consider alternate building designs. He said it is not possible to have high density and wide open spaces on the same site. He stated that they are encroaching upon the property line, but they are further away from Barclay Park than the closest Barclay Park units are to one another. He noted that Barclay Park has a line of buildings right up against the property line, while in the Woodbury Club*

*design only two points of one building are against the property line. He said they can't accomplish everything at once. He stated that the City wanted the density; they wanted to have the development compressed onto the least valuable land, from a natural features standpoint, and the developer did that. He said there had to be a requisite number of parking spaces for residents and guests, so yes it may look dense, but asked if it would it look better stretched out across the entire site. Betzoldt said Barclay Park was constructed that way and with very similar unit counts and they have twice as much impervious surface as the Woodbury Club design. He said Barclay Park's stormwater discharge is 3.77 cubic feet per second in a 100-year event, while Woodbury Club's is 1.9 cubic feet per second, almost half as much.*

*Briere said she wasn't trying to get them to stretch out the development, but compress it further.*

*Betzoldt said compressing it more would mean building higher.*

*Briere said yes but they are already going for a planned project.*

*Betzoldt said yes, they are asking for an increase of about four feet.*

*Briere responded yes, but a planned project is a planned project. She said she had two other statements to make. For the resident that asked why they would zone the eastern portion of this lot before buying the land, the answer is that if the site were not zoned R4, then the density that this project entails would not be legally attainable. She said the developer is using the entire site to calculate density, and then will sell part of the land to the City. She stated that City Council has already approved the sales agreement; they are waiting on the developer to agree to sell the land, which is unlikely to happen before the City rezones and approves their site plan. She said as for public access and buses, she knows AAATA will be running more buses in this area and will be putting new bus stops in. She stated that they do not know where and when, that will be a part of the Nixon Corridor study outcomes. She said they will either need bus pull-outs on Nixon so they can turn around, or do something else to be determined. Briere stated that she would be delighted if the Commission had more creativity to look at and her biggest concern is that there are two big developments in an area where there are linked stormwater systems and there are already existing problems. She said she does not think anyone, including staff, can predict whether there will be problems resultant from this project, so all will be watching carefully as this moves forward to see how stormwater issues can be addressed.*



*Alex Milshteyn asked if the revised development agreement is available and whether the terms of the sale of the land that is going to the City could be explained.*

*Kahan said yes and he believes Milshteyn is referring to the sale of the eastern portion of the parcel. He stated that the developer approached the City asking if they would be interested in acquiring property, the City said yes and went through an appraisal process to come up with a price. He said there was back and forth discussion between Parks Department staff and the petitioner and they came to an agreement on the price; City Council then took action approving the acquisition of the parcel.*

*Milshteyn said he is feeling really uneasy about this development because of the scale of proximate projects to the site; North Farms with nearly 500 units across the street and the North Sky development off of Pontiac Trail. He stated that a lot of development is happening really quickly in this area and they are not able to see the effects of it. He said he is not opposed to this site plan, but he is concerned about the scale and speed of all the development occurring in the area. Milshteyn stated that he wishes they could table the discussion but knows that they can't, and is unsure about where he stands with the project.*

*Mills said many public speakers tonight have discussed the flooding that currently happens in Barclay Park. She asked why Barclay is experiencing flooding if based upon previous assertions, there is a system in place to deal with large storm events.*

*Kahan responded that currently there is a wetland in Barclay Park that has required pumps to be installed to pump water to the north to the larger wetland that the Woodbury Club would be proximate to. He explained that in the past water has risen to the point where it gets close to the units in Barclay Park that front the small wetland. He said the City has communicated with Friedrichs to discuss creating an outlet pipe that would go from the small wetland to the east and outlet into the wetland to the south, onto City parkland. He said the small wetland is at a higher elevation than the one to the south, so a gravity pipe could be installed. Kahan explained that to install this outlet pipe, Barclay Park would need to amend their site plan and obtain an MDEQ permit.*

*Mills said that explains flooding south of Barclay Way. She asked whether there has been any flooding to the north of Barclay Way.*

*Kahan said to his understanding, the major flooding has been occurring south of Barclay Way. He stated that he has not heard about flooding for residents who live north of Barclay Way.*

*Chair Woods asked Friedrichs to come to the podium.*

*Friedrichs said they share the wetlands at the north border with the proposed development. He stated it is those shared wetlands that will be affected, and the mitigation will occur at the wetland to the north that borders M-14. He noted that Kahan called him last month and explained that if Barclay submits a new site plan and goes to the MDEQ, they will approve the gravity drain. He said they attempted to do so five years ago and were denied. Friedrichs said in order not to endanger this entire area, they need green roof and integration of parking; he said it is not necessary to have 500 or 600 parking spaces in this wetlands area. He implored the Commission to understand the danger.*

*Mills said when Briere brought up parking, she checked the comparison chart and saw that the initial proposal called for 564 parking spaces, which is the minimum required by code. She asked whether the number of parking spaces being proposed has changed.*

*Kahan said no, not to his knowledge.*

*Mills asked whether the wetland mitigation required on site is to accommodate parking spaces.*

*Kahan said yes, on the southern side of the parking lot, there is a portion that extends into the wetland buffer.*

*Mills asked whether the parking requirements had changed because the number of units had been reduced in the revised plan to keep with the ten units per acre requirement.*

*Kahan said yes, the parking requirements are two parking spaces per unit.*

*Mills said based on her calculations, that would be 554 parking spaces, ten less than what was originally proposed. She asked if the petitioner would consider reducing the number of parking spaces by ten in the area that extends into the wetland buffer.*

*Betzoldt said he can't guarantee that removing those spots in that area*

would alleviate the need for infill in that area. He said it would reduce it however. He explained that if his client is okay with doing so, he does not believe it would be a detriment to the project.

Mills agreed that it would not eliminate the need for wetland mitigation entirely, but reducing ten parking spots could alleviate some of the flooding concerns.

Betzoldt said they could make that amendment prior to proceeding to City Council. He stated that there would still be some fill from the building and sidewalk that lead to the west but he thinks removing those parking spaces would half the impact.

Mills stated that from her perspective she discourages going beyond code minimums for parking, so if they could make that change, she would be pleased.

Betzoldt responded that they could make that change to the site plan before going to Council.

Clein said he believes that reduction is a move in the right direction. He said like others here, in an ideal world, he would like to see no surface parking on sites like this, but that is not the proposal they have before them tonight. He stated that architecturally these buildings are different than their neighbors, they are taller with pitched roofs, and there are positives and negatives associated with that. He noted that greater density reduces the amount of impervious surfaces on the site and brings a different character than surrounding neighbors. Clein said this is the density that the Master Plan calls for on this site and the Commission's charge is to make sure the project meets those requirements as well as zoning requirements. He stated that it does, apart from the four-foot height variance necessitating the planned project status, but has not heard critique of this from anyone tonight. He said he might wish in a perfect world for a different designed project, but he feels obligated in a sense to approve the project due to its meeting of requirements. Clein expressed the hope that they could vote soon.

Chair Woods agreed, and stated they are reaching the hour where they will have to vote to continue to run the meeting.

Gibb-Randall said another important big feature of this project is that half of the site is for sale and going to the City; the petitioner could be developing the entire thing and they are not. She said that is a huge

*positive. She stated that she understands that there are impacts, but the development is occurring in the previously tilled area. She said just because Barclay Park built right up to their property line twenty years ago does not mean that Woodbury Club can't do the same, it is within their right. Gibb-Randall said she understands that they have had a view at Barclay Park for some years but unless they own the neighboring land, there is nothing that can be done to preserve that view. She stated that because there will be easements to allow the public to access this land and the benefit of the added park, she supports this project. She said she has some hesitations about the long-term effects on stormwater due to the scale of development occurring and the quality of the soil, similar to Milshteyn, but believes this project is utilizing the space well here overall.*

*Woods added that because this project first came before the Commission two years ago, it was actually likely one of the first to try to develop in that area of the city. She said it is perhaps unfortunate that the petitioner now finds themselves at the tail end, subject to some of these critical conversations. She said it is important as the Commission looks at the northeast area to note that there is a lot of development happening and they can look to City Council to determine how to work with neighbors' concerns; some matters are beyond the purview of the Commission.*

*Scott Trudeau said he hopes that the same mitigation to the northern wetland on site would occur despite reducing the mitigation requirement through reducing the number of parking spaces.*

*Betzoldt agreed not to change the enhancement to the northern wetland.*

*Carlisle stated that if it is the request of the Planning Commission, the motion should include the reduction of the parking spaces as a condition on the motion.*

**AMENDMENT TO FIRST MOTION:**

**Moved by Clein, seconded by Mills, to amend first motion, recommending Planned Project Site Plan approval subject to the removal of ten parking spaces to the east of Building 1 and to maintain any wetland encroachment mitigation as currently shown on the site plan.**

**VOTE ON AMENDMENT TO FIRST MAIN MOTION:**

**On a voice vote, the Chair declared the amendment carried. Vote:  
8-0**

**Yeas:** 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, and Scott Trudeau

**Nays:** 0

**Absent:** 1 - Julie Weatherbee

**VOTE ON FIRST MAIN MOTION:**

**On a voice vote, the vote was as follows with the Chair declaring the first motion carried. Vote: 7-1**

**Yeas:** 7 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sarah Mills, Shannan Gibb-Randall, and Scott Trudeau

**Nays:** 1 - Alex Milshteyn

**Absent:** 1 - Julie Weatherbee

**AMENDMENT TO SECOND MOTION:**

**Moved by Clein, seconded by Peters, to amend second motion, adding the words “up to” before “2,550 square feet of wetland and on-site mitigation.”**

**VOTE ON AMENDMENT TO SECOND MAIN MOTION:**

**On a voice vote, the Chair declared the amendment carried. Vote: 8-0**

**Yeas:** 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, and Scott Trudeau

**Nays:** 0

**Absent:** 1 - Julie Weatherbee

**VOTE ON SECOND MAIN MOTION:**

**On a voice vote, the vote was as follows with the Chair declaring the second motion carried. Vote: 7-1**

**Yeas:** 7 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sarah Mills, Shannan Gibb-Randall, and Scott Trudeau

**Nays:** 1 - Alex Milshteyn

**Absent:** 1 - Julie Weatherbee

## **11 ORGANIZATION OF COMMISSION**

### **11-a 16-1008 Approval of City Planning Commission/Staff FY2016-2017 Work Program**

*Carlisle stated that there are three items up for discussion: approval of the work program including committee assignments for the year, election of officers, and review of bylaws. He said he is recommending that the discussion of public notice and input be deferred until the new Planning Manager starts. He said he leaves it up to the Chair to decide whether to defer discussions, as it is past 11 p.m.*

*Chair Woods said she does not believe these items will take much time, and in the interest of deciding office appointments, she would like to proceed this evening.*

**Moved by Briere, seconded by Milshteyn, to continue the meeting past 11:00 p.m. to complete the final agenda items. The Commission unanimously agreed.**

#### **COMMISSION DISCUSSION:**

*Carlisle stated that the 2015-2016 Work Program and the 2016-2017 Work Program draft are both included in the packet this evening. He said they are still working through several items in the 2015-2016 work program, including Accessory Dwelling Units, the Downtown Premiums, and ZORO. He said Staff is recommending two priority action items: consideration of R4C/R2A zoning amendments and downtown parking.*

*Peters said he hopes the Commission can take a look at the North Main corridor and the Huron River as it flows through the City, in terms of disaster preparedness as well as focusing on commerce and recreation.*

*Milshteyn said if the Commission were to take on two items, downtown parking would be a higher priority for him.*

*Clein said he thought downtown parking was managed by the DDA.*

*Carlisle said the DDA wants to be a part of the discussion and this item came out of the discussion of downtown premiums. He said the DDA would like the City to look at the issue of downtown parking holistically, not*

*just related to the downtown premium discussion.*

*Briere said that while she agrees that downtown parking is something that needs to be talked about, the R4C discussion has been languishing for a number of years. She stated that while the focus of development has recently not been in R4C, at some point the focus will change, and if we have not addressed their expectations for R4C, either by applying our existing Master Plan or by changing it, they are going to find themselves unhappy with what is coming forward in subsequent proposals. She said the current zoning raises legitimate questions about whether the recommendations in the Master Plan and the information that controls development in R4C reflects their current expectations. Briere stated that she does not want to delay the R4C discussion. She added that she wanted to add an item to the work program, which is how to address housing affordability in the Master Plan. She said she would like to talk about planning the Master Plan process sometime this year as well.*

*Woods said there might be an opportunity to do so as a new Planning Manager is beginning.*

*Mills stated that parking is a constant issue, but would also like to tackle R4C, as it has come up several times this year, in the context of not being able to deal with certain issues until they resolve R4C.*

*Woods asked if it was time to vote on the work program.*

*Carlisle responded that he had made several notes and he could make the changes to the work program and have it prepared for the next meeting for a vote.*

#### *Committee Assignments*

*Carlisle stated that part and parcel to the work program are committee assignments. He said there are a number of replacements needed. He said there are six standing CPC committees and three outside committees. He explained that the Master Plan review committee meets more regularly as well as the ordinance revision committee. He explained that Bona and Peters were on the ORC and their seats need to be filled, leaving Mills and Woods if they agree to stay on. He noted that on the Master Plan committee are Briere, Clein, and Franciscus, leaving one vacancy.*

*Woods said she believes it would be a good idea for the Commissioners*

*to take this information and think about it, and then they will be in touch via email about appointments and they can address any vacancies that still exist next week.*

*Briere said at Monday's Council meeting there will a resolution to approve another member of the Planning Commission, Julie Weatherbee. She stated that perhaps they can wait until she has arrived to select committee assignments.*

*Carlisle asked Woods to copy Mia Gale on her email to him about committee assignments. He added that the Zoning Board of Appeals usually has a Planning Commission member to serve as a liaison between the two bodies; as Milshteyn is resigning that spot, it is another important vacancy to be filled.*

**The Commission unanimously agreed to postpone voting on the Work Program until the next meeting.**

**11-b Election of Officers (Article V of Bylaws)**

*Carlisle stated that the next item is to elect officers; the Planning Commission will need to elect a Chair, Vice Chair, and Secretary. He explained that the current Chair Woods is term limited to two terms and Secretary Peters is leaving the Commission. He said nominations for these three positions should be from the floor and will be voted upon by a voice vote unless two commissioners are nominated for the same position, in which case there will be a secret ballot vote.*

(1) Chair

**Milshteyn nominated Ken Clein to be Chair of the City Planning Commission, seconded by Mills. Noting no further nominations, the Chair declared the nominations closed.**

**On a voice vote, the motion carried and Ken Clein was elected to serve as Chair. Vote: 8-0**

(2) Vice Chair

*Woods stepped down as Chairperson and Clein assumed the position.*

**Mills nominated Alex Milshteyn to be Vice Chair of the City Planning Commission, seconded by Woods. Noting no further nominations, Woods declared the nominations closed.**



**On a voice vote, the motion carried and Alex Milshteyn was elected to serve as Vice Chair. Vote: 8-0**

(3) Secretary

*Clein and Carlisle clarified the responsibilities of the Commission Secretary.*

**Milshteyn nominated Sarah Mills for Secretary of the City Planning Commission, seconded by Woods. Noting no further nominations, Woods declared the nominations closed.**

**On a voice vote, the motion carried and Sarah Mills was elected as Secretary. Vote: 8-0**

**11-c**    [16-1009](#)    Review of Bylaws (Article XIV of Bylaws)

*Carlisle stated that in the bylaws, there is a provision that states that the Commission should review its bylaws to ensure that they are consistent with City policy. He said Staff and the City Attorney's Office has reviewed the bylaws and are not recommending any changes. He noted that he was forwarded an email he received regarding a change to attendance procedure at meetings; he discussed the message with the City Attorney's Office and determined that the language about attendance is consistent across the City's boards so they are not recommending that any changes be made.*

*Clein thanked Carlisle for the research and information.*

**Moved by Briere, seconded by Peters, to maintain the Bylaws as written.**

**On a voice vote, the Chair declared the motion carried. Vote: 8-0**

**11-d**    [16-1010](#)    Public Notice and Input Overview

*Carlisle stated that annually the Commission reviews public notice and input procedure. He said he knows Briere is especially interested in discussing proper notice and input. He noted that there is a handout on public notice in the packet this evening. He said he knows there has been a lot of discussion about this item, so he recommends tabling that discussion until the new Planning Manager begins.*

**Moved by Peters, seconded by Milshteyn, to postpone discussion of**

**public notice and input procedure.**

**On a voice vote, the Chair declared the motion carried. Vote: 8-0**

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

*James D'Amour, 2771 Maplewood Avenue, Ann Arbor, stated that he is speaking only for himself and not on behalf of any the organizations with which he is affiliated. He said that in thinking on his own past experience as a Planning Commissioner, he felt it prudent to read from the last page of his statement regarding Woodbury Club. He said the Commission should have asked for a revised wetland delineation study, as the previous one was issued in the very dry summer of 2012. D'Amour said he had asked the Commission to review the Northeast Area element of the Land Use Master Plan, particularly for lower density recommendations to better reflect new understandings of natural systems as the plan was passed a decade ago using outdated practices of the 1990s. He said he had asked the Commission to listen carefully, respectfully, and not dismissively to the concerns of residents regarding flooding and endangered species. He stated that he does not believe the Commission listened to the public tonight. He said he has never been more disgusted at a Planning Commission meeting. D'Amour said they heard from many well-informed citizens and listened very little to what they had to say. He said he is truly disgusted and does not know what the Commission was thinking. He stated that the Commission had the chance to make a better project and didn't; they could have held a special hearing based on the significant public comment expressed. He apologized for starting the new Commissioners terms off on a bad note, but he is very upset.*

**13 COMMISSION PROPOSED BUSINESS**

*Briere said beyond the need to refresh the Master Plan, one element that needs to be there is a discussion of how to incorporate affordability. She stated that they established a new single family zoning district, R1E, in an effort to create housing diversity and affordability a few years ago and it has not yet been used. She said there is a potential R1E developer that is maxing out the size of the houses on the lots and is offering them at market rate, which means that this strategy to achieve affordability is not working. She said she does not know what to do about it, but if they only have large houses on small lots and large houses on large lots, it is not creating the housing diversity that creates affordability, that allows someone to retire in town, or get started in town. Briere stated that when*

*discussing housing equity, there is a lot of talk about achieving equity for those who make the least amount of money and that is important, but the gap is for those who work here, and the Commission is not addressing that as assertively with the Master Plan as she would like.*

*Clein said it is a complex problem and certainly not one as easily solved for places like Ann Arbor where success as a community has not made it more affordable, but less affordable. He stated that hopefully with the new Planning Manager and his experience they will be able to work in a way that can help to rectify that. He stated that he wishes the last speaker had been able to hear Briere's comments about the Master Plan, as the Commission is held accountable to interpret and uphold the plan as it exists and not how they would like it to exist. He said they did that tonight even if it may not have been the ideal development everyone would like to see. He stated that he appreciated the discussion and will work to keep affordability on the radar.*

#### **14      ADJOURNMENT**

**Moved by Milshteyn, seconded by Peters to adjourn the meeting at 11:30 p.m. The motion was unanimously approved.**

Ken Clein, 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 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.