

MINUTES
ANN ARBOR CITY PLANNING COMMISSION

REGULAR MEETING

7:00 p.m. – October 21, 2008

Time: Chair Bona called the meeting to order at 7:02 p.m.

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

ROLL CALL

Members Present: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Woods

Members Absent: Mahler

Members Arriving: Westphal

Staff Present: Cheng, DiLeo, Foondle, Pulcipher

INTRODUCTIONS

None.

MINUTES OF PREVIOUS MEETING

a. Minutes of September 16, 2008.

Moved by Pratt, seconded by Potts, to approve the minutes as presented.

Potts asked that in the first paragraph on page 17, the words "green living" in the last sentence be changed to "living green."

A vote on the minutes as revised showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Woods
NAYS: None
ABSENT: Mahler, Westphal

Motion carried.

b. Minutes of October 7, 2008.

Moved by Carlberg, seconded by Woods, to approve the minutes as presented.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Woods
NAYS: None
ABSENT: Mahler, Westphal

Motion carried.

APPROVAL OF AGENDA

Moved by Borum, seconded by Pratt, to approve the agenda.

A vote on the minutes as revised showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Woods
NAYS: None
ABSENT: Mahler, Westphal

Motion carried.

Enter Westphal.

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

Pratt reported that the A2D2 Steering Committee will be meeting on October 30, 2008 at 5:30 p.m. in the Sixth Floor Conference Room in City Hall to discuss design guidelines and other items that have been reviewed by the Planning Commission.

Potts reported that the Ordinance Revisions Committee would be meeting on October 28, 2008 at 3:00 p.m. in City Hall.

AUDIENCE PARTICIPATION

John Floyd, 519 Sunset, stated that he had a copy of an agreement between the City of Ann Arbor and MichiGinns Real Estate, the group that recently purchased the Michigan Inn on Jackson Road. In the agreement, he said, the City has agreed to postpone demolition of the buildings until the owner could get the brownfield proposal passed. In addition, he said, the City agreed to drop its lawsuit against the previous owner to reimburse the City for the demolition costs. He stated that there also was a provision regarding secrecy and making information public. He believed this secrecy issue begged the question of what other secret agreements might exist regarding other brownfield proposals or other City business. He believed the presumption was that any proceedings in front of the City government were compromised by further secret agreements.

PUBLIC HEARINGS SCHEDULED FOR NEXT MEETING

None.

REGULAR BUSINESS

a. Public Hearing and Action on Allen Creek Preschool Special Exception Use, 0.26 Acre, 1515 Franklin Street. A request to allow a preschool use for up to eight parent-child pairs and two staff members – Staff Recommendation: Approval

Cheng explained the proposal.

Barb Gamble, executive director of the Allen Creek Preschool, stated that the proposed special exception use was for a program for children up to three years old and their parents. She said the maximum number of children would be eight, as well as their parents. With regard to the issue of parking, she said, parents would be able to park in the existing preschool parking lot during school hours. She was available to answer questions.

Howard Learner, co-child development director of Allen Creek Preschool, stated that they were a pre-eminent nonprofit preschool in Ann Arbor that served 45 children and families from a developmental perspective. He said they believed that family was significant as a good beginning in life to serve as a foundation for future learning, which was supported by a great deal of research. He said the preschool strongly valued the importance of being a good neighbor, it valued diversity, it offered scholarships, and it had an extensive outreach program.

Martha Adler, 1521 Franklin, lived next door to this property. She expressed her opposition to this proposal because she was concerned with the following: 1) that it would reduce property values, 2) it would negatively impact the well-being and safety of this area, and 3) it would be a negative impact on the neighborhood and environment. With regard to property values, she was concerned that this would be a commercial encroachment into a residential area, thereby impacting her property values. She believed the preschool operations from this house would result in the neighborhood becoming vulnerable, as the property would be vacant throughout the weekends, affecting the sense of comfort and safety. With regard to a negative impact on the environment, she was concerned about traffic and parking. She stated that parents currently parked on the street in front of her mailbox, requiring postal carriers to exit their vehicles to deliver mail. This also impacted refuse pick-up, she said. She also referred to exhaust

fumes that came with additional traffic. She stated that she has lived here for four years and the only contact she has had with the Allen Creek Preschool has been their written attempts to purchase some of her property for needed parking spaces. She hoped the Planning Commission would take her concerns into consideration.

Noting no further speakers, Bona declared the public hearing closed.

Moved by Carlberg, seconded by Westphal, 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), subject to (1) a limit of the size of the operation to a maximum of 810 square feet; (2) a limit of the hours of operation from 7:00 a.m. to 5:00 p.m. Monday through Friday; and (3) a limit of the number of children and parents to eight couples; and, therefore, approves the Allen Creek Preschool Special Exception Use, subject to recording of a parking easement with 2350 Miller Avenue.

Carlberg asked where the parents would park their cars.

Gamble stated that parents would be able to park in the existing preschool parking lot, which was adjacent to this site, adding that there was room in this nine-space parking lot. Staff has been parking on Franklin Street, she said, noting that until recently they had been using the parking lot of the Korean Church through an agreement.

Carlberg asked if any of the neighbors had spoken to the preschool about difficulties they have experienced with refuse pick-up and mail delivery.

Gamble stated that they have spoken informally with other families in the neighborhood, who have been supportive of their plans to use some of the parking on Franklin Street. She said they would want to meet with the adjacent neighbor to address her concerns and make things comfortable for her.

Carlberg asked how many staff members the school employed.

Gamble replied eight.

Carlberg asked if this meant eight cars would be parked in the neighborhood.

Gamble replied yes, stating that this was an existing situation that would not change with this special exception use proposal.

Carlberg did not think this was the understanding with regard to parking when the original preschool was approved.

Gamble stated that a couple of years ago, a neighbor across the street on Miller Avenue approached the school to say how he had been in a car accident while leaving his property and that the staff parking along Miller had caused sight distance problems and was a reason for the accident. Since then, she said, they asked their staff to no longer use Miller for parking. She said they were happy to try and find alternate parking spaces that were not intrusive.

Carlberg did not see a fence in the photograph of the site and asked how the preschool planned on keeping children safe while outdoors.

Gamble described the play space available for the children and said the space was totally enclosed.

Potts asked if there was access from the existing preschool to the new preschool, since parents would be parking in the existing preschool's lot.

Gamble said they would install a gate in the fence.

Potts asked if there was adequate parking for both preschool uses.

Gamble replied yes. She said the existing preschool had nine official parking spaces. All of the classes were offset by 15 minutes, she said, with the new program being the shortest and starting after all of the others.

Potts stated that special exception use approval involved a proposed use meeting specific standards, such as neighborhood impact. When a special exception use proposal involved using street parking that others in the neighborhood were using, it became a little more complicated, she said. She would like to think that appropriate parking arrangements could be made.

Gamble stated that this special exception use did not alter their parking needs; rather, it was the Korean Church rescinding its parking agreement with the preschool that has changed. She said the preschool was working toward a solution.

Westphal stated that one of the special exception use standards, that a use must "not be detrimental to the use, peaceful enjoyment, economic value or development of neighboring property, or the neighborhood area in general," was part of the reason the City recommended that petitioners solicit reactions from the neighborhood before submitting a special exception use request to the City. He recommended that conversations take place with the neighbors to resolve the concerns that have been expressed.

Lowenstein asked if other neighbors had been informed of this.

Cheng replied yes, stating that property owners and residents within 300 feet of the site were notified, as well as notification of the public hearing being posted on the site and being published in The Ann Arbor News.

Lowenstein suggested that some of the preschool employees be encouraged to use public transportation, noting that the preschool was located on a good bus line. This may solve some of the parking problems, she said. She did not think this issue was insurmountable and said it did not seem to her that this special exception use request was incompatible with the neighborhood. It was a small expansion of the preschool's operating business, she said. She was in favor of this proposal, adding that the concerns of the adjacent property could be addressed.

Cheng pointed out that there were also three stacked parking spaces on the site, which technically could only be counted as one parking space.

Woods said it sounded as though the preschool has been a good neighbor, except for the parking issues that have arisen. Aside from making sure that postal routes were clear, public parking was an option on the public street, she said. With regard to the concern by the neighbor regarding a feeling of loss and

safety on weekends when no one was in the house, she stated that although she understood the concern, this did not fall under the jurisdiction of the Planning Commission. She hoped other neighbors would be looking out for each other at all times. There did not seem to be additional concerns about increased traffic in the neighborhood, she said, it sounded like the traffic from this use would be limited to morning hours and times when there would be no increased traffic from school buses. She would be supportive of this if there was assurance that the preschool and neighbors would discuss solutions to the concerns. Hopefully something could be worked out with the church, too, she said, adding that she supported the suggestion for employees to use public transportation. She asked when the preschool intended to begin operation.

Gamble said the closing date was scheduled for June 1 and that they hoped to begin the program in the fall of 2009.

Woods stated that this would provide enough time to invite the neighbors in to see the preschool's different programs.

Carlberg stated that a difference with this use was that the parents came to the preschool and stayed. She recalled that when the original preschool was planned, it was designed to keep parking off of the street. She suggested that a condition be added to the motion.

Moved by Carlberg, seconded by Pratt, to amend the main motion by adding the following condition, "subject to the preschool demonstrating parking for employees and parents in a manner that will not be detrimental to the neighborhood."

Potts asked how this would be monitored to make sure it happened.

Carlberg stated that staff would need to determine that the petitioner has met this condition. She said there needed to be a place where six to eight employees could park without infringing on the neighborhood.

Bona stated that she has always strongly supported the sharing of parking and she believed using a public street was an efficient way to do this, especially during the day because most residents likely used street parking in the evening. She asked the petitioner why the preschool no longer had a parking agreement with the Korean Church.

Gamble stated that the church resurfaced its parking lot last year and they believed the parking of cars during the day was causing the lot to sink. She said the preschool offered to help pay for this, but the church did not want them to park there any longer.

Bona also thought it would be appropriate to use Miller Avenue for parking when the construction was completed. This was such a wide street, she said, and it was under-utilized. She would prefer the preschool working something out with the neighbor before the Planning Commission took action, but said she was not opposed to staff monitoring this.

A vote on the amendment showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Westphal, Woods
NAYS: None
ABSENT: Mahler

Motion carried.

Potts was a little reluctant to put the burden on staff to make the determination that the petitioner has satisfactorily address the new condition.

Gamble stated that she would personally take responsibility for her staff following through on this, adding that she would personally work with the neighbor to address her concerns.

Potts moved to table action; however, there was no second to the motion.

A vote on the main motion as amended showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Westphal, Woods
NAYS: None
ABSENT: Mahler

Motion carried, reads as follows:

Moved by Carlberg, seconded by Westphal, 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), subject to (1) a limit of the size of the operation to a maximum of 810 square feet; (2) a limit of the hours of operation from 7:00 a.m. to 5:00 p.m. Monday through Friday; and (3) a limit of the number of children and parents to eight couples; and, therefore, approves the Allen Creek Preschool Special Exception Use, subject to recording of a parking easement with 2350 Miller Avenue and subject to the preschool demonstrating parking for employees and parents in a manner that will not be detrimental to the neighborhood.

b. Public Hearing and Action on South Fifth Avenue Underground Parking Garage and Street Improvements Public Project Review, 0.80 Acre, 319 South Fifth Avenue. A proposal to construct a 785-space parking structure extending four levels below grade and 38 surface parking spaces with stairs and elevators serving the underground garage and a new public street extending east from Fifth Avenue to Division Street – Staff Recommendation: Approval

Cheng explained the proposal and showed photographs of the property.

Roger Hewitt, chair of the DDA Operations Committee, stated that this proposal was the direct result of a City Council resolution last winter requesting the DDA to design and construct an underground parking structure on this property. He said the resolution further requested the DDA to design a pedestrian and vehicle connection along the south side of the lot between Division Street and Fifth Avenue, as well as a short-term design on top of the underground parking structure to for surface parking and a long-term design that would support future buildings and/or a plaza. He said Council asked the DDA to work closely with the Public Library, integrating the designs so the library's proposed future expansion could be connected to the parking. Council also asked that the DDA plan for public engagement and submit the final proposal to Planning and Development Services by October 27, he said, noting that the design team of Carl Walker (parking specialist) and Luckenbach Ziegelman (architect) was then hired. He said they had a public meeting in the spring to solicit input from the public and participated with the library on an

online survey to see what people looked for in a library and parking. Some of the important points from the survey, he said, involved safety, pedestrian friendliness, energy efficiency, and a clear connection with the library. He stated that they held a public open house last week to further receive comments from the public. He went on to discuss the design of the project, stating that the concept of Library Lane was to break up the largest block in the downtown. He stated that small lots were important for downtown vitality and the new Library Lane would provide a new front door for the library, one that faced a pedestrian-oriented street rather than a vehicular-oriented street (Fifth Avenue). He stated that the entire design of Library Lane was done as pedestrian friendly as possible, adding that it would be a private street subject to DDA approval. During the public review session, he said, there was a great deal of discussion regarding what to put on top of the underground parking. He said it has been designed to support a variety of different uses, but that it would initially contain surface parking, at the direction of City Council. He was available to answer questions.

David Chun, 322 East Liberty Street, understood that the DDA has gone through a great expense to design this project and he understood the need for additional downtown parking, but he thought there was a time when the City should balance the need for surface parking and green space. He referred to the green space of Boston Commons in Massachusetts and underground garages with plazas on top in Atlanta. He thought this was a perfect opportunity for Ann Arbor to design a public plaza in front of the public library, rather than more asphalt parking spaces, stating that Ann Arbor had very few green spaces in the downtown. It was a quality of life issue, he said, and encouraged the Planning Commission to consider that.

John Haynes, 322 East Liberty Street, stated that his residence bordered this site. He expressed concern about the construction phase during the project and said he would like more of an understanding about noise, work hours, dirt, dust, and traffic. He did not know how to provide input about the construction phase and protection existing residents. He also expressed concern about the proposed surface of the underground garage, stating that he was opposed to the surface parking as designed. It would be helpful to him, he said, to know what criteria the Planning Commission would use to consider what the final surface would be. He would like more understanding about the process. Most of the people he had talked with seemed to support the underground parking and a park on the surface, he said.

Steve Geddes, 417 Eighth Street, said he attended the public meeting last spring and the DDA presentation last week. He was in favor of a plaza on the surface of the underground parking. With regard to the new Library Lane, he stated his opposition to a new pedestrian-oriented road, stating that he did not see the need for a new road through this block. What he saw a need for was a creative design for drop-off and pick-up at the library and encouraged that the development on this site be supportive of the A2D2 zoning. He thought the City could come up with better solutions for active use at the street level to serve as a model for future development.

Gwen Nystuen, 1016 Olivia, said she agreed with the last three speakers on almost everything. She liked the underground parking and had faith in the Luckenbach Ziegelman design, but recalled the strong public support during the Calthorpe planning process for a more green downtown. Even though the surface parking was proposed to be temporary, she said, this was a central location that so many people looked at and to propose surface parking over a large underground parking structure was disturbing to her. She thought it was appropriate to put either a public plaza or a building with nice green space on this site, even if only temporary. She did not think the design looked pedestrian; rather, to her it looked vehicular.

Ali Ralawi, 248 South Seventh, stated that he operated Jerusalem Garden. When this was first brought to his attention last summer, he said, he remembered thinking that it would be good to add something to the vitality of the community. He felt strongly that this was the best community in Michigan and he would

like to see it stay that way. He would like to see something nice added to the downtown instead of a generic parking structure. This was a great opportunity to improve the City, he said, stating that what was needed was something that would bring people and families to the downtown. He suggested a plaza or green space or outdoor amphitheater that could be transformed into an ice rink in the winter. This would increase the property values in the downtown, he said. He said the vagrancy concern has been raised and discussed and he did not think this should be a reason to not provide a public space.

Kathy Gorris, 1726 Charlton, stated that plan looked very automobile friendly, not pedestrian friendly. She suggested that perhaps Library Lane be designed as a pedestrian access, not a vehicular access. She questioned who would park in the proposed surface lot.

Paul Lambert, 201 West William Street, expressed concern about starting a project like this during the banking crisis that has arisen, stating that it could become very problematic. He strongly supported the vitality of the downtown, but thought the cost of these parking spaces over the life of the structure was roughly comparable to a house in Barton Hills, which he thought would be a drag on the City's economy as a whole. He preferred the City do something with this property that was more people-friendly and more with the future in mind.

Margaret Parker, co-owner of Downtown Home and Garden, said they have designed a portion of their property with peach trees, a fence and a hedge. People loved to visit it, she said. She thought it was great that the subject site would be used for underground parking, as it eliminated the City from becoming full of parking structures, but said it was important to remember the Allen Creek watershed here and the use of the watershed when digging deeper into the ground. She stated that this was one of the last open spaces in the downtown and people really wanted a central place to gather. She thought this property deserved long-term master planning, because of its proximity to the library, the old YMCA site and the bus station. She was a member of the Commission for Art in Public Places and recalled a recent speaker saying that the City should not be mitigating for storm water everywhere, but developing a master plan to address the problem. She hoped the City would not pass up that chance. She stated that plazas that worked well existed in many other cities, states and countries, and she thought Ann Arbor could do the same.

Kim Katchedorian, a resident of Ann Arbor, stated that when she parked in the downtown, she wanted to feel safe. She said she would not be parking in this parking structure because of safety reasons, noting that more and more parking structures were becoming automated. There would be no one in the parking structure making sure she and other patrons were safe, she said. She also noted that there was no safe drop-off zone on Fifth Avenue in front of the library and was surprised that there had not yet been a fatality. She would like to see her concerns addressed, she said.

Laura Rubin, 625 Fountain Street, director of the Huron River Watershed Council, commended the City for putting most of the parking spaces underground. She noted that this was an excellent opportunity to look at the issues of storm water and public art. With regard to storm water, she said, this property was part of the Allen Creek watershed and the City currently was looking at ways throughout the creekshed with regard to holding water back and cleaning it. She believed there was an opportunity here to integrate the underground water into a plaza structure, retaining on-site water and infiltrating it to reduce imperviousness on the site. She also thought there was an opportunity here for the City to help people understand how they could be part of a solution and highlight how wonderful public art could be in a public space.

George Bacalis, 322 East Liberty, stated that he first came to Ann Arbor in 1950 as a student. He thought the DDA had done a nice job on its mission and commended the placement of the parking underground. He stated that he was a founding member of the AATA in the 1960's and a suggestion at that time was to

remove cars from the downtown and make it more pedestrian friendly. This was contrary to that view from 1968, he said. He favored the underground parking but was disappointed with the plans for its surface. He thought it could be improved. He stated that there would be 785 parking spaces underground and questioned why 38 additional parking spaces were needed on the surface. Unless someone could produce a feasibility study recommending the 38 additional spaces, he thought there was room to do something better on the surface of this site. A plaza would be nice, he said, stating that they could be found all over the world. If a plaza were out of the question, he suggested a one-story building with a park on the second story. He was strongly opposed to the footings and foundation of this structure supporting a 15-story building and asked why the City would want to commit to those kinds of funds. It removed many different options, he said.

Janice Clander, 322 East Liberty, stated that her residence backed up to proposed structure. She supported underground parking here but asked the City to seriously think about what would be placed on the surface. She questioned why 38 additional parking spaces were needed when there was a great opportunity for public art and/or something that would welcome people to the downtown and make them want to spend time here.

Ray Detter, speaking on behalf of the DDA Citizens Advisory Council (CAC), stated that the CAC was involved in the process back in 1991 to try and develop underground parking on this library lot. Over the years, he said, he has watched while the DDA took over alternative transportation commitments to avoid having to build anymore parking structures in the downtown. He said the CAC has attended all meetings on this issue and has listened to discussions about natural lighting, entrances and exits, historic preservation, parking numbers, what to put on the surface, Library Lane. On more than one occasion, he said he emphasized the CAC's desire to maximize the parking so no further structures would be necessary. They wanted to build for the future, he said. He said the CAC supported the proposed 785-space structure and the library's plans for replacement, as well as eventual placement of a building with a public plaza on the surface of the structure. He said they would like to see the plaza designed so it could extend into Library Lane whenever the space needed to be enlarged. He said they wanted this to be done right because it would be around for a long time and at a great amount of money. He encouraged storm water re-use if possible, as well as public art.

Linda Beraurer, 421 Third Street, was pleased to see the parking underground and expressed her disappointment about the surface parking spaces. It was not clear to her why 38 additional spaces were needed aboveground. She stated that the Planning Commission heard very good comments this evening about this prime opportunity and one of the last chances to do a really futuristic type of visioning for the surface of this property. She thought the plans for a 15-story building were misleading and saw no reason to provide the footings and foundation for that. She hoped the Planning Commission would move forward with the commentary this evening and consider all the issues that were discussed during the Calthorpe planning.

Jan Onder, 2671 Apple Way, a member of the Ann Arbor Public Art Commission, encouraged the City to consider a vision for this property and think about bringing more people to the downtown. She owned and operated a store on Main Street for 20 years and noted that the City was now experiencing the loss of retailers. The types of uses that appealed to people to bring them to the downtown needed to be considered, she said. Other cities have amenities like a shallow water feature for children in the summer, she said, that could then be used for something desirable in the winter. She really thought this was what would bring people to the downtown.

Barbara Copi, 1601 Cambridge, liked the idea of underground parking, as it was needed, and agreed that a plaza would be the most desirable for the surface. She questioned what the plans were for the old

YMCA site, which presently was a surface parking lot. The reason she raised this question was because she is believed that site was more appropriate for a tall building..

Joan Martin, 5530 Warren Road, thought an underground parking structure was an excellent idea for this site. She stated that the idea of a plaza on this site was so exciting and it seemed terribly important to her to not finalize the design of the parking structure before the plaza suggestion has been considered and discussed. She worked for the Huron River Watershed Council, she said, and people needed to be more aware of Allen Creek and the water issues involved with the underground parking. She hoped both the parking and plaza could be designed together.

Noting no further speakers, Bona declared the public hearing closed.

Moved by Lowenstein, seconded by Potts, that the Ann Arbor City Planning Commission hereby approves the following resolution:

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

WHEREAS, Such projects are to be reviewed by the City Planning Commission prior to City Council approval;

RESOLVED, That the Ann Arbor City Planning Commission finds that the South Fifth Avenue Underground Parking Garage adheres to City private development standards, with the following exceptions:

- **City Code Chapter 47, Section 4:20, states that one-way driveway opening widths shall be between 15 and 20 feet; turning radii shall be between five and 15 feet; and maximum curb cut widths not exceed 60 feet. Two-way driveway opening widths shall be between 24 and 30 feet. The site plan does not meet these requirements.**
- **The Public Services Standard Specifications call for public street rights-of-way to have a minimum width of 66 feet. The site plan does not meet this requirement.**
- **The intersection of Library Lane with South Fifth Avenue and South Division Street does not meet the Public services Standard Specifications, including minimum intersection radii, sidewalk ramps, road grades, etc.**

Bona pointed out that the City Council resolution authorizing the DDA to design the underground parking garage contained a directive that pedestrian and vehicular circulation between Fifth Avenue and Division Street be contained in the site plan, as well as the parking garage being designed to support surface parking in the short term and long-term development to include, but not be limited to, "residential, retail, and/or office building(s) and a public plaza." She asked staff to speak to the issue of noise, dust and working hours during construction.

Cheng stated that the City Code contained requirements for noise, dust and hours of operation during construction projects.

Bona added that anyone could contact Planning and Development Services to follow up on that.

Potts said she felt well-informed about this project, stating that she attended several of the presentations and the working session. She thought this was an exceptionally well-designed parking structure with a maximum of natural lighting and public safety. Her main concern was the surface of the parking structure. The Council resolution contained possibilities of what could be done on the surface, she said, providing the DDA with the option of negotiating the addition of adjacent land with surrounding property owners. She said she would like to add to the Planning Commission motion the fact that no private land parcels were acquired for this project, which would assist her in voting for this, as well as a clause stating that the design of the surface was subject to future public input and review. She thought assurance was given at the public meeting last week that development of the surface would be open to a different process and that nothing would be finalized until there was extensive public comment and review. She was counting on that, she said. She stated that her vote on this would have to be with the condition that the design of the surface would include review and comment by the public and that no private or public land would be acquired to enlarge this lot. These were two crucial issues to her.

Lowenstein stated that she was a member of the City Council and DDA and has been a part of all of the discussions on this. She stated that it did not matter if the Planning Commission voted in favor or against this, as the Commission's action was advisory and this property was public land. She clarified that this was a public parcel owned by the City, likely the City's most valuable parcel. Last night, she said, the City Council voted in favor of the 601 Forest proposal, which was approximately the same size of the potential development for this parcel. She noted that the 601 Forest property sold for over \$10 million and the proposal did not contain a public plaza. She stated that the subject property was being prepared to be sold and what was put on the surface of the site would be only temporary. The reason City Council directed a surface parking, she said, was because it would be a temporary use until the property was sold. Coordination between the development of this property and the old YMCA property was a possibility, one which she hoped would happen. This was partly why the parking was going below Fifth Avenue, she said, so when something was built on the old YMCA site, access to the underground parking would be available. She noted that this would make the property more valuable. She stated that the subject site was a very valuable piece of property for the City and she stated that it would not become a park. She added that the development that would go on this site would include the public space that was there. For those who lived on Liberty Street who wanted a park, she said, there was a park a block away called Liberty Plaza. She stated that this issue was discussed a great deal by the City Council before providing direction to the DDA. One of the reasons the Library Lane was proposed, she said, was because of the library's plans to change the public orientation so it was no longer on Fifth Avenue, where it posed dangerous situations. She said there were numerous pedestrian changes/amenities occurring in this area, stating that it would become a lively area, partly because of the library's reconstruction project. The library was what brought people to this area, she said, adding that what would continue to bring people was not more parks but activities, such as the library, retail space and art space. She asked someone from the design team to speak to amenities of the parking structure, particularly responding to safety issues.

Mike Ortle, stated that when they began the design of the parking structure, the primary feature was safety and security. One of goals was to make the structure more open, he said, stating that natural light was a key element of security. He described the natural light features and stated that the primary parking for the library would be on the first level of the underground structure. He showed the different parking levels, the pedestrian pathway and the stair tower. He stated that another element of security was the human element, be it attendants or ambassadors of the parking system. The connection with the library

would result in people going back and forth, he said. He discussed both pedestrian and vehicular ingress/egress. Another element of design was to maintain services and access for neighbors adjoining the property, he said, noting that a one-way service alley along the north side of the site was included for deliveries and garbage pick-up for adjacent neighbors.

Carlberg asked for explanation of how the 785 parking spaces were intended to function for the downtown as a whole.

Hewitt stated that during the A2D2 process, a transportation consultant conducted a parking study to examine system needs and make recommendations. He said they found that the parking system was at capacity, which was 85 percent usage during the day. He said a number of alternative transportation concepts was recommended, many of which were currently being used. This was to create flexibility in the system, he said, so demand management practices could be instituted that would help encourage alternative transportation. Currently, he said, they were unable to meet the new parking demands of new businesses in the downtown. This new structure, he said, essentially would get them out of the situation of operating at capacity. If car usage were to decrease and alternative transportation were being used, he said, the first thing to go would be surface parking lots in the downtown, as they would be more appropriate for buildings. Older parking structures might even be removed in the future, he said. It was their hope that this would be the last parking structure to be built in the downtown, he said, adding that that the structure being placed underground and in a central location was a good solution.

Carlberg asked if this parking structure were being planned to meet the parking needs of future residential units in the downtown, so each development would not have to provide all of its parking.

Hewitt replied yes.

Carlberg asked if it were the expectation that a development on the old YMCA site would contain underground parking.

Hewitt replied yes, stating that this project was designed so when the old YMCA site was developed, it could be attached to this new structure. This eliminated the need for space-demanding ramps, he said.

Carlberg asked what could be done to Library Lane to allow water infiltration and not require use of the storm water system.

Adrian Iraola, of Washtenaw Engineering, representing the petitioner, stated that their preferred method of handling storm water was infiltration; however, he said this would conflict with the foundations of the parking garage. He said they would endeavor to find alternative methods, noting that the engineers have proposed some solutions that would be discussed with staff.

Pratt stated that this project was not before the Planning Commission this evening for approval or denial. It was the charge of the Planning Commission, he said, to determine whether or not it adhered to City development standards. He stated that the input received was welcome, adding that there has been a lot of discussion about plazas in the past. He said many of the people who wanted a plaza in this location did not use the existing Liberty Plaza a short distance away, speculating that another plaza in this location also would get used. The plaza space was provided for, he said, although it may not be the green space people would like to see. He asked about the total parking currently in the system.

Pollay stated that the entire public parking system, including on-street meters, consisted of 6,600 spaces.

Pratt asked how many parking spaces currently existed on this subject site.

Pollay replied just under 200 spaces.

Pratt noted that the surface parking was going from 200 to 38 for short-term spaces.

Pollay noted that this would be a temporary surface parking lot and that the first floor of the deck would be for the casual library user.

Pratt stated that what he has continued hearing from people was that surface parking helped. It seemed like a good idea for short-term parking, he said. Every single development that was proposed in the downtown, he said, has raised concerns about parking. He was supportive of this project and knew that it was addressing demand management, but it seemed obvious that something could be done to free up some of the spaces. He hoped this would be the last time a parking structure had to be built in the downtown, but the City may find in the future that it was not. He was concerned about doing a better job of identifying the construction schedule, stating that contractors would need specificity about the work schedule. He wondered how long Fifth Avenue would be out of service and how this would affect people getting around town.

Iraola stated that a traffic plan had been presented to staff, but that an overall detour had not yet been specifically approved. He said there were issues that still needed to be discussed with neighbors. With regard to construction schedules, he said, they have always followed City ordinance requirements and were very mindful of noise and dust control. He said they expected two years for the construction along Fifth Avenue.

Westphal asked for a review of the footprint where a building would go on the surface of this property.

Ortley stated that they reviewed the size of building that could be accommodated on this site, taking into account different requirements, such as setbacks. He said the eastern half of the site would be appropriate for a high density, medium-rise structure, with a lower-rise structure on the western side. He identified area for a civic space along the western half of the site.

Westphal asked if the structural elements would support a taller building on the western half of the site.

Ortley said it support up to a four-story structure.

Westphal asked if there were a significant difference in the cost of the structural elements between lower and higher rise buildings.

Ortley replied yes, because additional columns would be required for a higher rise structure. The addition of columns could also impact parking and safety/security, he said.

Westphal asked if anything would need to be done design-wise to accommodate a change to electric vehicles.

Ortley replied that it would be fairly easy to provide power for electric vehicles. In addition, he said, if the size of cars were reduced, the size of parking spaces could also be reduced.

Borum stated that he was very supportive of this project for all of the reasons that had been stated, noting that the garage design was amazing. He reiterated that 38 temporary surface parking spaces on this site was a lack of imagination as far as what could be put here. He did not think green space or permanent open space should go here, noting that the University's Diag on campus represented for him truly amazing green space that most cities of Ann Arbor's size did not have. Because the surface would have

a temporary use, he thought something that normally was not considered and/or something that would involve a risk, such as a skateboard park, might be appropriate. There were countless examples, he said, stating that small, intense vital spaces played large roles. He stated that there were a number of architectural students in town who would pay money to enter a competition to design something for this site.

Woods echoed the thoughts of others. She also was disappointed that the surface space wasn't something more like a plaza, even though it would be temporary. She was glad to see underground parking being put here and the overall parking system being addressed. She asked if there were a reason why more lower levels were not proposed.

Ortley stated that cost and the underground water table were major factors, noting that cost started to accelerate exponentially. He said the next level down was likely too expensive.

Cheng stated that a revised motion was prepared today and distributed this evening. He said the motion was revised to remove the three standards that were not met for public streets because the DDA has determined that Library Lane would be a private street.

Bona asked staff if there were any concerns with Library Lane being a private street.

Craig Hupy, of the City's Systems Planning Services Unit, stated that staff supported what the DDA was trying to achieve with the pedestrian focus, raised sidewalk, landscape elements, etc, which would keep traffic speeds to a minimum. The vehicle to deliver that was a private street, he said, noting that the problem with the public street standards was that they worked against what the DDA was trying to achieve.

Moved by Borum, seconded by Westphal, to amend the main motion by removing the three bullet points.

Bona clarified that since the street was going to be private, the three bullet items were no longer an issue.

A vote on the amendment showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Westphal, Woods
NAYS: None
ABSENT: Mahler

Motion carried.

Potts moved to add the following two Whereas clauses to the motion: "Whereas, no private land parcels were acquired for this project" and "Whereas, the tentative design of the lot surface is subject to future public input and review."

There was no second for this motion.

Potts stated that because this project contained a surface design in which the public had not been extensively involved, and because there was assurance that the public would have input, she would not be able to vote in favor of this.

A vote on the main motion as amended showed:

YEAS: Bona, Borum, Carlberg, Lowenstein, Pratt, Westphal, Woods
NAYS: Potts
ABSENT: Mahler

Motion carried, reads as follows:

Moved by Lowenstein, seconded by Potts, that the Ann Arbor City Planning Commission hereby approves the following resolution:

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

WHEREAS, Such projects are to be reviewed by the City Planning Commission prior to City Council approval;

RESOLVED, That the Ann Arbor City Planning Commission finds that the South Fifth Avenue Underground Parking Garage adheres to City private development standards.

c. Public Hearing and Action on The Madison PUD Zoning District and PUD Conceptual Plan, 0.85 Acre, 211 East Madison Street. A request to rezone this site from R4C (Multiple-Family Dwelling District) and M1 (Limited Industrial District) to PUD (Planned Unit Development) to allow future development of a 161-unit, 12-story multiple-family residential building with two underground parking levels containing 161 parking spaces – Staff Recommendation: Denial

DiLeo explained the proposal and showed photographs of the property.

Kim Katchedorian, 204 East Davis Street, stated that her house was downhill and downstream from this project, which was her main concern, as the water and sewer infrastructure for this area was built for small homes and businesses. She said these systems would eventually fail if this development were built and she questioned who would then pay the cost. The homeowners would pay, she said, not the tenants or owners of this megaplex. There were thousands of dollars in potential damage, she said. She knew this because her neighborhood had already experienced flood damage, stating that many homes have been filled with very nasty stuff from the flooding. Her concern about this was sincere, she said, calling attention to the 464 toilet-flushers who would be added to this site. She noted a current problem resulting from the large trucks working on the University's construction projects. She stated that Hill Street had literally been ruined from this. She said there already was excessive student housing in this area and there was no infrastructure for parking. She recalled the 36-bedroom building in her neighborhood that was recently built and the over 40 cars that have been added as a result. She hoped to see this area revert back to the residential neighborhood it has been.

Walt Spiller, a resident and owner of five houses at the northeast corner of Fifth and Madison, expressed concern about how this development would impact his life and property. He stated that the residents in the higher levels would be able to look out their windows and see into his home. He also would lose sunlight for six months because this tall building would block it, he said. He was in favor of planned unit developments (PUDs), he said, but not this one. He stated that a PUD did not give someone a unilateral right to destroy a neighborhood, as this would do.

Linda Berauer, 421 Third Street, was opposed to this proposal for the same reasons stated by staff. She did not believe the proposed density was appropriate in the floodway or floodplain, she felt it was inappropriate for the Old West Side, and she thought it contradicted the sensitive transition called for in the Calthorpe plan. She believed approving this proposal would be making the same mistake that was made when the development at Washington and State Streets was approved.

Pat McCoska, 1916 Sunrise, an architect with Neumann Smith Architects and working with Moravian Properties, the petitioner, said he had an interest in the success of this project on a professional level and also spoke as a resident of Ann Arbor. He said he voted in favor of the greenbelt years ago, as he supported green space and not urban sprawl, adding that new ways to better accommodate growth within the City limits were needed. He thought the general agreement among those involved in the A2D2 planning process seemed to be that increased density in the downtown area created a healthy, vital environment. It also encouraged alternative modes of transportation, he said. He agreed with this, he said, and strongly supported the City's efforts to plan for future growth in a logical, coherent manner. Several projects have been approved and/or were under construction, he said, with the City still trying to find its way. As a resident, he appreciated the opportunity to be heard. He also appreciated the work of staff, the Planning Commission and City Council. For all of the projects that came before the Planning Commission, he said, he hoped they would be viewed with an open mind and judged fairly. When opinions differed, he hoped clear, helpful advice would be provided to assist the petitioners. He was convinced that the City and its citizens would benefit most by working together.

Barbara Copi, 1601 Cambridge, stated that she owned two houses at 304 and 306 East Madison Street. She questioned if a PUD were approved gave subsequent property owners the right to develop it as they chose.

Bona stated that a PUD only changed the zoning of a piece of property.

Copi believed this particular proposal was extremely unattractive. It was much too large for the site, she said. She did not like the idea of changing the zoning without first seeing exactly what would be developed on the property.

Claudius Vincense, 545 South Fifth Avenue, expressed opposition to this proposal. He complemented staff's evaluation of the proposal, stating that he agreed with all of the points made. He referred to a statement made about this neighborhood having seen little investment in the last decade, stating that it completely ignored the significant investment he has made in his home and the investments made by his neighbors. It was a misrepresentation, he said. He also called attention to a comment made about the industrial zoning in this area, stating that he has not seen industrial activity for the 20 years he has lived here. He believed this high-rise building was improperly proposed for a residential neighborhood outside of the downtown area, stating that the area plan for the downtown specifically stated that high-rise buildings should be built at the top of this hill and everything else toward the bottom of the hill be lower in height to preserve the hill and accentuate the topography that was enjoyed in Ann Arbor. This proposal was completely opposite of that, he said. He noted that over half of this development would contain three and four-bedroom units, which would mainly attract students.

Helmut Williams, 220 North First Street, business owner on Main Street, said he supported density. He had a staff of professionals in his office who would love to live downtown, he said, adding that not necessarily all of the people living here would be students. One of the greenest things that could be done, he said, was to get people off the road and walking everywhere. He stated that a significant means of supporting the environment was to bring more people who did not need cars into the downtown to live.

Beverly Strossman, expressed concern about the petitioner not working with the residents in this area, stating that perhaps it was because there was not way to ameliorate this project. She said it was simply out of scale and out of character with this area. She believed the proposed three and four-bedroom units were clearly marked for students, adding that there was no additional need for students in this neighborhood. She referred to the ongoing conflicts with noise, police visits, etc. because of the student housing that already existed here.

Donald Harrison, 401 Hiscock, stated that he worked downtown and that he knew a lot of people who lived in the outskirts of Ann Arbor because they could not afford to live downtown. He knew these people would love to live in a walkable place such as this. He voiced his support for this type of project, stating that Ann Arbor had the ingredients to retain more talented people in the City, but more housing options were needed to appeal to that demographic. Many people in 20's and 30's were not ready to purchase a home, he said, encouraging the Planning Commission to be more forward thinking when it came to green buildings, etc.

Ralph Single, 1390 Brookfield Drive, stated that his daughter was a junior at the University of Michigan and he had spent a great deal of time trying to find a house for her and roommates in the downtown area. Until he was actually looking for a house, he said, he had not been aware of the fact that there was a shortage of housing in this area for students and professionals. He stated that the proposed building was large, but said new and reasonably priced housing was needed.

Edward Surovell, 1000 Forest Road, spoke in support of the project, stating that it would be an important contribution to the City, the economy and the housing needs. He thought this was a good use for this site and that, although it did impact on the 19th century neighborhood, it would be compatible with the floodplain, with the industrial use across the street, and with the railroad tracks 100 yards away. He thought the project would have a positive, beneficial impact on struggling retail, noting that there has been very little commercial development in this area. He stated that Ann Arbor could not have vibrancy and a healthy economy without at some point accepting the fact that it will have to expand its inner core. He thought this building went a long way toward helping the inner core.

Richard Jacobson, 538 South Fifth Avenue, opposed this project. He thought it was too large, unattractive, too dense, and reflected more of a dormitory building than anything else. Three and four bedrooms meant this would be used by students, he said, and he thought it would have a negative impact on the neighborhood.

Rebecca Lopez Kriss, 800 West Huron Street, stated that as a young professional and the intended audience, she urged support for the project. She believed that density was extremely important to the vibrancy of a city. She found it ironic sitting through an hour of discussion this evening about forward thinking and how housing needed to be part of the downtown. She said she lived in an historic house that had not been properly updated and she would welcome the opportunity to live in a green, efficient building. She hoped this project would be approved.

Kyle Mazurek, vice president of Governmental Affairs for the Chamber of Commerce, read a letter in support of this project (on file). He said this proposal appeared to incorporate many of the goals the Chamber has conceptually supported over the years, such as higher density in the downtown area and more effectively utilizing infrastructure networks. He also noted that this proposal was consistent with the Chamber's belief that new development should encourage opportunities for a variety of transportation modes. He also noted that this development would reserve 25 percent of its units for workforce affordable housing. He said it appeared to provide important community benefits, such as remediation of a contaminated brownfield site, removal of obsolete buildings, creation of public pen space, and increased property tax revenue.

Matthew Olsen, 415 Felch, a planning student, said he was familiar with the Calthorpe plan and supported staff's decision to recommend denial. He did not think this was the appropriate building for this location. He believed Ann Arbor needed to consider higher density in a thoughtful manner.

Joe Ferrario, 2969 Heatherway, stated that he has done management consulting for years and throughout his working with companies, he has observed many problems and the solutions to fix them. He said the most appropriate solutions were to be found in talent and, unless a place was found in Ann Arbor for talented young professional people to live, work and play, they would leave Ann Arbor and Michigan, never to return.

Ray Detter, of the Downtown Area Citizens Advisory Council, supported the wisdom of staff's denial recommendation, noting that the physical character, design features and amenities of this project did not provide a beneficial effect and was not consistent with the elements of the Master Plan. Even though a portion of the site was in an industrial district, he said, the project clearly did not protect the general character of this residential neighborhood; rather, it threatened the existence of this downtown neighborhood. The staff report was very specific in its reasons for denial, he said, and asked that the Planning Commission keep in mind the people who lived here. He asked that everyone think about 14 stories next to their homes, next to their gardens. He pointed out that this property was not in the downtown and that the recommendations of the Calthorpe plan did not even apply here. Higher density was appropriate for the downtown, he said, not in these types of neighborhoods. Permitting this would not only destroy residential neighborhoods surrounding the downtown, he said, but also compete with real downtown development. He did not think the City would want to endanger its commitment to these R4C-zoned neighborhoods.

Graham Miles, 3437 Riverbend, owned the houses at 526 and 528 South Fifth Avenue and 517-525 South Fourth Avenue. He rented to students, he said, which he enjoyed doing, stating that he consistently maintained his properties. He believed this development would totally destroy the character of this neighborhood.

Newcombe Clark, president of the Main Street Area Association and board member of the Michigan Theater, stated that over the years, as he has become more involved with the community, he has watched the community's health and vitality with growing concern. He stated that Ann Arbor's downtown was able to help pull the city out of a region-wide collapse. He stated that not responding to a change in demographics would result in an unrecognizable Ann Arbor. He discussed economics, affordability, density, and the decline in the school system, stating that we needed to make changes that would help Ann Arbor.

Dick Carlisle, of Carlisle Wortman Associates, a planning firm representing over 50 municipalities on a regular basis, stated that he has reviewed numerous large-scale projects on behalf of his clients, including assisting the City of Royal Oak transform its downtown. It was disappointing to him that Ann Arbor was as far behind as it was in a state that promoted smart growth. He believed that density needed to be considered in more than just a narrowly defined area. If not, he said, the tax burden on single-family homeowners would become increasingly burdensome. He stated that the area in question this evening had many characteristics of the downtown, adding that it was area that would continue to change. He also noted that this project had the potential to become part of a transit rail element.

Scott Bonnie, of Neumann Smith Architects, representing the petitioner, showed an overview of the site and explained the different design features that would help to keep the building mass to a minimum. They intended to be responsible neighbors, he said. He explained the parking layout, pocket parks in five different locations, roof terraces, and the green area open to the entire neighborhood.

Scott Betzoldt, of Midwestern Consulting, representing the petitioner, stated that this property was within the Allen Creek watershed and the floodplain, but said the development would not be within the proposed floodway as contained in updated FEMA maps. He said there have been many concerns expressed about watershed sensitivity and noted that this development would actually be a benefit to the watershed from a floodplain management standpoint. He stated that this development would more than double the floodplain storage and would be done so in a manner that would provide better flow characteristics. An additional benefit would be that the peak rate of storm water discharge would be reduced for this site and for properties to the north, he said.

Peter Webster, of Dickinson Wright, an attorney providing zoning and land use advice on this project, stated that a PUD was likely the most appropriate zoning classification for this. He stated that this project met all standards of the PUD requirements and it complied with the master plan. A PUD was most appropriate, he said, because it was an excellent opportunity to provide uniformity to the proposal. He stated that the key question was whether the positive impact of the project versus the proposed density provided an overall benefit to the community and the City. He said they strongly believed the answer to this was yes, that the proposed project struck a nice balance.

Jeff Helminski, of The Moravian Companies, petitioner, recalled the comments made about the effects on a community by not retaining young professionals in the downtown and the needed density to keep a downtown core vibrant. He believed there was a strong and diverse expression of support this evening. He asked the Planning Commission to keep in mind that the plan presented tonight was not the plan they began with two years ago; rather, it was a culmination of what they believed to be the best balancing act of all competing interests and issues. If the Planning Commission did not agree that this proposal represented the best balance, he suggested that a subcommittee be formed to discuss a rebalancing of the objectives.

Vincense registered a complaint about commenting on a building that he did not know about.

Bona clarified that the Planning Commission was not being asked to vote on a building proposal; rather, it was a rezoning request that could potentially allow a building such as contained on the drawings this evening.

DiLeo explained the conceptual plan proposal.

Noting no further speakers, Bona declared the public hearing closed.

Moved by Carlberg, seconded by Westphal, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Madison Planned Unit Development (PUD) Zoning District and Supplemental Regulations, and PUD Conceptual Plan.

Bona disclosed that she was speaking with the petitioner earlier and stated that it was to solely clarify comments she made during a working session.

Potts stated that if there were advantages to a PUD that provided flexibility that could not be achieved under other zoning classifications, then the advantage to the community was that details were pinned down and made specific and the community could ask for things that were not ordinarily provided under a standard zoning. In this specific case, she said, it was her understanding that the conceptual PUD zoning was merely a general guideline and offered no advantage to the City, as there was no negotiating power in the details. She thought it would be a detriment to the community to approve a PUD that was so vague

and without detailed control over what could be built. She was concerned that the PUD would be awarded to a piece of property without a specific development.

Bona stated that PUDs typically did not happen this way, but said it was allowed under the PUD ordinance and this was what the petitioner was requesting.

Carlberg thought the height in Section D of the supplemental regulations was excessive. On that basis alone, she was not prepared to vote for a rezoning that would allow a building this tall in this area.

Pratt stated that he would not support this particular PUD proposal, for the reasons stated in the staff report. With all due respect to the speakers who had positive ideas regarding the need for density, he did not think the Planning Commission should make a decision for higher density on a piece of property that the community has agreed should not have increased density. He noted that the community has publicly published the location for higher density in the City and this was not one of those areas.

Woods expressed concern about the proposed height, stating that she believed it was too high. She also was concerned about the density and lack of parking. She found it difficult to believe that the number of proposed spaces would adequately serve the number of people who would live here. She did not support this project as proposed.

Borum agreed with most of the public comments and those of the Planning Commission members. He thought this project was too large for this location. He also did not think a new residential zoning district should be approved until the new flood maps were approved.

Westphal stated that his vote against this rezoning proposal would not be a vote against density; rather, it was recognition that this particular density contradicted the existing master plan and expectations of the neighbors. He believed the Planning Commission recognized where higher density was appropriate, stating that there has been a robust community process to determine that. He acknowledged the positives of redeveloping an M1-zoned piece of property and providing affordable housing, but he did not think these outweighed the goal articulated in the Central Area Plan to protect the scale and character of the existing housing. Based on all of this, he said, he did not support this proposal.

Lowenstein reluctantly concluded that the proposed zoning would not be appropriate here. She agreed with many about the need for this kind of housing and density. She did not think the City had been totally lax in addressing this kind of housing, referring to the residential development currently under construction at Washington and Division Streets, and the proposed project at Washington and First. This project was just not appropriate for this location, she said, agreeing with her colleagues.

Potts did not believe this neighborhood was suitable for this type of development, stating that these older neighborhoods were important to the City and should not be whittled away. She stated that this was an unplanned area and she was not sure the City's master plans were helpful enough to provide direction on how the area should be developed as the Fingerle Lumber Company properties changed. There were some merits about the building itself as proposed, but she said it needed to be located elsewhere.

Bona agreed with the comments of the other Planning Commission members regarding height and density. She stated that the AATA wanted 6 to 10 units per acre to justify a sufficient bus system. The current R4C zoning would allow 17 dwelling units on this property and there currently were 19 units, so there were more units on this site than the zoning allowed from a density perspective. From a bedroom perspective, which was also valuable, she stated that the R4C district would allow a total of 102 bedrooms in those 17 dwelling units. That was the type of flexibility she would like to see a PUD offer, she said, rather than increasing the density to 200 units per acre as proposed this evening.

Helminski stated that the proposed density they arrived at was a reflection of trying to provide a public benefit from many stakeholders. Many thought this was an appropriate place to add density, he said, even though it was outside of the D1 area. What he thought he was hearing tonight was that there was not a high regard for the public benefits they've tried to include and that they do not offset the proposed density. Further direction from this group as to what sort of density could be supported in this location would be helpful, he said.

Bona stated that the Planning Commission has recommended approval of other density increases in the downtown, which further enforced her resistance to turning this neighborhood upside down.

Carlberg did not have an objection to removing houses from the edges of a neighborhood, especially in this commercial area on Madison and because of the limitations set by the floodplain. She thought anything taller than six stories would be totally out of proportion with the neighborhood and would overcome the homes in the area.

A vote on the motion showed:

YEAS: None
NAYS: Bona, Borum, Carlberg, Lowenstein, Potts, Pratt, Westphal, Woods
ABSENT: Mahler

Motion failed.

AUDIENCE PARTICIPATION

Walt Spiller, who spoke against The Madison proposal, stated that he rented his residential units to young working people. He also had students living next to him. He said he and his neighbors lived here and understood the density. The plea the petitioner was making that this development would be a haven for young professionals did not make sense. He did not believe there would be a single workforce professional living in this building. He was concerned about the three and four-bedroom units that were proposed, stating that if a petitioner were forced to defer either a one-bedroom or a four-bedroom unit because of profit, he was sure the one-bedroom unit would be chosen to be deferred.

Another speaker from The Madison project encouraged the Planning Commission to think of zoning as the residents in the neighborhood thought of it, which was like a contract between the City and citizens that could not be easily overturned. People would not want to invest in their properties, she said, if they did not have assurance that zoning would not be overturned. With regard to deterioration of older homes in the downtown areas, she thought one thing that would encourage that deterioration was over-production of student housing. She thanked the Planning Commission for its decision tonight.

Kim Katchedorian, also speaking on The Madison proposal, stated that there already were empty homes in the neighborhood, one of which was a six-bedroom unit vacant for two years. Six-bedroom units were not the answer, she said. When this type of tipping occurred, she said, the neighborhood began to change. She agree with the Planning Commission decision this evening and agreed that it was good to keep young professionals downtown. She said the residents in these areas liked their neighborhoods and did not want to see them picked at systematically until the only choice left was to leave.

COMMISSION PROPOSED BUSINESS

Lowenstein believed this would be her last meeting, as it appeared that the November 5 Planning Commission meeting would be cancelled.

Pratt asked for a status update on the floodplain ordinance.

ADJOURNMENT

Bona declared the meeting adjourned at 11:44 p.m.

Mark Lloyd, Manager
Planning and Development Services

Kirk Westphal, Secretary

Prepared by Laurie Foondle
Management Assistant
Planning and Development Services