

MINUTES

ANN ARBOR CITY PLANNING COMMISSION

REGULAR MEETING

7:00 p.m. – June 3, 2008

Time: Chair Pratt called the meeting to order at 7:00 p.m.

Place: Council Chamber, Second Floor, 100 North Fifth Avenue, Ann Arbor, Michigan.

ROLL CALL

Members Present: Borum, Carlberg, Emaus, Mahler, Potts, Pratt, Lowenstein, Westphal

Members Absent: None

Members Arriving: Bona & Mahler (arr. 7:03 p.m.)

Staff Present: Acquaviva, Pulcipher, Kowalski and Kahan

INTRODUCTIONS

None.

MINUTES OF PREVIOUS MEETING

None.

APPROVAL OF AGENDA

Moved by Carlberg, seconded by Emaus, to approve the agenda as presented.

(Pratt took a straw poll of the audience to see what item had the most possible public comment audience so that the agenda could be amended if necessary to accommodate the public in an expedient manner.

The agenda was accepted as presented.)

YEAS: Bona, Borum, Carlberg, Emaus, Mahler, Potts, Pratt, Westphal and Lowenstein

NAYS: None

ABSENT: None.

Motion carried.

REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING AND DEVELOPMENT SERVICES MANAGER, PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS

- a. City Administration – None.
- b. City Council. *(See item 'd' – Committees)*
- c. Planning and Development Services Manager.
- d. Planning Commission Officers and Committees.

Pratt announced that the A2 Discovering Downtown steering committee met on Wednesday, May 28, and discussed some of the feedback from the Planning Commission and public comment forwarded by staff on the revisions to Chapter 55 regarding the Downtown Rezoning and Design Guidelines. The steering committee and the city council representative mentioned that it makes sense to have a schedule that allows for good consideration of six to eight issues that need resolution from a policy standpoint. The steering committee felt we should move cautiously and do this correctly, so this will probably come back to us later this summer. The previous schedule of bringing this item to council in June is going to be pushed back between eight to ten weeks to allow for all the public process.

The general feeling was that public input was needed to help us make a more informed judgment.

Lowenstein reported that at the June 2, 2008 session of city council, the presentation of the A2D2 issue was postponed until the first or second meeting in September, so this is correct and what council is expecting. In addition, the council voted on a resolution to ask the steering committee to look at having height limitations in the "D-1" zoning district.

- e. Written Communications and Petitions.
 - (1) Email from Emile Lauzzana regarding Amendments to Chapters 55 and 59 – Distributed.
 - (2) Email from Alice Ralph regarding Amendments to Chapters 55 and 59 – Distributed.

AUDIENCE PARTICIPATION (GENERAL)

None.

PUBLIC HEARINGS SCHEDULED FOR NEXT MEETING

Pratt announced the public hearings to be held at the next business meeting, Tuesday, June 17th, 2008, at 7:00 p.m.

REGULAR BUSINESS

a. Public Hearing and Action on 601 Forest (formerly University Village) Site Plan, 1.61 acres, southeast corner of South University and South Forest Avenues. A proposal to construct a mixed-use retail/residential development (retail on first level, 342 residential dwellings units on rest of floors) consisting of one 25-story tower with two wings, 20 stories each, and a total of 259 parking spaces (235 underground) – Staff Recommendation: Approval

Kowalski explained the proposal and power point presentation.

Pratt opened the public hearing at 7:21 p.m.

1. Dan Ketlaar, 3 Ridgeway, A2, MI 48104 – Resident and member of the 601 Forest Development Group stated that he and Mr. Ronald Hughes are present to speak on behalf of the petition. He thanked the Commission for the opportunity to speak and stated that they have had extensive interaction with the Planning Commission

He outlined the project, and stated that in conjunction with the neighborhood, it would provide clean, safe housing for university students, as well as retail space. This project is in the central core of the University of Michigan. This will be a sustainable building. Building “green” is costly, but they are committed to this project and feel it is critical for the city.

2. Paul Hanson (with the developer) - The building would have approximately 15000 square feet of retail and secure access for students. Parking would be provided for the public and retail areas. Zip cars (cars that can be rented by the hour or day) would also be available, which would obviate the need for a car. He expounded on the benefits both to the residents and the community.
3. Michael Siegel (project architect) - Stated that the height of the building is taller at the corner and is ‘stepped,’ which allows for the development of a green court and raised terrace. The architecture of this building will follow with the architecture seen elsewhere in the city of Ann Arbor. The building has been designed and developed incorporating many ideas from meetings with both the Planning Department as well as the community. The massing of the building has been broken down in a traditional manner and the streetscape experience creates an environment for a thriving community.

4. Marina Pannas (project architect and sustainable coordinator) - She stated that they would have privatized recycling on site and create a 'green' community. The site is a "Brownfield" site, and they are committed to cleaning up the contamination that is currently on site. The energy consultant on our project makes sure that everything we do will optimize less energy usage for this building. We will also look into a geothermal system (which is a renewable resource) that would reduce impact on the existing utility. They will have natural ventilation and use recycled and regional materials from the area to enhance the sustainable initiative. They will also pursue 'lead certification,' which is a third-party certification of all our sustainable initiatives to be certain we are building a sustainable building.
5. Bill Vale and Dr. Janice Johnson (U.S. Equities) – Mr. Vale stated that their involvement with student housing is extensive, including the University of Chicago, Roosevelt University, DePaul University and others. We have done research on what the students of today and tomorrow will need. Dr. Johnson explained that the developer has brought them together with the design team to focus on the students – the heart and soul of the complex. The center will feature a fitness area, wireless internet and security. They will have management staff that will live 'on-site' in this community, and will be a part of the Ann Arbor community as well. We foster volunteerism – and when students feel a part of the community, they want to stay in that community.
6. John Floyd, 519 Sunset Road, A2, MI 48103 - This project demonstrates the 'gulf' between A2 government and the community. If you visit ten homes of people in the area that you don't know, ask them how many 25 story buildings does Ann Arbor need? - you won't find any that think that this is a good idea. The building will continue to hide the sun and channel the wind in ways that will be magnified by the existing 22-story building at the corner of Forest and South University. It's out of scale with the community and it is too big to have human scale elements. Whatever 'green' attributes have been contributed are an effort on their part to win over the community and not actually improve the environment. It was an error of city council to create this zoning. Putting more people in this space will not improve retail success.
7. Andrea Bloomer, 2031 Forest, A2, MI (Address not found in A2) - Stated that she agrees that the proposed building is nice, but feels that A2 is the wrong site. A2 is a small scale, Midwestern city, it's not Chicago or New York where a 25 level unit would be appropriate. You're drawing students from the current housing into this building. What will happen in ten years to the economy when you empty the students from the existing housing, rent will now go to an 'outside' developer instead of to the community (similar to the RenCen in Detroit). I also find this (as a resident) to be offensive that the city can decide to support a business and architect who is from Chicago instead of A2.
8. Tom Barrett, 1111 Olivia Avenue, A2, MI 48104 - Supports the project for two main reasons. It will upgrade the quality of the area. It currently has dilapidated storefronts and is not something that I expose my family to. The current businesses have made an effort to improve this, but we really need something revolutionary. This will upgrade the quality of life by installing quality retail there. Secondly, I take the view that concentrating the students closer to campus in one building is a 'positive.' I would much rather live next to an owner/occupied home than a rental. The difference between my street and those a few hundred feet away is like night and day – my neighborhood is well kept, and a place where you can raise a family. South Forest is streets with broken glass, litter on lawns and dilapidated buildings. I believe that if students leave the surrounding homes and are concentrated in one area, those empty homes won't stay empty – they will be purchased and maintained and become owner-occupied. We support this project.
9. Abe Lowenstein – (Owner of Good Time Charlies on South University and BTB) - I'm in support of the project of 601 S. Forest. It will be a boom to the businesses in the South University area. Where is the opposition coming from? This is why I've attended today. The one opinion I haven't heard is the student perspective. Being a former student, business owner and A2 resident, I have a dual

perspective. I appreciate the comments from others, but plead with this body and city council to understand that the group most affected will be the students. Yes, some students will leave current housing – but they are dilapidated – broken glass, lawns unmowed – the students do want a better living environment. Will it drive down the value in local housing? - possibly, but it will create *competition*, and they will be forced to upgrade their amenities. We are well behind other cities in proper student housing. I don't think the 'gulf' is with the community and city government, but between the community and the university students.

10. Kathy Sample (Representing the North Burns Park Neighborhood Association) - We are disappointed with the 'process.' Our neighborhood is in support of 'something' at this site, and understand that the Planning Commission is responsible to make decisions for the greater good of the city, but we feel our concerns have not been considered. This proposal will have detrimental effects on the cityscape. The first problem is the rezoning to consider this area a "downtown district;" the second was allowing unlimited height development. There have been little considerations for traffic congestion, suitability and wind tunnel problems. The scale of the unit is also a concern. We haven't seen one comparison of a drawing that shows this building against the scope of the neighborhood.
11. Betsy Price, 905 Olivia, A2, MI 48104 - (Representing the North Burns Park Neighborhood Association) - She and her family live four blocks from this proposed development. We frequent the area – restaurants, post office, etc. The area is fraught with pedestrian challenges on South U and South Forest. For several hours of most days during the academic year, cars line up going north and southbound waiting to get into the parking structure. Add to this the traffic from the post office alley, you're compounding the problem that we currently have. We would be adding 1142 plus residents and their vehicles to the area. There will be service vehicles for the building and vehicles delivering goods to the proposed retail areas. Staff stated that the traffic study on this project concluded that surrounding intersections and streets are expected to perform at 'acceptable levels.' This was based on the assumption that there won't be a change in traffic patterns, because students won't be driving. This is a great goal, but students will have cars. What is suitable on a four lane thoroughfare in Chicago isn't necessarily appropriate in A2.
12. Sabrina Hirachian (owner of a clothing boutique at 1119 South University) – I am a lifelong A2 resident. South University is 'choking' and we need something to bring people and things back to the neighborhood. We don't want the surrounding neighbors to be upset by this, but there are tons of students currently walking by our stores and not shopping there. This might enliven things so that the neighbors will also frequent our businesses. I think it's a great idea and a nice design.
13. Gwen Nystuen, 1016 Olivia, A2, MI 48104- I see many buildings that are too tall to be next to residential structures. If they were talking about six to eight stories, it would be different. There is nothing proposed for long term management of this structure. You could technically have 2,052 people in this building. What kind of 'code of standards' for residents have been presented? None of this is in the agreement. That responsibility needs to be added so that this won't end up a problem.
14. Andrea VanHowling, 920 Lincoln, A2, MI 48104 - I'm frustrated that this proposal is on the table again this evening. This plan is worse than the first one, as it fails to address the concerns the neighbors have. The height of the building has been increased by 19 percent on the tower and 4 percent on the lower portion. It will be tied for the second tallest building in Ann Arbor. We are concerned with density, and they have not provided us the number of 'beds' – not apartments or bedrooms. Parking – is reduced by three places. To be fair, they're adding 'zip' cars, but it's an expensive way for students to drive back to visit their families out of town. The bottom line is that the proposal is too dense, too tall and out of scale. Unfortunately, the developer is determined to build to the max the allowable under the new zoning of this area. They have turned a deaf ear to our

concerns. We urge you to reject this proposal.

15. Ann Larimore, 916 Olivia, Ann Arbor, MI 48104 - This project is being presented as though students are in Ann Arbor year round. Many students leave at the first of May and don't return again until September. We have an eighth month period of inclement fall and winter weather. This proposal is not pedestrian friendly, and the topography of this area promotes wind tunnel conditions. The new plan has some awnings to protect pedestrians, but this is inadequate. Will city council and the planning commission be liable if during high winds sweeping east down South University cause a pedestrian to be swept against a building and injured? During winter storms, will a wind tunnel effect produce blizzard conditions? Due to our climate, there is a weather safety consideration.
16. C. Robert Snyder, 525 Elm Street, A2, MI 48104 (President of the South University Neighborhood Assn.) - Submitted written communication in opposition of this project. The problems began at the October 15, 2007 city council meeting where there was a resolution presented to approve the A2D2 zoning recommendations. One of the council members at that time made a motion to remove the 24-story, 240 foot maximum height restrictions in the core development standards. This was carried by a vote of eight in favor, with two opposing (Major Hieftje and Council Member Johnson) and member Easthope absent. I suffer from Parkinson's disease – balance is a major problem with this disease. I purposely do not walk down South University due to wind tunnel effects. I'm also concerned with the parking problems – a four to one ratio will happen. Students will have cars. The economics of this can be compared with "The Courtyards." We do not support this project.
17. Kate West, 1025 Baldwin, A2, MI 48104 (North Burns Neighborhood Assn.) - We believe there is an issue that city council has not considered regarding federal and state laws. The 'Tall Structure Act,' a part of federal aviation zoning regulations. The project under consideration falls within the purview of the Tall Structure Act and its allowable building height for new construction within a certain proximity to an airport. The height is a great issue for us, and we suggest you table any decisions until you consider this applicable law.
18. Cynthia Shevel, (Owner of Middle Earth at 1209 South University) – I am the owner of the longest sustained business on South U. Long gone are businesses like The Villager, artisans, two or three shoe stores and Tower records. The sustainability of a healthy retail area demands that we get more residents in this area. Most of the shoppers in the South U area are students. I look around the room and recognize very few who have been in my store over the years. It seems to me that for this area to survive I do support this project, and I feel that the housing around this project will improve as competition keeps you innovative and involved in trying to improve things.
19. Richard Narayan (Part Owner of Underground Printing at 1103 South University) – I live at 239 Fieldcrest, A2, MI 48103- There is a bit of a rift between area businesses and residents. The three major problems are density, height and traffic. We want the area to grow. Do we expect students to flock here? If we want to grow, we'll need space. There is currently a new dorm being built to begin accommodating this need. This is a neighborhood near a retail area, and if you can't build outward, you have to go upward. As to the weather and wind being a problem, the weather will keep you in, but *school* will take you back out again. People walk South U – whether it's bad or good weather. The fact is, students have to walk to class. It's a fairly adversarial role for residents to say 'you need to analyze your market;' the residents need to support local business as well.
20. Maggie Ladd - 1540 Edinborough Road, A2 Arbor, MI 48104 (Director of The South University Assn.) – I've distributed a booklet called "South U, A Time For Change." She pointed out all of the parking spaces that are available in the area. You could roll a bowling ball down there street in this area. We are 'dying' down here, and we need this kind of development. I had a business on South University for twenty years, and I don't recognize anyone here as a former customer. You need more

than people using the area as a 'pass through' to a more viable environment. We need to have our own viable environment. We're here and representing about fifty percent of the property and business owners in this area. We appeal to you to pass this plan and send this proposal on to city council.

21. Louise Stein, 1307 South University, A2, MI 48104 - I want to ask the Commission and Mr. Kowalski if the city is 'closing its doors and ears' to our concerns and driving ahead with this project. We would like the city to take into account that some of the business will be seasonal and during the time the University is in session, the parking in that area is tight. The traffic is a problem, and the other is that the character of the neighborhood is likely to change. Due to expected high rents, the retail will probably be 'out of town' retail, and not our current neighbors who have their stores there. It sounds like the retail there will end up being large national chains. The building seems to be discriminatory, in that it is being built for students only. The character of the neighborhood will change by adding 1500 people of a particular age group.
22. Don Jones, 1520 Granger, A2, MI 48104 - He stated that he and his son rent to roughly one hundred and fifty students, and find it difficult to rent those spaces currently. We understand why they want to build 'up,' as they need to create more density to be able to support it. I'm for promoting South U for private enterprise, and I hope there is some way that these people can be accommodated, but may be difficult to do considering the economics.
23. Unknown - (Stated she is a landlord for 1402 Hill Street) – She was told that there would be 1142 residents in the proposed building. If you afford those rents, they will pack the kids into those rooms. I'm zoned two-family, so I'm allowed eight people. I have to give the city eight leases to show I have only eight people in there, and I doubt that the city is going to go to this location and inspect all of those rooms.
24. Grace Jones, 1520 Granger, A2, MI 48104 – We moved to A2 in 1949, graduated from A2 high school and the U of M. I have been a teacher and then later, a landlady. We take a lot of pride in our rental homes. We are rather small landlords, but work hard to maintain it. I resent the statements made that landlords don't take care of property – because there are those of us that do. I worry about the impact of this structure and how it will affect our business.

Pratt closed the hearing at 8:32 p.m.

Commission Discussion

Bona – Asked the architects how actively the parking spaces would be used, what their rationale is for unit sizes, and the question of wind has come up, and being Chicago architects, you have a lot of experience with wind and weather like ours.

Bill Vale stated that U.S. Equities is operating a 1700 bed facility in Chicago. That facility has no parking at all. The students generally walk to the colleges around that neighborhood. Our experience at residence halls is highly varied, dependent on location. For rural campuses, most do provide parking, so it's very site specific. This project is geared toward students. It is two blocks from campus - they're going to walk.

Bona – The unit size – There is concern about the number of 'actual' students to the number of bedrooms? (This is done by a lease agreement of one student per bed. It's not just student housing – it's a dorm with more independent living. U.S. Equities management stated that this is watched closely by their managers, and security is required by pass cards. From an architectural standpoint, the amount of beds that we have were determined by the structure of the building. Every bed will be accounted for.)

(As to the wind question, you can see from the renderings that there are bays projecting from the façade. The cornice sticks out, there are canopies and street ornament - These break up the winds.)

Bona – Shared amenities – The business neighborhood hopes the residents will be frequenting their businesses. (The second floor amenity area is not a cafeteria – we want them to buy everything in the community.)

Potts – Are these full apartments with kitchens? There is no grocery store nearby. If they want to cook, they would need a car for that trip to the grocery store. (Maybe we can get a grocery store in there. That would be an idea addition to it for them and the community.) As we're looking at this proposal, the scale is the same or taller than previously shown.

As for the impact on this area, I see traffic and parking as a problem. This developer is allowed to go 'up' because they're having open space – but its impervious open space. In addition, the rezoning of this area is an issue – we're calling some of the fringe areas the "Downtown Core."

Emaus – I took notes on wind tunnel effects. I sent messages to various architects, and didn't get a lot of response, so I did research on my own. The expert recommendation is if it's in a hurricane area -10 stories – otherwise, 22 to 25 stories. You should have a wind tunnel study done for buildings within that height. his doesn't take into account the climate, meteorology or topography of the area. A wind tunnel study on a model of this building and surrounding buildings would be needed for lead certification. You are at the west end of South University – the wind comes from the west, so you're not channeling it any more than it is already channeled. This is another reason I didn't feel it was critical to study.

Any concentration is immediately dissipated out the east end. It doesn't address the down and back pressures that you'll get, so it's probably a good idea to look for lead-certification (Ronald Hughes – developer with 601 Forest. They did an extensive wind study (which was not required by the city of Ann Arbor. We configured this building in accordance with that. This is why we proposed the cornice and the bays.)

Emaus – Stated that he was very glad to hear that information.

Pratt – Concurred with Emaus that this had been an outstanding comment that had not yet been addressed.

Emaus – What other amenities besides fitness and an apartment is the developer going to provide other than health and fitness. Music rooms? Retail? Many students search for practice space for music and/or theatre. What this might need is art amenities. (We're still looking at those, and hope to provide those to the students.)

My daughter attended the University of California, San Diego. She lived in a high rise that was made for four people. There were always only four students in that facility, and she loved it. My son attended the University of Michigan, and his experience was not so great. I appreciate the layout and the natural lighting and that our Zoning Ordinance allows us to do this.) Given the placement and usage of the building, including the height, I'm in favor of that.

Listening to everyone regarding 'the students aren't here during the summer' – maybe because we don't give them anything they want that would make them want to stay here during the summer. They have a lot of friends who went to U of M, and they go other places. I'm not sure this building is going to solve that, but it's a step forward.

Mahler – I like the economic sense that this makes and the jobs this will create. The latest studies now show that Michigan actually had a decrease in foreclosures from the last quarter of 07' to the first quarter of 08'. That a developer wants to come in and build a building of this caliber is a boon for the area.

This building may spike the housing market in this area. It was mentioned earlier that buildings will be abandoned – I think those that those that will be abandoned (if there are any) are substandard housing and landlords. There will always be a market for housing as that provided by the Jones' that spoke earlier. They will survive and they will thrive. I appreciate the lead certification and the green efforts in this structure. The point that we need to be brought up to par for student housing is appropriate. I've been to the University of Illinois, Perdue University and some other Big Ten schools, and I can vouch for that. I'm not necessarily persuaded by the 'this is out of character for the area and/or Ann Arbor. I don't know anyone who has moved to Ann Arbor who said to me "I've moved here for the small town quaintness."

I am familiar with the Roosevelt University in Chicago and it has been given rave reviews. If this is an example of what we can expect from U.S. Equities, I'm reassured. I hope that any other zoning conversation regarding this property is not a part of the discussion at council to change that – I hope the current 'height restrictions' are not a reaction to buildings like this proposed to be built. I don't think I could be persuaded to put a height limit on the building unless I could be shown that C2A zoning was a mistake back in 2006 when this went into effect.

The traffic is a concern of mine as the last time that I heard this I asked to see the assumptions, and there is nothing in the staff report or any data produced. It's still a concern and I'd like to see more about that. I'd also like the information about the public services section (*city staff is conducting a review as to the water main and whether it will be sufficient*). I would also like additional information on the security in the building.

Kowalski – Sanitary modeling is ongoing – we contract out our sanitary modeling, which is currently being tested. The petitioners engineer is here tonight and could possibly provide more information. They're well aware of what they can and can't do as they can't tap into a main that doesn't accommodate the proposal. (Tim Germain – Engineer of record – stated that the water main is already being upsized. We're waiting for the information about the sewer mains.) We cannot give them any permits to tap the main unless they can show that it can handle the capacity.

Carlberg – (To developer) – What about sound complaints? One thing we hear repetitively is noise from student housing. (They stated that they have double drywall that prevents most of that noise.) I appreciate the latest changes to the design as they present less impact on the surrounding residents. I am having a hard time accepting the height of the building as it differs greatly from the neighborhood. I don't see the problem with traffic or parking. Students do not go anywhere at eight in the morning – they are not eight to five drivers. The expectation when the parking structure was built was that there would be a heavy exit at five o'clock and they would have to exit Washtenaw or Hill street. From my experience, leaving city hall regularly at five, Washtenaw travels very fast, so that is not being heavily impacted. We don't have a guarantee that this will attract needed retail, but it certainly is better than what is there now.

Because this building shades toward the north, I'm not concerned that sun studies have not been done. People on Hill Street are not even going to be able to see South U.

I think it will shift the some of the residences that are current rentals back to family housing, where it should be. University officials are confident that students require this kind of housing. Because it fits into the existing zoning, I don't like the height but don't have a legal reason to vote against it.

Lowenstein – I live as close to this as most of the people in the North Burns Parks area. It is part of my neighborhood too, and I speak partly from that perspective. The 'gulf' that exists for those of us who are

over 50, and some of the younger people – what Commissioner Carlberg stated is true. From an economic standpoint, this is what students are looking for. Many are able to pay for and are looking for the type of amenities that this would provide (the most basic of which is good electricity). There are houses in this neighborhood that have burned down due to bad wiring. Students do everything by computer – they use flat screen TV's – we know a music student who has brought all of his studio equipment with him. They're not appropriate for his needs.

I've gotten past that stage of looking at the height of this, as from a business aspect, it's pretty impossible to build something of this quality and these amenities and green technology are expensive to do. If you only have a few hundred students, you can't make this a viable enterprise. This is the bottom line.

I also think that the height is not going to have an impact on people who live ½ a mile away. Some of the fraternities on Washtenaw will see it, but I don't think they'll care.

It's not likely that something else would be built here with two or three stories and cute little retail, otherwise, it would have happened by now. Although we've experienced the 'shock' factor with the height, I think the benefits will outweigh the detriments. Traffic in that area is slow, and the solution is, don't take a car. If there are more people there in the summer, we might be able to get the 'Link' to provide transportation in that area.

We do currently have 'Zip' cars available here, with Zip car parking places. Its been so popular that the University is extending that program and bringing in additional cars. It's one of those 'age-gap' things that we don't think about. Young people who are coming to live in town – this is what they do. I do think that we should approve it.

Borum – We keep hearing about 'context.' I would put a different spin on context. When I think of South U, I think about one of the most important public universities in the country, with thousands of students and a very small fraction of housing provided for them by that university. They have to go somewhere, and if this isn't the place for them to be, then where would that place be? The zoning was changed economically prevented these from being redeveloped. It's not a commercial district that has any less of a market draw. Those buildings were built poorly and aged poorly. What allows that to turn into a viable neighborhood is the zoning changes which allow the increased density.

I concur with Commissioner Emaus that if we squash the height and keep the FAR high, we get big, fat, box-like buildings. Buildings built in this fashion end up with large areas in the middle that don't have adequate access to daylight, like Zaragon Place. The increased height is a concession made to get rid of the wing in the back that would have abutted the residences on Forest Court, and this is a concession made on the part of the developers.

A 15 story building vs. a 25 story building – I'm not sure it would have made any difference from the street. It doesn't change the wind. It doesn't change the view corridors, it's really not going to make much difference. The 'context' is an increasing awareness and sensitivity to climate change. When you put people in living situations where they don't have to drive – they have to walk, we produce a change that allows this to occur. I think the height is great, the context is great, and I'll support it.

Westfall – I concur with many comments already made. We rely on the public's input when there is a rezoning, and when there is a decision to change the context is in an area. Certainly no one likes differential impacts on their neighborhood, and this is a large project. When the context around it changes, it may not seem so out of place.

He commended P & D services staff for the reports and the developer for modifying the base of the proposed building and the streetscape.

I'm not certain this would pass the tower diagonal proposed design guidelines, and if this is something the

public is concerned with, they should get involved with that process. As for economics and from a pedestrian standpoint, I would much rather have a better pedestrian experience from the street. The lead certification is also above and beyond what is required, and I'd like to commend the petitioner on that as well.

Pratt – Stated that he wanted to go through the concerns that he heard from the public in prior hearings as well as this one. We want the public to know that we are not 'disconnected' – that we are listening, that we do have a responsibility to take an impartial view and look at it relative to the regulations. We've heard comments about the scale and size, the pedestrian experience, service deliveries and general equipment delivery, the parking and traffic, the height of the building and the wind study issues. The contractor has brought in a management company that has provided us with answers to many of our questions is appreciated. We did also get this information regarding the 'Tall Structures Act' – I wonder if the petitioner had looked at that? I'm not sure if we're close enough to an airport to have any bearing on that. Does the applicant have any comment on the need for any other regulatory process for height?

Greg Oboy – (Counsel for the developer) – Stated that he is familiar with the Tall Buildings Act, and that they are not in proximity to Willow Run or Detroit Metro, so the height issue is not applicable.

Pratt – It wouldn't be applicable to Ann Arbor's airport? (I can't speak with clarity, but I don't believe that Ann Arbor's airport is a federally regulated airport in that context.) Our role then is to focus on the city's ordinance.

Pratt – Thanked the developer for resolving the issues of moving the building away from the residents that were closest and most affected by the previous design. He stated that he would like to clarify some communication they received from residents on Forest Court. One was the fence that was screening their property and another concerned some lighting, and I wonder if the developer was aware of those issues and if they could address those. (Yes, we've been talking to the neighbors and have spoken to them a couple of times. The only two issues is that they would like a seven foot high fence instead of a six foot fence, which is not a problem. In regard to the light, right now behind this building is an asphalt lot with a light on a pole. It's mostly about 8,000 square feet of green space, and there will be low lighting there, and will all be part of the landscaping project.)

Pratt asked the developer if they would be comfortable with the zip cars and on-site managers for the complex to be added as a part of the development agreement? (They stated that as mentioned, their plans are to have zip cars, but they are a privately owned enterprise. As long as those are available to use, we want to incorporate that into our plan, but we can't represent them and guarantee that those would always be available; it is, however, our intent. We feel that we will be able to work out an agreement with them, but can't guarantee that for the life of the project. We can agree with the on-site management as a part of the agreement.

Pratt - Concluded the case stating that he agreed with Commissioner Borum; where do we propose to put the student population if not here? Next to campus seems to be a good idea. As far as the recent rezoning of this area, the Planning Commission took action in response to the A2D2 public hearings that was part of a lengthy public process, and there wasn't anything that had unanimous public support, but the common theme's included that the South University area needed some help and it needed some help in the shape of greater density. This may not be what we envisioned, but agreeing with Commission Carlberg, nothing will be one hundred percent appreciated. He thanked the community for their input and the Developer for their honesty and answers.

Potts – I would like to see a picture of the comparison's of photographs. Everyone keeps saying that this building is pulled back from Forest Court. There is a section that went parallel to Forest Court. *(Staff, the Commission and the Developer discussed the matter, which was actually part of an earlier design and not*

the present design.) She stated that she has reservations about the direction that our new planning and zoning regulations are leading us, and hoped that this would not set precedence for other downtown plans, so she could not support this. I will be voting “no” on this project. Many more cars to this very congested block of Forest will jeopardize public safety. New curb cuts are proposed directly opposite the very busy parking structure curb cuts, all curb cuts crossing pedestrian sidewalks. A bad situation would be made dangerous.

MOTION

Moved by Bona, seconded by Mahler, “That the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 601 Forest Site Plan and Development Agreement, subject to providing adequate sanitary sewer capacity and to obtaining any necessary variances.”

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Mahler, Pratt, Lowenstein, Mahler and Westphal
NAYS: Potts
ABSENT: None.

Motion carried.

b. Public Hearing and Action on Hampton Inn Planned Project Site Plan, 8.89 acres, 2900 Jackson Road. A proposal to demolish an existing hotel building and construct a 102,000-square foot, 101-room, four-story hotel building – Staff Recommendation: Approval

DiLeo explained the proposal and showed photographs of the property. Staff recommends that the site plan be **approved** because the contemplated development complies with all applicable state, local and federal laws, ordinances, standards and regulations; the development limits the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and the development does not cause a public or private nuisances and does not have a detrimental effect on the public health, safety or welfare.

Staff further recommends that the planned project modifications be **approved** because the contemplated development complies with the minimum standards set forth for approval and the proposed modifications provide for building and parking setbacks in excess of the minimum requirement for the zoning district.

Pratt opened the Public Hearing at 10:20 p.m.

1. Scott Shibault (Giffels-Webster Engineers), 6303 26 Mile Road, Washington Township, MI 48094 - He stated that he represents the developer. He stated that because the economy has been depressed for some years, the current hotel at this site does not have the market to sustain it, so the owner wishes to reinvest in this property with an upscale product. Before coordinating this project, we worked with Planning and Development. Services and it was decided that the best decision was to develop this as PUD.

The owner plans to demolish the Super Eight motel and maintain and reinvest in the existing Best Western and Hampton Inn. Due to the current franchise requirements for height and trying to match the existing hotel (a current four-story), in the R5 Zoning, you’re only allowed forty feet, and we need

to have forty-four feet with the deck and a flat room. The conflicts between the existing and proposed hotels are:

Current is: A full service hotel consisting of conference rooms, a restaurant, banquet center and hotel rooms.

Proposed is: The Hampton Inn is more of a limited service hotel, attracting a different type of patron. This compliments the other existing hotel. There would be pedestrian access and a crosswalk to the bus stop. The storm water management plan has been upgraded to match the current requirements per Washtenaw County standards. The current vegetation will remain mostly in-tact, with additional landscaping.

We are staying farther away from the minimum setback per the existing conditions. There doesn't appear to be any visual effects by replacing one hotel to another. This hotel will be a product most marketable for the owner and most valuable for the city.

2. Victor Seroky (Victor Seroky and Associates, Architect), 430 Old Woodward Avenue, Birmingham, MI - This is an opportunity to upgrade the site. The proposed Hampton Inn is a popular, well received product and part of the Hilton Hotel family. This is four stories and has one hundred and three rooms. The upper three floors are all guest rooms, while the first floor has check in services, a breakfast bar, pool, exercise rooms, meeting rooms and employee facilities. The facility will be built with low volume toilets and showers.

We think this proposal is appropriate in size and character and is in character with the neighboring Best Western. *(He presented a color drawing of the proposed façade of the building.)*

2. Akrim Dammel (Owner of the project site), 24725, Greenfield Road, Southfield, MI – He stated that despite the difficulties in the economy, he has made major improvements to the Best Western site. The Super Eight, which is a budget hotel, has not panned out in this location. I own two other Hampton Hotels that I have been very successful with. Despite all of this, I did a feasibility study, which gave me approximately seventy-five percent occupancy rate in that location as a Hampton. It's still one site, one ownership and these two products compliment each other well. The Hampton is more business oriented, while the Best Western is more family oriented.

Pratt closed the hearing at 10:30 p.m.

Moved by Commissioner Carlberg, seconded by Commissioner Mahler, "That the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Hampton Inn Planned Project Site Plan and Development Agreement, subject to providing building and parking setbacks in excess of the minimum requirements of the zoning district as shown on the site plan."

Commission Discussion

Westphal asked staff to summarize the key Planned Project Standards that (in your recommendation) our judgment hinges on? (DiLeo – The key standard cited by the petitioner and supported by staff was 'increased building and parking setbacks.' The building setbacks are significantly setback from the Jackson Road side. It is somewhat additionally setback from the interstate side. Regarding parking setbacks, those come close to the fifty foot setback requirement, but many areas that exceed that. As a

whole, staff felt that the additional four feet in height did not need a substantial amount of justification.)

In regard to the bus stop, is that directly across the street from the outbound bus stop? (DiLeo – Stated that the AATA representative stated that the ‘inbound’ bus stop is heavily used, but did not mention the outbound. It’s possible that outbound busses do not take the same route.)

The developer stated that wasn’t an outbound in that review, but we would accommodate that if there were. (DiLeo – I’m told by AATA that most of the passengers from this stop are employees for all of the hotels as opposed to customers. I believe that all of the hotels operate specific shuttles for patrons for football games and other events.)

Mahler – Asked the developer what comprised the material of the proposed building. (Petitioner stated that the Hampton is specific as to their materials; the exterior is EFIS, the lower floor is a salmon color, the upper in taupe. From a sustainability standpoint, we will work with Hampton. There are some things such as low energy mechanical systems for HVAC equipment and plumbing systems (such as the low flow units), fluorescent lighting, low VOC paints, and as architects, we will look at a selection of ‘green’ products, both in materials and furnishings.)

(He stated that there is one caveat, that Hampton Inns has the last word on what they do, and we need their approval on all projects. We think we can do a good job with them. They are a progressive company and are aware of sustainability and green issues. For the roof, we’re talking about using a white membrane roof as opposed to a dark or asphalt roof to reduce heat gain.)

Mahler – Overall, I don’t find the 44 foot modification to be a problem. I wish you luck with the assurances that you will follow through with the improvements you mentioned and I will support this.

Potts – Stated that this was a welcome change. She asked who would be building the crosswalk that would affect the bus users (The Contractor will be responsible.) She suggested that the motion include the verbiage that approval of this petition should be subject to MDOT and staff concerns being addressed prior to being moved to city council.)

Moved by Commissioner Potts, seconded by Commissioner Borum, to amend the motion to read “approval will be subject to addressing MDOT and staff concerns prior to submission to city council.”

A vote on the amendment to the motion showed:

YEAS:	Bona, Borum, Carlberg, Emaus, Mahler, Pratt, Lowenstein, Pratt, Potts and Westphal
NAYS:	None.
ABSENT:	None.

Amendment carried.

Potts – Stated that she has no problem with the small amount of added height and would support the project.

Emaus – Stated that he visited the site, and was surprised at how much parking there is. There are 264 rooms with 350 spaces. The actual topography for the site would make it ideal for underground parking.

You’re also off of I-94, there is a patio on the back overlooking I-94, and you have a nice set of trees and grasslands in the front that you’re protecting, but your patio is nowhere near it. There is also no sidewalk

going from the Hampton to the point where you would want to cross. I parked in front of the Super 8 Motel and walked straight out, and that is what got me to the crosswalk that gets me to the island in the middle of that island in Jackson Road. I would take the sidewalk straight out, and it would be a nice place to have the patio come from as well.

I'm thinking of an "L" shaped building, which has the patio out the "L" shape onto Jackson Road, and a sidewalk that gets me to the crosswalk, with parking underground – that's probably a bit much to ask for four feet, but those are the types of things I consider when I see these types of plans from corporate offices. He stated that corporations like Hamptons will compromise on their stance of how a 'corporate' entity says their buildings will be like – they will fit into areas that they want to be in. (He wanted to know why there were so many parking spaces compared to the amount of rooms.)

The Developer stated that there is a restaurant, bar and banquet facility in the Best Western which increased the number of parking spaces required. (It's one space per room, and one space for every two hundred fifty square feet.) We are in excess of twelve spaces per the site plan. (DiLeo – stated that for the Hampton Inn with only a breakfast bar, additional parking is not required. For the full service restaurant ("Bedrocks") within the hotel, that does have a parking requirement.)

Bona – We are in a position where we have to live with an ordinance that we don't necessarily agree with, and we're trying to write one that we would like. When we find an opportunity, we try to get what our master plans ask for, but are not in the current ordinance. The minimum parking setback or building setback – I cannot separate the two. The building will be setback in excess of the minimum requirement wherever there is parking. Any excess in my mind is outside of building and parking. The lines denoted on the power point demonstrate that these areas that couldn't be utilized anyway. I can't agree with that justification, so I am looking at requirement 'f' (in short – arrangement of buildings that provide a public benefit.....)

One option would be to provide a 'green roof' on the top of this building. Another would be a path through the front door to the bus stop (as mentioned by Commissioner Emaus.) It's obviously being used by hotel employees. They will take the shortest route. If one of those could be offered, this would be easier for me to accept.

Pratt – Question to staff – One item on the PUD is exceeding the required open space. Are those fairly accurate? Does it exceed the open space? (A. DiLeo – I believe it does, as there is no open space requirement in the Hotel District.)

Pratt – I also saw what Commissioner Emaus saw – there is a lot of parking, and I wondered if the owner could tell us how many times a year the hotel goes over capacity with that parking lot? Many times I see cars parked on the grass and it doesn't bother me as that's not the 'norm.' (Football games, we're full or usage of the banquet facility on premises (300 seat capacity.))

Contractor – We are currently in excess of 12 spaces of our required parking. We could provide staff with the information they need regarding the pathway. I can eliminate some additional parking if possible. We're trying to avoid any conflicts with existing vegetation in the area.

Carlberg – Is it possible to use any infiltration here from your roof through a drainage system so that you're using some of that water for your lawns? (Contractor – The nature of the soil is clay with some infiltration, but we've created a storm system to go to a detention area prior to the pre-ponds prior to arrival at the final ponds, so you do have the means of having the water pass through other means before it reaches the storm sewer.)

My other complaint is that your building material is insubstantial and is not very attractive. (The

Contractor stated that these were the Hampton standards, and they would have to approve changes). You could incorporate masonry elements.

I've been to this site when there were meetings held and there was no parking. I really had to leave the site and go elsewhere, and they do hold quite a few meetings here, not just banquets. The one I attended had quite a few senior citizens and it was not going to be easy for them to get to the meeting as there was no parking available on site. This is a consideration, I don't think 12 spaces over is too much.

Pratt – I'm not inclined to alter the city's standards if Hampton is not inclined to alter theirs. I don't think it's an attractive product, not a lot of public benefit, the storm drainage is a requirement, so there is nothing above and beyond.

Bona – (To Contractor) – Would you like us to consider tabling this issue so that you can respond to some of these requests? (Contractor – Yes, we can provide a clear, walk-able path from the front door to the bus stop. With regard to the masonry or brick, we can ask Hampton if we could use brick on the first floor, and the owner states that if they'll allow it, he'll do it.)

Bona – How do we deal with the motion? Is it appropriate to add a couple of things as an amendment without changing the motion? (That can be amended.)

****Moved by Bona, seconded by Emaus, "to include a direct pedestrian path from the front entrance to the sidewalk and brick masonry for the first floor building materials."**

A vote on the second amendment to the motion showed:

YEAS:	Bona, Borum, Carlberg, Emaus, Mahler, Pratt, Lowenstein, Pratt and Westphal
NAYS:	Potts
ABSENT:	None.

Amendment carried.

Emaus – Asked the contractor what the lighting would be in the new areas. (The contractor stated that they have provided a photometric plan as a part of their submittal showing locations of the light poles. The intent was to have as minimal an impact at the property line. This is one of the parameters we gave to the consultant. (DiLeo stated that the light fixtures would be downward directed and shielded from upward glare.)

Final Motion as amended reads:

Moved by Commissioner Carlberg, seconded by Commissioner Mahler, "That the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Hampton Inn Planned Project Site Plan and Development Agreement, subject to providing building and parking setbacks in excess of the minimum requirements of the zoning district as shown on the site plan. **The plan will include a direct pedestrian path from the front entrance to the sidewalk and brick masonry will be used for the first floor building materials. *Project approval will be subject to addressing MDOT and staff concerns prior to submission to city council."

YEAS: Bona, Borum, Carlberg, Emaus, Mahler, Pratt, Lowenstein, Pratt, Potts
and Westphal
NAYS: None.
ABSENT: None.

Main motion as amended carried.

Pratt – Stated that due to the time limitations on the meeting, the Commission would have to make a motion to continue the meeting.

Moved by Carlberg, seconded by Borum, “that the Planning Commission continue its meeting and consider Item 8(c).”

YEAS: Bona, Borum, Carlberg, Emaus, Mahler, Pratt, Lowenstein, Pratt, Potts
and Westphal
NAYS: None.
ABSENT: None.

Motion carried.

c. Public Hearing and Action on Maple Shoppes Rezoning and Planned Project Site Plan, 2.62 acres, 540 North Maple Road. A request to rezone the site from P (Parking District) and C1B (Community Convenience Center District) to C3 (Fringe Commercial District), and a proposal to construct two retail buildings totaling 25,219 square feet and 90 parking spaces – Staff Recommendation: Approval

DiLeo - Explained the proposal and showed photographs of the property. The site has three zoning designations, the majority of which is C3, some C1B and a small amount of parking (P).. The site consists of eight buildings of various size. The site is almost all asphalt. The site is considered a Brownfield; most of the uses are auto related and there were numerous underground storage tanks. The petitioner requests to have the site zoned completely C3. Staff is recommending that the site be zoned C1B for consistency. They seek to demolish all existing buildings and to construct two new commercial buildings – a grocery store and a general retail building and ninety parking spaces.

Pratt opened the public hearing at 11:12 p.m.

1. Rene Pappa of Magellen Properties, 206 South Fifth Avenue, A2, MI 48104 – He stated that they are the developers on the project, and they acquired the land and have teamed with Aldi Supermarkets to build this development. We have a Brownfield plan that is current in motion. There is significant pollution on the site, the last estimate for clean-up was \$600 to \$800 thousand dollars. The tanks in the ground were recently pumped out. There are other types of pollution as well, and the plan is that through the Brownfields program, we would demolish the site, remove the underground tanks, remediate the soil and then redevelop what we’ve proposed. As staff stated, we do plan on attaining lead certification on this project. Aldi foods, an affordable grocer, has approximately one-thousand stores in the U.S., about forty in the U.S. They stated that their engineers and Aldi representative were present to answer any questions the Commission might have.

2. Tracey Pennington and Dana Bower, 2405 Faye Drive, A2, MI 48103 - Stated that they live in a property that abuts this proposed project. We're excited to see something better happening at this site, as it's been an eyesore for some time now. We are, however, concerned with things that will affect our quality of life and how we use our backyard. We're concerned with light, people having access to peering into our yard. During construction, how will this affect us (dust, etc.)?

We do have a chain-link fence, but some of the people who work back there try to grab our fence and get our dog riled up – We're happy that this is being upgraded, but we're concerned with water runoff due to the proposed elevations, and we would like to be sure that there would be adequate fencing to separate our property from the proposed parking lot. They stated that they are happy that this is being upgraded.

3. Jim Mogensen, 3780 Greenbrier, A2, MI 48105 - Looking at this plan, the Developer is going to build close to the sidewalks. My question is, on Maple Shoppes, building number 2, where do the trucks make deliveries? The developer may have this resolved, but thinking through that, in this development and others, we have situations where people park in front of the buildings, and the trucks deliver in the rear. Here we have a situation with bicycles on one side, seating on the other and the parking lot. Either it will take up the parking spots in front, or something else creative will have to be devised.
4. Scott Munzel, 121 West Washington Street, A2, MI 48104 – Representing Sophia Georgandellis who is the owner of 507 North Maple Road. At this time, she opposes the rezoning and site plan as that parking zoned parcel (while not very attractive) is a quiet and unobtrusive use which acts as a buffer between her home and the commercial uses to the south. One of two curb cuts that would serve this facility will create a dramatic change in the traffic there, right next to Ms. Georgiatis's house. There will be a dramatic change, with an increase in traffic. She is afraid that she may not be able to enjoy her home with these changes. She recognizes that there will be an improvement in the appearance due to the plan, but it still impacts negatively on her. At this time, she is in opposition.

Noting no further speakers, Pratt declared the public hearing closed at 11:20 p.m.

Moved by Carlberg, seconded by Potts, "That the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Maple Shoppes Rezoning from P (Parking District) and C3 (Fringe Commercial District) to C1B (Community Convenience Center), and Planned Project Site Plan, subject to providing an arrangement of buildings that promotes transit access and pedestrian orientation, reduces the need for infrastructure, and increases building and parking setbacks."

Commission Discussion:

Potts – Said that this area definitely needs upgrading. Each building was developed separately, no two of those line up together and it's a hodgepodge of shapes and sizes. Having it combined into one development is a good idea. My single concern is where this abuts the residential backyards. There is proposed buffering – but will the buffer be landscaping or fencing or both? (Dileo – Stated that the conflicting land use buffer requirement consists of three components; 1. The width or depth component (15 ft.), 2. The landscaping (primarily evergreen trees, one every twenty feet or so and 3. A hedge berm or a wall. A berm can be thirty inches in height, but the berm could be switched to a solid wooden fence if preferable to the Commission and the neighbors.)

Potts stated that pulling the building closer to the sidewalk or street doesn't really gain anything for

anyone, and that she would vote for this, but thinks that landscaping could help to enhance the site, as well as having concern for the drive near Maple Road.

Emaus - Stated that he presumes there is a sidewalk on their property on Dexter Avenue, and what is appealing about it is that you can come down the sidewalk, turn right and go into the front door of Aldi's, and never come in conflict with automobiles. Similarly, coming down Maple Road, you can get to the shops fairly easily.

If I lived on Faye Road, I would be more than pleased to walk over a berm in my backyard to go shopping and haul my food back home without having to crawl over a seven-foot fence.

I do see benefits to this project. I like that it's pulled up to the road and has close access and few conflicts with parking. Two suggestions are that these size buildings are perfect for 'green' roofs for energy efficiency purposes; and the other is asking that you to take a look at the Main Street Market. They're all connected internally with doorways, so once you're in one store, you wander from store to store. The tenants weren't happy about it at first, but have now embraced the concept.

Bona – Asked the Aldi representative about the elevations and the indications of clear glass? (Developer – There is a lot of clear glass, some of which is light transmitting, while not visible around the entrance.) So all of the glass on Aldi is see-through. (Yes.)

The other building has some windows made of clear glass, some as spandrel glass. (The developer explained those.) She stated that she is not a big fan of 'fake' windows, and doesn't think that all of the service rooms (restrooms, storage, etc.) all have to be in the rear. The spaces can also be long and linear, and the store might be more successful with more natural light. She asked if there was any interest on the part of the Developer to change those to making half of the windows on Maple clear glass included in the elevations. (The developer stated that they are willing to do this.)

Lowenstein – Asked the contractor to consider working with the residents in regard to their privacy concerns. (The developer stated that they are more than willing to do that, the problem is that the residential property drains onto theirs, so there will have to be some 'breaks' in the berm for their drainage. They suggested using recycled material or chain link if the residents were interested in that.)

Pratt – Asked the developer about the site lighting. (The lights are 'dark sky' and the photometric plan shows no light going off onto neighboring properties. The bulbs within the lights are 'cutoff' fixtures, and you cannot see the light unless you're below the actual fixture.) Pratt also asked if Mr. Munzel had spoken with the developers in trying to solve his client's concerns – a request for screening or anything to address her concerns? (Mr. Munzel stated that they had not, but were pleased that the Developer is willing to meet, but we haven't had a chance to have that dialogue. We appreciate their willingness to talk, and will explore all options.)

Carlberg – How will the delivery trucks get access? (Developer – Through the front doors – using small trucks that come in on off hours. Due to the site, you don't have the ability to navigation completely around the site.)

Pratt – Topography – You'll be collecting all drainage into your property? (Yes, including usage of our underground detention facilities.) If it's a dry summer, you would be watering the site during construction to keep dust down? (Yes.)

Westphal – Asked staff for clarification on locations and views of the proposed structure. He stated that the view from the elevation of Dexter gives the appearance of an airline hanger, and not a pedestrian friendly design. What is the rationale for the large blank wall? (Aldi's Rep. – Explained the construction

of the building, including the shielded cart area. They do plan to have skylights in the non-windowed area to do daylight harvesting and time lights on and off, which is why they weren't planning on a green roof. The freezer units are contained in that area, and glass would expose the hangers for the refrigeration and freezer units.)

Potts – Stated that she has difficulty with site plans that don't show what is adjacent to the proposed projects. This project shows some promise by showing the lots behind, She mentioned the drive on Maple and how the developer could appease the owner of the home near the Maple entrance.

Mrs. Georgandellis' son spoke on her behalf, and asked about the possibility of moving the Maple entrance to the south and not near her house. He stated that with 400 to 1000 cars entering and exiting that drive, it would make for impossible living conditions.

Bona – Asked staff about setbacks and moving the drive that would be most problematic. I would also prefer that the developer work out these issues before we act on it, otherwise they will come to council and talk about it. (Staff answered the setback questions pertaining to each possible zoning.) When I look at this, I see a solution coming from buffering, so I'm comfortable with this as proposed.

Carlberg – Asked if the sign could be moved. (Staff stated that because it is a non-conforming sign, it can only be moved to a 'conforming' site, but there is no other place on the site where it would 'conform.' The developer is anxious to be rid of the sign, but has to work with the lessee of the board. The developer stated that there is dialogue on that matter, but there are currently seventeen years left on the lessee's contract. He stated that Adams Outdoor Signs is currently working with Jayne Miller of Community Services to rework their entire package, but it entails reworking the entire sign ordinance.)

(General discussion amongst the Commission on handling possible outstanding issues and how the Commission will proceed. Pratt encouraged staff and neighbors to follow up with the developer and on arriving at a mutual solution to neighbor concerns and requests.)

A vote on the motion showed:

YEAS:	Bona, Borum, Carlberg, Emaus, Mahler, Pratt, Lowenstein, Potts and Westphal
NAYS:	None.
ABSENT:	None.

Motion carried.

Items "d" and "e" were not heard as the Commission did not move to extend the hearing past this point.

AUDIENCE PARTICIPATION

None.

COMMISSION PROPOSED BUSINESS

Carlberg reminded the Commissioners to return their evaluations of the Director by email. She will be the recipient of those.

ADJOURNMENT

Moved by Commissioner Carlberg, seconded by Commissioner Lowenstein, to adjourn the meeting.

Motion to adjourn passed unanimously.

Pratt declared the meeting adjourned at 12:20 a.m.

Mark Lloyd, Manager
Planning and Development Services

Jean Carlberg, Secretary

Prepared by Brenda Acquaviva
Administrative Support Specialist V
Planning and Development Services