



# City of Ann Arbor

## Formal Minutes

### City Planning Commission

301 E. Huron St.  
Ann Arbor, MI 48104  
[http://a2gov.legistar.com/  
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Tuesday, November 17, 2020

7:00 PM

Electronic Meeting

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This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at [a2gov.org/watchCTN](http://a2gov.org/watchCTN)

To speak at public comment call 206-337-9723 or 213-338-8477 or Toll Free 877-853-5247 or 888-788-0099 Enter Meeting ID: 978 3155 2451

#### 1. CALL TO ORDER

*Chair Sarah Mills called the meeting to order at 7:02 p.m. with the following statement: Welcome to the Tuesday, November 17, electronic meeting of the Ann Arbor Planning Commission. The meeting is being held electronically to protect public health and safety due to the COVID-19 virus and to comply with orders issued by the governor, the Michigan Department of Health and Human Services, and/or the Washtenaw County Health Department. We intend to conduct this meeting similarly to an in-person meeting. However, please be patient if there are technical issues. Public comment will be via telephone only. To speak during any of the public comment opportunities please call 206-337-9723 or 213-338-8477 and enter Meeting ID 978 3155 2451. This information is also available on the published agenda, in the public notices section of the city website, and on the broadcast of this meeting on CTN channel 16, AT&T channel 99, and online at [www.a2gov.org/watchctn](http://www.a2gov.org/watchctn), select "government channel."*

#### 2. ROLL CALL

*Brett Lenart, Planning Manager, called the roll.*

**Present** 7 - Mills, Milshteyn, Gibb-Randall, Sauve, Abrons, Hammerschmidt, and Disch

#### 3. INTRODUCTIONS

*Chair Mills introduced Councilmember Lisa Disch as the newest*

*Planning Commission member.*

*Lisa Disch said she has lived in Ann Arbor for about 12 years, and has just begun representing Ward 1. Disch said she has always been interested in urban planning so she is very excited to be able to join the Planning Commission. As a political Science professor at the University of Michigan, she cares a lot about what can be done through policy tools to envision a new city, through serving on the City Planning Commission.*

**4. APPROVAL OF AGENDA**

**Move by Alex Milshteyn, seconded by Lisa Sauv , to Approve the Agenda as presented. On a voice vote, the Chair declared the motion carried unanimously.**

**5. MINUTES OF PREVIOUS MEETING**

**5-a. [20-1736](#) November 4, 2020 City Planning Commission Meeting Minutes**

**Moved by Alex Milshteyn, seconded by Lisa Sauv , to Approve the November 4, 2020 City Planning Commission meeting minutes and forward to City Council. On a voice vote, the Chair declared the motion carried unanimously.**

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

**6-a. City Council**

*Councilmember Lisa Disch reported on the previous Council meeting; Council passed a resolution to support a transit oriented development district with a goal of increasing housing density and options along major corridors. Council requested that the City Planning Commission engage in additional public engagement opportunities, designed to solicit feedback from the public. She noted that Council is interested in hearing from residents, those already active in the public process as well as being able to reach those who aren't active, in order to have a really broad spectrum of people represented in those discussions.*

**6-b. Planning Manager**

**6-c. Planning Commission Officers and Committees****6-d. Written Communications and Petitions**

[20-1737](#) Various Communication to the City Planning Commission

**Received and Filed**

**7. PUBLIC COMMENT/PUBLIC 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.)**

*Tom Stulberg, 1202 Traver Street, Ann Arbor, stated he is In favor of Transit Oriented Development in general; "We don't have the type of transit to support a full transit-oriented development, which is perhaps why it's titled Transit Supported. It's important to point out where transit oriented development works. It works where it has nodes or hubs of activity centered around transit stations; but we're not going to have that. I am a little bit concerned spreading this anywhere down the transit corridor because you have an eco-system that isn't complete, if you do that. By reducing and eliminating parking works well when you have a mixed use center around a train station but when you have a single building up and down a corridor where you reduce or eliminate the parking, you may be just off-loading the burden of parking from that development onto neighbors on neighboring streets. So, I hope that you will look at that in your consideration when you design this, as instructed to Council. Another thing that is missing, in my opinion, in Council's direction to you, that I hope you have the discretion to add in, as part of the conversation, the reliance on indirect causes for affordability and sustainability; essentially trickle down theory, which I personally don't believe in, and after almost 30 years in the real estate business, I think I have some experience to speak on with that. So why not link them; we do it in our Premiums ordinance; we do it for our PUD ordinance; and you're in the process of revising the Planned Project ordinance to do that directly, which is a really good move. The Planned Project ordinance that we have on the books now, is trouble, for those of you who don't know, it was one of the things mentioned in the Lower Town lawsuit, that was never resolved one way or the other in the lawsuit, but we had great concerns about the legality of the Planned Project ordinance as it stands in our books, so we are very happy that you took that up and are revising that and we're happy*

*that you are taking out some of the arbitrariness and discretionary measures and putting in some very specific measurements, and putting in if you want something changed in your development, say like reduced setbacks, that there is a trade-off, that could be sustainability, or affordability so I'm looking forward to having that discussion later on with you."*

*Noting no further public speakers, the Chair closed the audience/public comment portion.*

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

- 8-a. [20-1738](#)** Public Hearings Scheduled for Tuesday, December 1, 2020 Planning Commission Meeting

**Received and Filed**

**9. REGULAR BUSINESS**

- 9-a [20-1739](#)** Near North Townhomes Rezoning and Site Plan for City Council Approval with Planned Project Modifications - 700 North Main Street. A petition to rezone this 1.2-acre site from PUD (Planned Unit Development) to R4C (Multiple-Family Dwelling) district, and a site plan for 22 townhouses including a request to reduce the front setback from 25 feet to 10 feet and the rear setback from 33 feet to 22 feet. Development of this project will involve removal of 5 landmark trees, mitigation proposed, and some fill of the floodplain, mitigation proposed. Staff Recommendation: Approval

*PROJECT PRESENTATION:*

*Brian Biskner, Trowbridge Companies, 2617 Beacon Hills Dr., Auburn Hills, provided the proposed project presentation (Anthony Randazzo, owner and petitioner).*

*Michael Powell, Powell Engineering & Associates, was also available, as was William Jarrett from Jarratt Architecture.*

*STAFF REPORT:*

*Alexis DiLeo, City Planner, provided the staff report.*

*PUBLIC HEARING:*

*Ken Garber, 28 Hammerhill Court, Ann Arbor, welcomed Councilmember Disch to the Planning Commission, saying he was very excited to see her. Garber stated that more downtown housing is obviously desirable, especially on this site which is currently vacant, and is a problematic site for building due to the floodplain, but the petitioner found a viable option with reasonable density. He said his comments tonight, are about sustainability elements of this plan noting, "I see none here. In general, I don't think we should approve rezoning for market rate housing in Ann Arbor, without some significant sustainable element. The most urgent one is building electrification, since solar panels can usually be added later but HVAC systems are effectively permanent given the cost of retro-fitting, in this case presumably from a forced air gas furnace system with extensive ductwork to a ductless heat pump system. It's never going to happen. These townhomes will be burning gas for fifty years or more. Keep in mind that building new homes with electrification is now official City policy. As you know strategy 2, action 1 of the A2 Zero Carbon Neutrality Plan states that 'All new residential and commercial buildings be designed and built to operate without the use of natural gas, reducing the increase to cost associated with retro-fitting existing systems', plus we now have the Valhalla, Glen, and Veridian precedence to show it is economically feasible, assuming ground-up construction and a tight building envelope. We don't have the enforcement tools yet to mandate this on all new construction, but petitioners like this one should be asked to incorporate the heat pump HVAC systems or VRF systems for larger buildings. Many times, I've brought up electrification of buildings before the Planning Commission and I apologize for doing it again, because this really isn't a zoning or site plan issue, instead it should and could already be part of our City Building code as it is for many cities now. Contrary to common wisdom, that is entirely consistent with the Michigan law; because we don't have it in our Building code it falls to staff and Planning Commission to defend our community values. That's especially true for rezoning, PUD, Planned Project petitions, since these are not by-right developments. Commission has taken my concerns seriously in the past and I'm grateful for that; This Commission has more collective expertise than I can even grasp, not to mention incredible stamina, at meeting like this. But with projects with fossil fuel keep coming through I keep bringing the issue up – onto even, to amend our Building code or make it moot or until someone convinces me that I shouldn't care about it. Believe it or not, I find public speaking really hard. Thanks for indulging this."*

*Tom Stulberg, 1202 Traver Street, Ann Arbor, stating he is representing the properties at 110 and 112 E Summit, of which he manages. He said*

*he is the neighboring property to the north and attended the community presentation at Forsythe School (which he thinks was almost two years ago) and he hasn't heard from the developer since then; there are changes since then that he has not been aware of. He said, since the developer is asking for the project to be postponed, he would like to meet with him to understand the project and some drainage issues. Stulberg said he has enormous faith in the City's Floodplain Coordinator, Jerry Hancock, so he's not concerned about the stormwater drainage, but he sure would like to know from the developer about some of the updates that have been made that directly impact those he represents and himself. He agreed with previous speaker, Ken Garber, adding, "We have made very specific declarations about affordable housing, sustainability, and if we are serious about meeting those goals then we need to be bringing them up every single time a project comes up. This is not a by-right project; it's a Planned Project Modification, those are variances. The developer is not entitled, automatically, to those, and given what we have asked our citizens to do through a millage to support affordable housing, I do not see why we are not asking our developers to kick in their fair share, as well, towards affordable housing and/or sustainability.*

*Christine Crockett, Kingsley Street, Ann Arbor, said she lives in this neighborhood in an R4C zoned district. She said, "Ever since this piece of property has been up for debate on new development which has been for over two year, I have been involved with developers and their discussions – there have been several different developers. This recent one had meetings about two years ago, and I attended that meeting at Forsythe School. There have been vast changes in this project since that time, and I was never notified even though I was at that original meeting. The current project before you is one that is twice the size of the project I saw at Forsythe. That project was proposed as a PUD; a PUD requires a developer to give a proven community benefit and it also requires that there be a contribution to the affordable housing fund. Now this comes back to us, a project that is twice as big and yet, is no longer a PUD but an R4C" (zoning). "This, if ever I've seen anything that should be a PUD, this project is it; these developers need to develop and contribute to our affordable housing fund. The citizens of Ann Arbor have voted to tax themselves for that fund and we should ask, no less, of the developer who are asking to build in our community, and to manipulate the zoning in such a way as to hold the developers not responsible for making a contribution to our affordable housing fund is just unacceptable, to me, as a citizen who always votes and pays higher taxes for the benefit of our community. I also think this developer should talk to the stakeholders who have followed this project all along". "I think the changes here are far*

*beyond just R4C and Planning Commission should use its' better judgement to require this much enlarged development than what was previously proposed, to tell the developer he must pay into our affordable housing fund."*

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

**Moved by Lisa Sauvé, seconded by Alex Milshteyn, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Near North rezoning from PUD (Planned Unit Development) to R4C (Multiple-Family Dwelling), and**

**The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Near North Site Plan with Planned Project Modifications to a) increase the maximum height to 33 feet 6 inches, b) decrease the south side setback to 15 feet, and c) decrease the rear setback to 22 feet, subject to i) maintaining 43% open space, ii) maintaining 132 feet north side setback, and iii) having front doors facing North Main Street, garages underneath and accessible only from the interior of the site, and Development Agreement, subject to receiving preliminary approval from the Washtenaw County Water Resources Commissioner and addressing outstanding Engineering comments prior to scheduling for a public hearing of the City Council.**

**COMMISSION DISCUSSION:**

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

*Alex Milshteyn said it would be great to get renderings of what all sides of the buildings will look like. He commented that if the architect were to look at other colors, beyond brown buildings, he felt it would be appropriate. He encouraged the development team to go through another public participation meeting, given the changes proposed in the development along with the timing since the earlier meeting. Milshteyn said it would be helpful to him and the Commission to receive feedback from the neighborhood and those who had been invited to the original meeting at Forsythe School. He asked about the refuse pick-up plan and how the building phases would occur since it's one big building.*

*Brian Biskner said their intention for asking for a postponement is to allow*

*them to hold another neighborhood participation meeting.*

*Shannan Gibb-Randall asked if this proposed plan complies with the Floodplain ordinance that is coming. She stated that the project is very well set-up in terms of orientation for solar on the roof. She asked if the condominiums would be for rent or own, to which the developer responded, to own. Gibb-Randall said having solar would be a saving to owners as well as a selling point.*

*Ellie Abrons reviewed the Planned Project Modifications, asking if the developers only contribution would be added open space, to which DiLeo clarified that the developer would make a \$13,000 contribution to the City's Park Fund, in lieu of an on-site park facility, as well, and the north side setback far exceeding the minimum required setback, which staff feels is a compromise to the minimized south side setback. DiLeo explained that the building orientation is very pedestrian friendly which is also one of the Planned Project Modification benefits; the buildings front the street and have direct pedestrian access. DiLeo said in order to meet the Planned Project Modification threshold, the petitioner must only meet one of these standards.*

*Abrons said the increase to open space feels minimum and is completely on the interior of the project and doesn't provide any visual amenity to the pedestrian, the City, or the neighborhood. Abrons said two current priorities, in terms of development, of the City is sustainability and affordability and it's disappointing to her that this project doesn't address neither of those; with Sustainability being part of the Planned Project Modification folio she thinks it's something to consider.*

*Chair Sarah Mills added that she felt they need to do more than just consider it, realizing that the extended setback on the north side is in the Floodplain, which can't be built in, so the extended setback would seem to her to be unusable. She said, she believes the future owners that will live in the development would want to walk out their front door and walk up Main Street to get to Kerrytown and everything else in the downtown. She said while the Planned Project Modification amendments have not been passed yet, they have been discussed many times. She said it would be helpful if staff could think though the list of items on the amended document as they relate to the proposed project and provide that to the Commission when the item returns before them. She said she would also like to see how the developer would deal with the proposed EV (Electrical Vehicle) ordinance (in the parking areas of the development) that is soon to go before City Council for their consideration. Mills clarified that if the ordinance gets approved before the proposed development goes before*



*Council then the project would need to comply with the ordinance. Mills encouraged the developer to look at the upcoming and proposed Planned Project Modification amendments because it would make her more comfortable knowing that they meet some of the thresholds and help her say yes to the project.*

*Lisa Sauv  asked Staff if there was a reason R4C wasn't included in the height component as were R4A, R4B, R4D, and R4D, to which DiLeo responded R4C had been left out of previous amendments that occurred 10-12 years ago, to allow further review and discussion as part of an overall Master Plan revision. Sauv  said she too would better if the developer returned with sustainability or affordability components that are part of the City's more forward thinking goals.*

*Shannan-Gibb-Randall noted that the FEMA maps are in the process of being re-drawn as part of the tunnel project, and she felt it would be beneficial to the developer if he had a discussion with Jerry Hancock on the matter if this project would be affected by those changes, to which DiLeo said she would get a statement from Hancock; however, believed the tunnel and subsequent re-mapping would free up more land.*

*Councilmember Lisa Disch verified that this proposed development had not been submitted as a PUD, to which Staff and the developer agreed. Disch said, when we review and approve something as a by-right project, it is not wrong to say, we are giving up leverage; however, she underscored everything mentioned by the Commission in looking towards these future oriented metrics and revising this project, adding a little more, as if it were, because if you look at what the petitioner is asking for, it's not very much. It's way less height than they could get if they weren't in R4C and had their parking underground, it's an offsetting setback; the City hasn't asked very much in return, except what we are giving is this big benefit in return – this will be by-right development. Disch expressed that it is appropriate to try to raise what we're asking from the Planned Project standards. She said she was feeling wary if the three smallish benefits, as listed in the staff report, add up to enough in a 'better' fact to qualify under the Planned Project Modifications.*

*Sara Hammerschmidt added that the link in the staff report were to a meeting that occurred in 2016 and not in 2018. She asked staff to show a comparison between comments brought by residents in 2018 and how those concerns reflect with the currently proposed plan. She also asked that the developer respond to the question of possible electrification of the project when the project returns before the Commission.*

*Biskner said the 2018 plan showed the building almost in the same place with 1.5-foot shaved off the setback due to the floodplain issue. He noted that all meeting notes can be found in the etrakit software site plan file attachments.*

**COMMISSION DISCUSSION ON POSTPONEMENT:**

*Possible upcoming agenda dates and availability were discussed.*

**Move by Alex Milshteyn, seconded by Ellie Abrons, to postpone petition action until the January 5, 2021 City Planning Commission Meeting.**

**On a voice vote the Chair declared the motion carried. Vote: 7-0**

**Yeas:** 7 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, and Lisa Disch

**Nays:** 0

- 9-b.**      **20-1740**      2060 W Stadium Boulevard Site Plan with Rezoning for City Council Approval and Special Exception Use for Planning Commission Approval - The petitioner proposes to construct a 4-story, 120,687 square foot, self-storage building, a 3-story, 23,315 square foot, mixed-use building, and surface parking on the site. The mixed-use building will include a ground floor bank and 2 upper floors of office space. The bank is proposing a drive-through which requires a Special Exception Use (SEU) Approval. The petitioner is also proposing to rezone the portion of the site currently zoned P (Parking) to C2B (Business Service) Zoning Classification. The petitioner is also proposing a variance to provide less vehicular parking than is required by code. Staff Recommendation: Approval

**PROJECT PRESENTATION:**

*Sean T. Havera, North Stadium, LLC., 30100 Telegraph Road., Suite 220, Bingham Farms, petitioner, provided the proposed project presentation.*

*Ted Hirsch, Midwestern Consulting, LLC, 3815 Plaza Drive, Ann Arbor, was also available to respond to enquiries.*

**STAFF REPORT:**

*Chris Cheng, City Planner, provided the staff report.*

#### COMMISSION BREAK

#### PUBLIC HEARING:

*David Olmstead, 600 Ridgewood Court, Ann Arbor, and Sue Perry, 1708 Fair Street, Ann Arbor, and Kurt Gardner, 4 Dover Court, Ann Arbor, all read from the same written statement presented to the Commission (and included in the record for this meeting - COMM8).*

*We future Northstar neighbors appreciate the need to redevelop the dormant Naylor site and realize that Northstar's public storage facility suits that need. We will be cooperative and constructive. We have two requests.*

- 1. That the Commission weigh the interests of Northstar and the interests of residents equally, and*
- 2. That Northstar provide actual answers to legitimate resident questions raised from the beginning of the project process.*

*The lots along this section of Stadium Blvd. are unusually zoned. They have bifurcated zoning. The lots are zoned C2B in front and a narrow strip in the rear is zoned Parking. The fact that this original and long-standing zoning is unusual does not make it suspect. Instead it warrants careful attention to why this unusual provision was there in first place. The purpose had to be more than simply assuring adequate parking. The staff report recognizes the unique purpose of this separate zoning for parking.*

*Staff states: "Historically, P zoning was used as a buffer from commercial uses adjacent to residential uses."*

*An extended buffer zone to insulate residents from actual operations is absolutely essential here. Storage operations mean truck and trailer traffic and moving noises and lights, 6:30 am to 9 pm, every day, 7 days a week. Instead Northstar wants rezoning so it can move its building and operations [40-50 ft ?] closer to residents.*

*Northstar insists that its project must be allowed if it meets current UDC requirements. Fair enough, but just as Northstar wants to rely upon existing standards, so too must residents be able to rely upon long-standing zoning that was specifically intended to protect their interests. Nonetheless, staff gives greater weight to Northstar's interests.*

*Staff says: "The Master Plan, Land Use Element recommends commercial uses for this site. "*

*And thus, "Staff recommends that the zoning be approved because the proposed uses permitted under the C2B zoning district are consistent with the recommendations of the Master Plan."*

*Staff's reference to the Master Plan is extremely misleading.*

*There is nothing in the Master Plan which recommends that parking zones be eliminated or that parking zones be rezoned commercial.*

*Here is what the Master Plan, in summary, actually recommends: (1) minimizing the amount of unnecessary parking spaces; (2) designing parking lots to be less aggravating; and (3) requiring that surface parking be placed at the rear of buildings.*

*Now let's compare staff's standard for rezoning, that being "consistent with the recommendations of the Master Plan" with what the law requires.*

*Compare the staff recommended standard for rezoning with its recommendation for site plan approval. For site plan approval staff carefully recites the specific criteria of UDC Section 5.29.6 (D) for site plan approval, namely:*

- 1) compliance with all laws and regulations;*
- 2) non-disturbance of natural features; and*
- 3) not cause a public or private nuisance and ... not have a detrimental effect on public health, safety or welfare."*

*Like its specific criteria for site plan approval, the UDC likewise has specific criteria for rezonings. Section 5.29.9 provides: "For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the City, the boundaries of any zoning district shall not be amended except, and here in summary are the three criteria: (1) to correct an error, (2) because of change in municipal policy, or (3) because of changed conditions of the area. The staff recommendation for rezoning does not recognize or address any of the required UDC criteria. The staff recommendation for rezoning is legally defective on its face.*

*At the same time, Northstar's answers to rezoning application questions are vague or exaggerated. Instead of saying there will be two jobs in the storage facility, Northstar exaggerates:" The rezoning allows for the development of a business that provides employment opportunity and helps to stimulate the local economy."*

*With rezoning, Northstar's application states that with rezoning "Noise/light pollution are potentially reduced"; "views from the homes to the east will be largely unaffected"; and the the rezoning "[will] help to create a stronger relationship between the businesses on the east side of Stadium Blvd. and the residential neighborhoods to the east."*

*Look carefully at that rezoning application: every advantage promised in*

*the application will be accomplished without the rezoning, just by reducing a 120,000 sq ft building by 10,000 sq ft.*

*Compare Northstar's exaggerations and assertions without evidence in its rezoning application to Northstar's actual replies to the questions of near-by residents at the Citizen Participation Meeting There were questions about noise, sun blockage, night light pollution, trash being discarded when storage renters --all problems that will be severely aggravated by moving the storage structure 20 to 25 [?] feet closer to the residents by rezoning.*

*Here are the invariable Northstar replies:*

*"We are further refining our plans and will incorporate community comments from the meeting to revise our current site layout as appropriate." Appropriate to whom?*

*"We are working with our engineers currently to address ....noise emissions. ....We anticipate little noise to the surrounding uses. "*

*"We are working with our architects to provide us with sun study exercises that will allow us to better answer this topic."*

*"We are still in the preliminary design phase with regards to lighting. We will work together with neighboring property owners to ensure needs are being met."*

*Northstar promised to get back to residents with answers to their question, In their meeting report Northstar lists the email address for each questioner. But there has never been any answers to these questions by Northstar.*

*Staff's response to this Northstar evasiveness, is a trusting " be careful." For example in its August 12 letter staff says: "Please ensure all lighting does not cause a nuisance with the adjacent neighborhood. " Unlike staff, we neighbors have no comfort or satisfaction, for our lives and homes in coming years" by Northstar's exaggerations and assertions without evidence.*

*Northstar has not answered our questions. We will have to find out the answers ourselves.*

*Indeed staff and this Commission should want answers to these same questions. There is a way for all of us to get those answers.*

*Planning staff requested Northstar to "consider reducing the floor area of either the office building or the storage facility to meet " [parking standards].*

*Northstar refused Staff's request: In it's Sept 11 reply letter Northstar wrote "Our refusal] is predicated on .....*

*Applicant's knowledge from other self-storage facilities. Similar size storage buildings owned by this developer have only required approximately 12-15 parking spaces to adequately serve the building." In effect Northstar is telling its neighbors, the Planning Commission and*

*staff that based on Northstar's experience with "similar size storage buildings," it knows how to avoid all of the problems and concerns raised by neighbors and staff.*

*So let's go with that: Northstar, tell us where those similar size buildings are. Let us confirm for ourselves that you have avoided the noise, trash, light pollution, and parking problems that can arise from a 120,000 sq ft storage facility. Commissioners: A 120,000 sq ft storage facility will be among the largest in America. You owe it to the City to make sure it is not an embarrassment and full scale nuisance. Give staff and residents an opportunity to see how Northstar's 120,000 sq ft storage facilities have worked out in other communities. Require Northstar to name and locate its similar size storage facilities so that the Commission, staff and we future Northstar neighbors can get the answers we all need.*

*Andrea Lahodny, 1609 Greenview Drive, Ann Arbor, stated this development does not fit in this area; it belongs in an industrial area and does not add anything to the neighborhood. She said she is not crazy about the size, but more concerned about the use as a storage facility when there are several within a two mile radius of this site; She expressed having nothing against a local or regional bank wanting to expand, but noted there are three other banks and a credit union within a quarter mile of this site and she doesn't feel it's the best use of the site.*

*David Akey, 1739 Ivywood Drive, Ann Arbor, said he objects to making allowances for this project as it gives nothing to the City or neighborhood in return; he expressed concern about contamination under the site that the developer just wants to be glossed over. Akey said this development is seeking to bring in traffic which is not consistent with the City's climate goals, and employment by self-storage facilities is minimal. He said this development will bring in more truck traffic to the area. Akey said we should not change the zoning because they will only be left with a huge empty building. We should also seriously ask them what they plan on doing with the contamination.*

*Kent Love-Ramirez, 1919 Ivywood Drive, Ann Arbor, said his family sought out this neighborhood to be in a walkable, urban neighborhood where they regularly walk to school and the nearby parks, restaurants, grocery shopping, hardware store, dry cleaners and more along West Stadium Boulevard." It's the life we imagined, now at risk of being tainted by an ill-advised development that does not serve the needs of residents. The City's Land Use Plan for the Stadium corridor states "the purpose of a neighborhood, or local, business district is to serve the needs of the surrounding residential neighborhood, providing goods that are needed*

*on a day-to-day basis.” Simply put, a 120,000 sq. ft self-storage facility does not align with the day-to-day needs of nearby residents, despite NorthStadium LLC stating during the community meeting that they anticipate 80% usage from local residents. The Land Use Plan recommends improvements to the Liberty/Stadium District that “create a stronger relationship between businesses on the east side of Stadium Blvd and the residential neighborhoods to the east.” A self-storage facility does not create a stronger relationship with residents. It creates a divisive relationship. And we believe there is no precedent or need for such a development adjacent to a residential neighborhood. As owners of an adjacent property, we will be directly impacted. A four-story cinder block wall will obstruct sightlines and diminish natural light including our view of sunsets. Earlier this month I shared with Planning Commission and City Council members a photo of a beautiful sunset taken from our backyard. If the development proceeds as planned, there will be no such views. We instead will stare at a cinder block structure that likely will increase light and noise pollution from the physical buildings and increased vehicular traffic using the bank’s proposed 3 lane drive-through and also loading zones for the storage facility’s 908 proposed units. We respectfully ask the Planning Commission to decline the rezoning and special exception requests, or at minimal delay any decision until the developer responds to residents’ concerns and questions. The development will negatively and irrevocably impact the adjacent residential neighborhood and is misaligned with the vision of the City’s Master Plan.*

*Ingrid Peterson, 1943 Ivywood Drive, Ann Arbor, stated she lives directly behind 2060 W. Stadium. “I am speaking today with a mix of disappointment and outrage at both the Planning Commission and NorthStadium. After the July meeting hosted by NorthStadium LLC, I contacted several members of the city Planning Commission as well as City Council to register my objections. I received one response that indicated I would be added to a distribution list regarding the status of this project. I never received any status updates. I was shocked that not just one, but a collection of public servants would have so little respect for city residence that they would impede our ability to participate in a decision-making process that directly affects us. As our neighborhood organized throughout the summer it became evident that most of the residents were in a similar situation. Also, by combining 2 issues that require public comment into 1 meeting, the Planning Commission has further restricted the ability of my neighbors and myself to fully access city resources. I am disappointed but not surprised by NorthStadium LLC’s contempt for the residents of this neighborhood, and their lack of due diligence which may indicate incompetence or maleficence. I make*

*these claims based on their Neighborhood Correspondence Study which is a blatant conflict of interest. The content of this document misrepresents and omits the concerns of the neighborhood. Among the omitted items was the question of why 2060 W. Stadium was a better location than other available plots on Stadium between Liberty and Pauline. This question was raised to address the issues of large vehicle traffic as well as avoiding the need for rezoning. NorthStadium LLC had no answer and is seeking to hide this inquiry from the Planning Commission. The question concerning wildlife was linked to the issue of trash disposal and was presented as a specific issue with the former neighboring business and had resulted in a citation from the city. This was not a hypothetical question but an actual concern about attracting raccoons and opossums into the area that then pose a threat to residents and our pets. I personally have dealt with several encounters, some resulting in vet visits and required erecting a privacy fence. Further, NorthStadium LLC is arguing that North Star Bank as a regional bank is a unique addition to the corridor. This is more evidence of their lack of due diligence as the other banks in the area include local and other regional banks. I object to the unnecessary rezoning of 2060 W. Stadium and a development project that is not consistent with the city's master plan simply to benefit a collection of companies that are not transparent and not reliable community partners.*

*Ken Garber, 28 Haverhill Court, Ann Arbor, spoke about the sustainable aspects of the plan. He said its commendable that the petitioner spoke to the Office of Sustainability and Innovations, and their voluntary compliance with the City's proposed EV charging ordinance as well as consideration of electrification, but without commitment to such. He noted that the petitioner has stated that a VRF system, for the bank building only, is under review by the City. Garber said the self-storage building should be considered for electrification; asking if the petitioner has looked into the matter. He noted that the petitioner provided information that the bank building would have an electric re-heat system; however, re-heat systems, he said are inherently energy wasteful and a sign of how little the developer is offering. Regarding solar, the petitioner states without net meeting, it doesn't make economic sense. Garber said many of us are installing solar because it is eliminating greenhouse gas emissions, not just reducing them, which is a global imperative and an individual responsibility.*

*Laura Lawrence, 800 Dartmoor Road, Ann Arbor, read from a prepared statement provided to the Commission " I'm voicing my strong opposition to the proposed development at 2060 W. Stadium Blvd (former Naylor*



*car dealership). I live in the neighborhood behind this location and am extremely concerned that this development will increase traffic, congestion, and light/noise pollution in our area. In addition, this development is a visual blight and will be detrimental to the relationship between the Stadium business area and the nearby neighborhoods. The Stadium business area should be made more accessible to residents, attractive, safe for pedestrians, and consistent with the residential character of surrounding neighborhoods. I am asking that you DO NOT approve the rezoning request. I would like to see this empty lot developed in a way that is consistent with the city's stated vision for the Stadium corridor. My family has benefited from the enhancements along Stadium that promote walkability, shopping, and dining out. This development would be a blight on the Stadium corridor and negatively affect families in my neighborhood.*

*Rena Seltzer, 6 Dover Court, Ann Arbor, said she echoes her neighborhood concerns; Stadium has become nicer and walkable and having a storage unit in the middle of the corridor would create a dead zone. It seems like it's mostly to serve the students and would be better located on S. Industrial. This site backs up directly to our residential neighborhood, and the plan proposed by the developer would have a serious negative impact on those of us who would literally be living in the shadow of this plan. A four-story structure would be an eyesore and would block sunlight from the single-family homes that are directly to the east of the parcel. The current zoning that allows for parking up to the eastern edge of the property is a much better fit with the residential nature of the adjacent properties. Thank you for your consideration.*

*Kelly (no surname provided), 1943 Ivywood Drive, Ann Arbor, agreed with her neighbors regarding the mismatch and inappropriateness of the storage facility in their neighborhood. She noted that the developer has not been particularly forthcoming with neighborhood concerns. She said many family homes that back up to the proposed development have vegetable gardens and she has concern with the new building blocking light to them.*

*Dale Dunlap, 829 Dartmoor Road, Condo Unit 4, Ann Arbor, said they live adjacent to the Gal Zaz Grotto, but believes they will be the ones mostly affected by the proposed development in that they have 8 south-facing windows which would be severely impacted by this development. He said he agrees with his neighbor's concerns and has read a lot of the documentation for this project and the Master Plan; however, he stated he does not see how the development of the storage*

*facility meets the character of the area.*

*Jonathan Njus, 1906 Ivywood Drive, Ann Arbor agreed with his neighbors and opposes this development, adding “I find it very hard to believe that there is no other location on the outskirts of Ann Arbor where the owner could more appropriately locate this facility. The height of the building will tower over the treeline; it doesn’t fit in the neighborhood. We would like to have something that is cohesive that we can visit.”*

*Amanda Wyse, 1937 Ivywood Drive, Ann Arbor, said “A portion of this site is zoned P (Parking Service) Classification to provide a buffer of space between the commercial businesses and the residential neighborhood and should not be re-zoned. The former owner of the commercial property dug out the berm separating the neighborhood from the commercial space to make the parking lot for his car dealership bigger and took out the buffer of trees already. Rezoning the lot now would open it up to future building even closer to our houses. The City of Ann Arbor’s application asks how the rezoning will affect the public welfare and the property right of persons located in the vicinity: rezoning this land to C (Business Service) Classification will affect all of the people who have houses adjacent to the land. We will see and hear the activity from this building. We will see the lights, hear the people, hear the cars. The building will create a wall blocking the sky. It will affect the view of our back yard and tower over our houses in height to be seen from our front yards. It will affect our property values. The developer wants to build a four story building which is inconsistent with all of the other buildings in the area. Page 98 of the Ann Arbor City Master Plan’s Land Use Element states Goal D “To achieve a commercial district that is a physically attractive, cohesive shopping district with a unified visual impact that conveys a sense of place and provides a positive impression.” Nothing on Stadium that is adjacent to a neighborhood is taller than two stories. A four story building will look out of place, set precedent for other developments to build to supersize, block the sun, and cast security lights well over the tree line. A four story building will be so tall, it will be the first thing people see when they step out of Eberwhite Woods onto Ivywood Dr. This would not be physically attractive, it would not provide a unified visual impression. It would be ugly. The developer’s application says that the storage facility and bank will “attract the interest of the community members” and “create a stronger relationship between the businesses on the east side of Stadium and the residential neighborhoods to the east.” But most people who use storage facilities do not walk there or ride their bike there. People must drive to a storage facility with a truck full of heavy stuff they need to put in storage. The developer also wants to build a bank with a drive*

*through (not something pedestrians or bikers tend to use). Please do not approve the application to rezone the lot from P to C. Please to not approve a four story building in that location. It is not consistent with the goals of the City Master Plan, does not meet the qualifications on the City's application, does not meet the needs of the community and certainly does not meet the A2Zero Carbon Neutrality Strategy.*

*Janet Young, 825 Dartmoor Road, Ann Arbor, stated she has lived in Ann Arbor for 20 years and "most of what I would like to say has already been stated eloquently; I am very concerned about having a four-story building behind my house - it will block my southern exposure. The neighborhood does not benefit from having a self storage use; it would be better in an industrial area; I feel that having this development here will reduce property values."*

*Rene Saulter, 1925 Ivywood Drive, Ann Arbor, said she had recently moved to Ann Arbor and into this neighborhood from an area with no walkability. She said this development will look into the second story bedrooms and bathroom of their home and will negatively impact their way of life.*

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

**Moved by Alex Milshteyn, seconded by Lisa Sauvé, that the Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), conditioned upon approval of the corresponding site plan; and, therefore, approves the 2060 W. Stadium Special Exception Use for a three-lane drive-thru bank facility, and**

**The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve 2060 W. Stadium rezoning from P (Parking District) to C2B (Business Service District), and**

**The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 2060 W. Stadium Site Plan, subject to 1) combining the subject lot with 2040 W. Stadium; 2) approval of reduced required parking, relocation of street trees outside the public right-of-way, and elimination of bio-retention islands by the Zoning Board of Appeals.**

*COMMISSION DISCUSSION:*

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

*Lisa Disch responding mainly to Motion 2 & 3:*

*The people that have spoken tonight are correct in so many ways that the proposed storage facility will be a visual blight, it will carry the Stadium business area in the wrong direction, further away from walkability, shopping, and dining out. The project does belong in an industrial area where we are not concerned with streetscape or less so. A 120,000 square foot storage facility is detrimental to walkability. I agree with all these points and it makes me frustrated and sad. We need to be clear, we are not changing our zoning to allow this project; our zoning allows this project. We can refuse the rezoning request of the parking portion of this site, but the bank and the storage facility will likely get built anyway. The only thing that will not happen will be what Mr. Cheng described as ‘the one-story finger’ of the storage structure that is projected to jut into the area of the sight that is adjacent to the neighborhood and that is zoned for parking. So, there could be no greater testimony to the disjuncture between our zoning codes and our vision for Ann Arbor than this proposal and there could be no greater argument for the urgency of moving forward on a transit supported zoning district that can pre-define how residential and retail can work together productively. Such a zoning district would prohibit super-sized warehouse style businesses like this one in mixed use zones. So, this poses a dilemma for me, being new to the Commission; we can protect the parking buffer between the proposed storage facility and the residential neighborhood, but this will not stop the storage facility from being built, it seems to me. It will be built, and we will lose any capacity to demand concessions that would mitigate, what one caller so eloquently called ‘the visual blight’.*

*Disch said she would like the Planning Commission to make a recommend to the Zoning Board of Appeals with regard to this petition, that the parking minimums be enforced.*

*Alex Milshcheyn agreed with Disch, noting that this is a very sad development on Stadium Boulevard. He said he passes through this corridor on a daily basis, and his office was located on West Stadium Boulevard for almost 15 years and a lot of improvement has happened in this area over the past 20 years; Stadium Boulevard is looking much more like a downtown of the West Side. With Arbor Farms and several*

*other small businesses there it has become much more walkable, so to see a 120,000 square foot storage facility built there is sad, really, really, sad. He said he will fight this proposal because he does not believe it's the right use for this site. Milshteyn said he will vote No on the request and he will not be in favor of rezoning it, and he will also not be in favor of the drive-through at this site because I am going to fight this. He said it will be the first time he will be voting against having drive-through facilities. He said he will do everything on his end to make sure this huge 120,000 square foot storage facility doesn't get built at this location, because it's the wrong location for it. He said he will oppose this project and continue to oppose it as much as he can. He said sorry to the neighbors, as he believes the developer will likely bring back something that meets the City's zoning code but he promised he will oppose any drive-throughs as long as there is a storage facility there. He said as a former Zoning Board of Appeals member he will work together with Disch on formulating a recommendation of denial to the Zoning Board of Appeals. He said he's never had such a strong reaction to something like this, but he does, because it is just wrong for our community.*

*Shannan Gibb-Randall asked if the Commission has any leverage on the type of commercial uses can go into various sites, to which Cheng responded, no, as long as it meets the zoning. She asked about P (Parking) zoning designation.*

*Brett Lenart said P (parking) zoning was used deliberately as a buffer, as a transition zoning, and to date he didn't believe there has not been any clear policy direction yet that these zoning districts are inherently good or inherently bad, but in the past, it's limited certain activities in these zones in the City.*

*Gibb-Randall asked if the proposed height of this project is within the allowable zoning, to which Cheng responded yes, both C3 and C2B zoning (as W Stadium is zoned in this area) have a 4-story, 55-foot height maximum. Gibb-Randall said, this is the height threshold that can be expected along W Stadium as various sites get developed or redeveloped in the future, because that is what the zoning allows. Cheng said in the C2B zoning, whenever anything exceeds the 30-foot height, which is typically the maximum height limit in a residential zone, they also have to increase their setbacks one foot, and in this case, they have met it.*

*Gibb-Randall said when they re-did Stadium Boulevard, she believed the direction the City wanted to move towards was away from the single story*

*retail along there and be able to go up, in general, to create a streetwall. Cheng said, correct, that they have begun reducing the front setbacks, pushing buildings towards the front and parking towards the rear. Gibb-Randall said she understands how difficult changes around our homes can be, because she too has had to deal with changes where she lives, and it's not easy; however, she wants to give people a sense of realism to help with adjusting expectations on what this corridor might look like in 20 years.*

*Lisa Sauv  asked about the proposed parcel combinations, to which Cheng responded; since the small parcel has always been used for parking by the previous dealership but was never combined with the main parcel, and is considered as part of this proposed project, the developer must legally combine the lots which is an administrative process done through the City Assessor's office. Sauv  said she too felt this project is a pretty, grotesque project to put in a neighborhood that's grown more people friendly. She said the argument about sustainability is fascinating to her, when they are conditioning a building for consumer products that aren't actually desired to be next to people (sent off to storage) that we have to aircondition and that's what we are spending building energy on, but we are not electrifying it, or putting solar panels onto it because it's a cost to the developer. So, when I read through the A2Zero arguments about why some of the energy requirements we're looking for aren't feasible per cost, but the narrative turns around as if this is environmentally friendly because it's shorter distances for people to travel to store their things, in tempered space, doesn't make sense to me, in any sustainable realm in any long-term fashion. When I think what that means for this project for fifty years – the long-term duration of this project – those are the type of things that developers should have to reconcile with and understand the upgrades and investments to that property. I think it goes similarly when we start thinking what the zoning is and what the ordinance is versus what the Master Plan looks like; in all the vision of the Master Plan, the criticism that it is dated and what we're seeing with public participation of the overwhelming amount of engagement and feedback for the future of Ann Arbor, especially along these corridors, to transit oriented development, more retail and walkable friendly, we should be working towards having things catch up, and to approve a project that is so far behind with the public wants, I just can't agree with. She said she might be harsh in her filtering, but this is a very hard project to try to understand why there would be an approval, so she'll be voting no.*

*Ellie Abrons asked about the currently P zoned area if it were not to be rezoned, would it provide an additional approximately 30-foot larger buffer*

*from the residential neighbors, to which Cheng said, yes.*

*Abrons said what is most distressing to her about this proposal is that it not only goes against the current Master Plan but against the Master Plan that we imagine creating in the future. She read from the Existing Land Use Plan (adopted 2009) as previously quoted by a caller, noting it mentions these things the caller mentioned, about providing goods for residents that are needed on a day to day basis and a stronger relationship between businesses on the east side of Stadium Boulevard (very specific) and the residential neighborhood directly to its east. I think this project just clearly violates this and clearly goes against what Commissioner Sauvé was saying about the kind of future vision this City we all imagine that brings us closer to pedestrian orientated development as opposed to pulling us further away from it – that provides walkable transit accessible housing and development that is sustainable, that's affordable, etc. She said in thinking about the existing Master Plan and the future Master Plan, it is hard for me to understand how this project meets either of those desires for the land use in this corridor. In terms of affordability and sustainability she agreed with comments made about the almost absurdity suggestion that this project meets the A2Zero goals of the City. She said when we take the comments made by callers about the HVAC system and the heat pump system, and the comments that the project reduces the impervious area from 87 percent to 81 percent which feels like it's not a particular difference that makes a difference and feels like a significant change that would tip this into something that would promote sustainability. She also had a similar thought as Suavé on the 50 year life of the building that it couldn't easily be adapted for re-use, it's very hard for me to imagine how this in 30 years could become something other than what it is; so can you imagine the future of Stadium Boulevard, where it feels like a downtown, it has a streetwall, it has a pedestrian life, amidst all this mixed use of restaurants, shops, and offices , there is this huge storage facility with a huge amounts of parking next to it, which it requires because UHAUL trucks have to pull in and out - it doesn't fit the future vision of that corridor. The Special Exception Uses have been robustly discussed by this body and the tolerance or appetite for future drive-throughs. When we have these A2Zero goals we're trying to reduce automobile traffic. She questioned the 3-lane drive-through noting that her bank has 1 lane. In conclusion she said even if a development is allowable by code, by zoning, by ordinance, it would seem like there would be a desire on behalf of the petitioner to be a good neighbor and think about what they could do here that would be beneficial to the neighborhood and the people that live here. Clearly with the amount of opposition to this project, this can't be a surprise to you; I'm*

*just disappointed that the public participation seems to have been undertaken because you had to, not in good faith where you actually were interested to know what the community would want in this location. I find it hard to believe that a 120,000 square foot self-storage facility is the only thing that makes sense for this location when there are other uses which might be more amenable to the community and also be plausible – and for all of those reasons I also intend to vote No.”*

*Sara Hammerschmidt agreed with the Commission, adding that with all of the opposition to this project, with the neighborhood all being disappointed, that the project is here. She said, I know we can't pick and chose the type of development uses that go into various sites, but this storage facility, particularly does not feel like the right use at this particular location. She said the argument that the project will minimize mileage to storage facilities; yet, everybody has to drive to access this particular use. You can't walk to this particular use and I think what we want to see along this corridor in particular are things that promote walkability (one can see and feel what is wanted along a corridor). Hammerschmidt said she has less of a problem wit the bank than with the storage facility; however, from the renderings, it looks like one is accessing a cave like tunnel instead of a drive-through from Stadium, with that west elevation off Stadium Boulevard, and she does not believe this is the type of frontage we want to see. She said from the plans it looks like there is a curbcut for the drive-through and another curbcut for the driveway which stuck out as an essential issue. She said with so many public comments brought about the height of the proposed buildings and the potential shading it would cause to neighboring parcels, she asked if a shade-study had been done or could be done to show renderings of the buildings from the neighboring parcels could help alleviate concerns from neighbors. She said she's struggled all week-end long over this particular project and as it is currently proposed, she cannot support it in this particular location.*

*Sean Havera said they would like the Commission to postpone their project until January to allow them to hear more about the concerns that they've heard tonight. Their architect said they would be able to do a shade-study for the Commission.*

*Sarah Mills said this is a corridor that has been on the Planning Commission's radar for some time. Currently the zoning allows for mixed use, it allows for development that are 55 feet tall, the amount of floor area that is allowed in this corridor is more than this project is proposing – this project doesn't max out! More building could be built here under our*



*current zoning, and as Gibb-Randall was saying, 'we're just not getting it'. One of the reasons, is her guess, is knowing what happened across the street and knowing the variance that's being asked for and required by the Zoning Board of Appeals on the parking. Mills said generally speaking the Planning Commission is the body who says if you don't have to build the parking - don't! She said that's what makes this tricky because all this stuff works if you're thinking about these different types of uses mixed together.*

*Mills said she wants to be very clear to the neighbors that she, personally, isn't so much concerned about the height or about the size because that amount of density helps to activate a lot of those spaces, maybe, so when we (the City, the Planning Commission) have those discussions about zoning and transit oriented development - know this. If you, as a resident, are concerned about height, we need to hear your voices, we need to hear the public involved. This proposed building might be close to 4-stories in height but there are no windows on that building, and there could be a lot of other things built there that could be way more intrusive than this could be. As Milshteyn said, 'it's very likely a proposal may come back that is entirely by-right, where effectively there is very little discretion for us'. Mills said public participation in the zoning and ordinance writing process is really, really, important because once we already have a code, any development proposals we see are evaluated according to what the rules are on the books now.*

*Mills, addressing the developer, said she's not totally against drive-throughs and if there is to be one, she felt having one that is tucked in with useable space above it is the better usage of space. She said in order to make the case that this storage facility fits within the A2Zero Sustainability goals it would need to be the most sustainably sources facility ever. You would need to pull out all the stops to make me believe that, because I just don't believe this is the place for a storage facility, given the character of that corridor. She asked Havera why the bank and the storage facility combination, to which Havera answered, the storage facility seemed like a use that didn't require much parking use, and even though there are two sites they are owned by the same owner, and the indoor storage facility use is a much quieter use than retail.*

*To the Planning Commission, Mills said, this is not just about the corridor here, it's about the Use Table (in our Zoning Ordinance); this is permitted in our C2B Zoning districts and if we don't want it in this place, then we need to change the Table. She said there is nothing that we can do now, but zoning is a living document and we try our best to fit and be reflective*

*and to find all of the loopholes that we're going to get that we don't like – and this is where you might see in Commission Proposed Business where we just take that off of the Table, specifically when we know what our other C2B corridors areas are.*

*Milshteyn said he didn't believe this item needs to be postponed, it needs to be voted on this evening; if it is postponed it will not be required to go back to the residents and neighbors to see what changes have occurred and to get their feedback. He said he will vote against a postponement if that is the direction the Commission will take.*

*Abrons asked what the petitioner believed they could do during a postponement.*

*Havera said he believes it gives them time to go back and evaluate a few things and if need be, they could go back out to the residents and restarting the process from square one isn't necessary; they could fairly, quickly, evaluate what has been said and still work within a timeframe to address various issues, options, and concerns.*

**Moved by Sara Hammerschmidt, seconded by Lisa Disch, to postpone agenda item.**

#### COMMISSION DISCUSSION ON POSTPONEMENT:

*Lenart asked if the Commission wanted to schedule return of the project to a date certain in January 2021 or if not, the department will send out new notices to the neighborhood when the project is ready to return before the Planning Commission.*

*Hammerschmidt said with the holidays coming up, she did not believe postponement to a date certain would provide the petitioner with enough time to address all the issues that have been raised.*

*Milshteyn said he would be voting No to a postponement because he is ready to vote No on the project . He urged the residents, neighbors, community members, members of the public to please stay involved with this project so the Commission could hear their input when the project returns before the Commission. He said to the developer that he would hope that they host another citizen (resident) participation meeting because they have heard a lot of opinions today and the Commission has received a lot of communications (more than he can ever remember receiving his 6+ years on the Commission) on the project.*

*Sauvé said she can understand from staff comments in the staff report, together with public comments provided to the Commission tonight, that the developer did not provide much feedback on changes to their proposal, if any, so she isn't confident that a postponement or another citizen participation meeting will result in much change from what has been presented by the developer tonight.*

**On a rollcall vote, the Chair declared the motion carried unanimously. Vote: 6-1**

**Yeas:** 6 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, and Lisa Disch

**Nays:** 1 - Alex Milshteyn

- 9-c.**      [20-1741](#)      2111 Packard Street Rezoning and Site Plan for City Council Approval - Petitioner proposes to remove the existing retail building and construct a new 3-story, 79,020 square foot multiple-family building with 3,642 square feet of ground floor retail space. The project proposes 72 dwelling units with studio, 1, and 2-bedroom unit types with a total of 119 bedrooms. The project proposes 84 surface parking spaces. The petitioner is also proposing to rezone a portion of the site from P (Parking) to C3 (Fringe Commercial) Zoning Classification. Staff Recommendation: Approval

*PROJECT PRESENTATION:*

*Ryan Tobias, Washtenaw Engineering Co., 3526 W. Liberty, Ann Arbor, with*

*John Myefski, Myefski Architects, 400 N. Michigan Avenue, and*

*Dane Olmstead, 2111 Packard LLC, PO Box 711, Leland, provided the proposed project presentation.*

*Luke Bonner, and Lori Pawlik were also available to respond to enquiries.*

*STAFF REPORT:*

*Jeff Kahan, City Planner, provided the staff report.*

*PUBLIC HEARING:*

*Kate McCune with Linda Kelly, 1912 Anderson, Ann Arbor, said they*

*have been following along with this project from the very beginning and they have been very impressed with developer's commitment to fit into the community. She had a question on the traffic impact study, noting their big concern is traffic moving into the neighborhood; when there's a backup going onto Packard in a walkable neighborhood with more and more children they don't want to end up like Jewett or Rosewood Streets that are cut-through streets to South Industrial Highway. They would like to know if the complete study is available to the public, when did the study take place, how long does it go for, during Covid and if so, is it an accurate study, at what locations(both at Crestland and Anderson)? She said the corner of Anderson is angled by Frazier's Pub and is semi dangerous already, so with the new setbacks, will it change anything with the visibility.*

*Sarah Patterson, 1604 Anderson Avenue, Ann Arbor, said she is a renter at this location and it's the first time she's seen the plans for this development. She said, my concerns are about housing in Ann arbor as well as concerns about the proposed retail in this proposed development, given the vacant retail status of The George, located down the street. She said she is also concerned about the 22.6% poverty rate in Ann Arbor, which is basically 1 in every 5 persons lives in poverty, while the medium income is quite high relative to the national average. She said she has lived all over the US travelling with her job and she has questions about the affordability of the proposed units. She also wants to know about the visibility when entering and exiting onto Packard from Anderson Avenue.*

*Steve (?) 1606 Anderson Avenue, Ann Arbor, said he owns the building at 1604 Anderson Avenue and it sounds as if this development is meeting the parking requirements, which I'm worried about when I see 119 bedrooms and 84 parking spaces. He said he is not eager to have Anderson and Crestland become the overflow parking lots for this unit, so that's a concern for him. He asked if these units would be apartments or condominiums because he would prefer condos. He too shares the previous caller's concern about the nearby retail vacancy as well as much of the apartments, at The George. He said he knows The George is very expensive, but he is also wondering if Ann Arbor isn't becoming saturated with that kind of unit.*

*Kim Walda, 1648 Rosewood, Ann arbor, said he is very concerned about overflow parking and worrying that occupants of this building will have places to park; as far as a second car, people coming to visit – where are you going to put all these people, other than our side streets. The parking lot is arranged in such a way that there is no direct drop off to the*

entrances. You're going to be in a parking lot that is jammed with delivery people and not be able to get people dropped off and pick up parcels and vice versa. My concern is that without enough parking you're going to create problems for all the neighbors around here; that, and the flat face of this development creates an amplification of all the road noise back towards our neighborhood. He said he doesn't believe that has been addressed and in the summer, they like to open their windows but with that kind of noise they will be forced to keep their windows closed. He thanked the Commission for allowing him to speak, adding that he would appreciate more information on the neighborhood notification postcards he's received.

Gary Rochman, Ann Arbor, said he owns 2204 Packard, and has appreciated the presentation and efforts that the developers are doing to improve the site. He said he would love to have more retail in there but what happens if the developer cannot fill that space? Will these be apartments or condominiums? He reiterated that he really likes the way the project looks and would like more retail along the corridor.

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

**Moved by Alex Milshteyn, seconded by Ellie Abrons, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 2111 Packard C3 Zoning, Site Plan, and Development Agreement.**

**COMMISSION DISCUSSION:**

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

*Ellie Abrons asked about overflow parking, cut-through traffic, sightlines, and The George.*

*Ryan Tobias said they've tried to design and create an anti-George project which means pushing the retail up to the street, doing a small, more efficient, cheaper project both to build and be able to rent to. The George has 28,000 square foot of retail while this development has 4,000 square foot; if the George had that size retail, they would be full, with neighborhood type tenants like they're going for. He said it's important to realize that building has been foreclosed on and is still owned by a lender, so it puts that building in a precarious situation. He said they plan to keep the units as rentals and they intend to hold onto the project,*

*long-term, with the desire to file the retail and not convert it.*

*Lori Pawlik, Wade Trim, Traffic Engineer, reviewed the traffic study with the Commission, noting counts were taken before Covid.*

*John Myefski reviewed the proposed parking of the development, noting they consider the ride-share parking area the most important, and while not required for the project, it's kept in the center of the development, mid-block, so it's accessible to everyone, without anyone needing to go into the street to catch a ride or be dropped off. Myefski said while it's hard to believe, they see parking demand going down, not up, because people don't drive as many cars as they used to; therefore, this development is properly parked. He also noted the building is pulled back past any sightline restrictions.*

*Shannan Gibb-Randall thanked the developer for hitting so many of the points that the Commission are working towards; she said it's so refreshing as a Commissioner to be able to view a project that is firing on so many pistons at the same time and she appreciates that they have been able to work together so well to pull this project off, so well. She said this project is an exemplary project and she backs it fully. Acknowledging concerns from neighbors on parking, she said she believes parking is okay because it's located on a bus line. She asked how the developer is able to make it work so well, because this is what they are asking developers to do and everyone is saying it's hard, and while she realized it's hard, she would like to hear how they've been able to build in all the sustainability pieces, like electrification and solar, and still be able to keep the rents and costs so low with this scale project.*

*Tobias said this is a little bit more of a passion project and a longer term investment than we've seen in so many of these others that are reviewed by this Commission. He said they've taken the longer term lens in looking at the project in a world view, and there are some grants and tax incentives available (DTE has an incentive program for the charging stations) that help make some things feasible. They're seeking PACE financing for the project, which kind of acts as a tax assessment but helps the numbers work somewhat better.*

*Gibb-Randall asked if they intend to have tenants pay their own utilities, to which Tobias responded that they intend to have the tenant, at least, pay for their own electricity, because it's all the same whether the tenant saves or you, the developer saves – in the long run we're all saving. In a place like Ann Arbor where people are conscious about the environment,*

*and they have choices, they believe it's something that people are going to get behind.*

*Disch asked about the fence material to which Myefski responded, board on board cedar which looks good on both sides. Disch underscored what Myefski said about the cars, noting these units are studio, and 1-bedroom apartments, not family housing; these are the kind of housing developments we will see tenants choosing to have fewer and fewer cars or no car.*

*Milshteyn asked if part of the petition included a rezoning of P (parking) to which Jeff Kahan responded, yes, from Parking to C3 (Fringe Commercial). Milshteyn noted that a storage facility would be allowed in a C3 zoning, and wanted the Commission to be aware of that, should this development not be built they could end up with a storage facility at this location.*

*Brett Lenart commented that based on their previous discussions he is quite confident that the Commission would be bringing up use changes to the Use Table in near future discussion considerations.*

*Milshteyn said he was very much in favor of how the building looks, what is offered, and he will support the project. He thanked Myefski for not making the building all brown, and for all the good work that he does for our community and for Ann Arbor, making us prettier.*

*Hammerschmidt agreed that the renderings helped make the building look more interesting and not like a flat-faced building along Packard. She said she liked this project a lot and was so appreciative of the way the development team presented all the information to the Commission. She asked about outdoor space for the residents, to which Myefski responded that there was a very small area, which he wasn't going to try to sell to anyone as outdoor space; he said what they have tried to create is a very urban and transition feeling space where we're part of a community and neighborhood where we can share the parks and use parks. She asked if they considered adding a bench or some seating for the tenants to be able to just go outside for some fresh air, to which the developers said they could. She also asked about the possibility of making staircases looking user friendly so people would gravitate to them instead of only using them as fire escapes. Myefski said they have talked about making them more graphic and central so people will use them to access floor 2 and 3. She thanked the developer for all the work they've put into the project and she looks forward to seeing it get built.*

*Lisa Sauv  asked about the bike room and if there are enough parking spaces each unit, to which Myefski said, yes, they exceed the required bicycle parking, along with the fact that several of the units are direct walk-up units that have direct access. Sauv  said she's confident that in finalizing the plans they can help create the bike room to make it a room that is welcoming and will be easy to access for when folks come and leave from the back. She commented in regards to parking for visitors, it's okay for them to share the street parking together with the home owners, because the streets do not belong to homeowners. She said she doesn't have any concerns related to the George because that's such a different project from this one that is totally street centric, and she hopes that once this is built it will help stitch the corridor together with more projects like it, all the way to the George, which will help it reach its' full potential. She thanked the development team.*

*Sarah Mills asked about their proposed HVAC system to which Myefski responded they are currently looking into individual heat pumps, which would make the HVAC public-caller commenter very excited. He said it's not a matter of costs, but it's difficult. Mills said this is the kind of project she would love to see more of and she would like to learn more about how they are making it a reality in Ann Arbor. She suggested that the petitioner could tie the rezoning part of this project in some way to the fact that they are not maxing out the height restriction with their proposed project; clarifying such a condition could only be possible if requested by the petitioner if they felt it would benefit them.*

*Milshteyn added that the subject of the Master Plan has already been raised several times this evening, and while the issue is on the Planning Commission it is ultimately up to City Council, because some of the problems we are getting is because of the lack of a Master Plan that sees the City as it is today, because we are working from a Master Plan that is not adequate for where we are today, here in 2020.*

**On a roll call vote, the Vice Chair declared the motion carried. Vote:  
7-0**

**Yeas:** 7 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, and Lisa Disch

**Nays:** 0

**10. PUBLIC COMMENT/PUBLIC PARTICIPATION (Persons may speak for three minutes on any item.)**



**11. COMMISSION PROPOSED BUSINESS**

*Milshteyn said he felt the Commission should clear up the storage facility language in the Use Table in the C2B and C3 Zoning Districts as quickly as possible; possibly discussing it at their next Working Session and moving it onto the next Regular Business meeting for action. He suggested changing the use from an allowable use to a Special Exception Use. Mills said keeping them as Permitted in the manufacturing districts.*

*Abrons said she would like to revisit the protocol for notifications*

*Sauvé asked to review tweaks to the R4C/R2A Zoning (underground parking)*

**12. ADJOURNMENT**

**Moved by Alex Milshteyn, seconded by Shannan Gibb-Randall, to adjourn the meeting at 12:02 am. Without objection the meeting was adjourned.**

Sarah Mills, Chairperson  
/mg

eComments for the Commission may be left via our Legistar calendar page (column to the very right)  
<http://a2gov.legistar.com/Calendar.aspx>

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 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> ). 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.

(If an agenda item is postponed, it will most likely be rescheduled to a future date. If you would like to be notified when a postponed agenda item will appear on a future agenda please contact Planning staff. 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. 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.)

These meetings are typically broadcast on Ann Arbor Community Television Network Comcast 16 / AT&T 99 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website <https://a2gov.org/watchctn> . The complete record of this meeting is available in video format at <https://a2gov.org/watchctn>, or is available for a nominal fee by contacting CTN at (734) 794-6150.