



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Meeting Minutes City Planning Commission

Tuesday, August 21, 2012

7:00 PM

City Hall, 301 E. Huron Street, 2nd Flr.

Commission public meetings are held the first and third Tuesday of each month. Both of these meetings provide opportunities for the public to address the Commission. Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office at 734-794-6140 (V/TDD) at least 24 hours in advance. Planning Commission meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>) or on the 1st floor of City Hall on the Friday before the meeting. Agendas and packets are also sent to subscribers of the City's email notification service, GovDelivery. You can subscribe to this free service by accessing the City's website and clicking on the red envelope at the top of the home page.

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

1 CALL TO ORDER

Chair Westphal called the meeting to order at 7:08 pm.

2 ROLL CALL

Rampson called the roll.

Present 7 - Bona, Woods, Derezinski, Westphal, Giannola, Adenekan, and Clein

Absent 2 - Pratt, and Mahler

3 APPROVAL OF AGENDA

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

4 INTRODUCTIONS

5 MINUTES OF PREVIOUS MEETING

[12-1056](#)

June 19, 2012 City Planning Commission Meeting Minutes

Derezinski noted a grammatical change on Page 9 - "Pratt said that he was under the understanding that the Systems Planning Unit had indicated there 'are' adequate utilities..."

Moved by Bona, seconded by Giannola, to approve the June 19, 2012 minutes as corrected. On a voice vote, the Chair declared the minutes approved.

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

6-a **City Council**

Derezinski reported that at its previous night's meeting, the Council agreed to placing a ballot initiative for a public art millage. He explained that Councilmember Taylor proposed this as a replacement for the City's Percent for Art funding source from capital projects. He said the proposal was for a four-year millage for an amount equivalent to the current program, but without the limitations on types of projects and expanded to include performing arts. He explained that this millage would be administered by the Public Arts Commission. He said that a resolution to repeal the 'Percent for Art Program' was defeated, since it was felt to be premature.

Derezinski said the Council considered several other items. The first was a resolution directing the City Administrator to begin the process of selling the former YMCA site at 350 S. Fifth Avenue. He said Council defeated the resolution since many felt it was premature, given this process had been delegated to the DDA.

Derezinski said there was also a resolution directing Planning to initiate rezoning of four properties on North Main Street [former Greek Orthodox Church], that are now owned by the County because of foreclosure. This resolution did not pass.

Derezinski said that the Bluffs Nature Area rezoning was approved.

6-b **Planning Manager**

Rampson informed the Commission of the upcoming September 6, Planning Commission agenda item; Amendments to Chapter 55 (Zoning) and Chapter 61 (Signs and Outdoor Advertising) to dissolve the Sign Board of Appeals and move its responsibilities to the Zoning Board of Appeals.

Rampson reported that the Ordinance Revisions Committee had met to do a walking tour of the R4C/R2A area, and staff is currently compiling comments and recommendations for an upcoming meeting.

Rampson explained that the Planning and Development staff have been busy closing out construction projects. She noted that Certificates of Occupancy had been issued for Zaragon West and City Place. The Landmark project is also close to the issuance of Certificates of Occupancy, later this week. She said Zingerman's and the two Briarwood hotels are also close to being completed.

Rampson reported that the Michigan Association of Planning Conference is coming up in October and will be held in Traverse City, and Commissioners should let her know if they are interested in attending.

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

Bona reported that the North Main Huron River Corridor Task Force will hold its third meeting on August 22 at 5 pm at the Huron River Watershed Council office at 1100 N. Main Street.

6-d **Written Communications and Petitions**

[12-1057](#) Various Correspondence to the City Planning Commission

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

None.

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

[12-1058](#) Amendments to Chapter 55 (Zoning) and Chapter 61 (Signs and Outdoor Advertising) to dissolve the Sign Board of Appeals and shift its responsibilities to the Zoning Board of Appeals.

Chair Westphal read the public hearing notice as published.

9 **REGULAR BUSINESS - Staff Report, Public Hearing and Commission Discussion of Each Item**

(If an agenda item is tabled, it will most likely be rescheduled to a future date. If you would like to be notified when a tabled agenda item will appear on a future agenda, please provide your email address on the form provided on the front table at the meeting. You may also call Planning and Development Services at 734-794-6265 during office hours to obtain additional information about the review schedule or visit the Planning page on the City's website (www.a2gov.org.)

(Public Hearings: Individuals may speak for three minutes. The first person who is the official representative of an organized group or who is representing the petitioner may speak for five minutes; additional representatives may speak for three minutes. Please state your name and address for the record.)

(Comments about a proposed project are most constructive when they relate to: (1) City Code requirements and land use regulations, (2) consistency with the City Master Plan, or (3) additional information about the area around the petitioner's property and the extent to which a proposed project may positively or negatively affect the area.)

9-a [12-1060](#) Plymouth / Green Crossing Revised PUD Zoning and Site Plan for City Council Approval 3375-3469 Plymouth Road. A proposal to revise the Planned Unit Development supplemental regulations to eliminate the future phase restaurant, allow additional restaurant uses in the Phase 1 free-standing buildings, and revise the development program for future, Phase 2 building to delete ground floor retail, office or restaurant and replace with flexible use space and/or enclosed parking. No changes to the existing parking, landscaping or storm detention are proposed on this 8.2 acres site. Staff Recommendation: Approval

DiLeo presented the staff report.

PUBLIC HEARING

Earl Ophoff, Midwestern Consulting, representing the petitioner, introduced Jeff

Howard, one of the owners of the Plymouth/Green Crossings development. He clarified that they are not planning to eliminate retail in Building A, but add potential uses. He said that he understood one of the Commissioners had a question about the landscaping in the wetland and adjacent to the retaining wall. He said that the wetland currently contains fragmites, an invasive species, and there were a number of the original plantings that failed, including many of the Pin Oaks planted along the wall. He said that in this plan, they have changed the tree species to American Linden; the vines on the wall are growing more slowly than they anticipated. He said that over time, there will be more screened conditions along the retaining wall, although there will be a continuous issue to keep invasive plants out of the wetland.

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

Moved by Derezinski, seconded by Bona, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve Plymouth Green Crossings Amended PUD (Planned Unit Development) Zoning and Supplemental Regulations.

COMMISSION DISCUSSION:

Bona asked about the affordable housing contributions being slow in coming. She noted that the staff report indicated that the petitioner is paying a contribution in lieu of providing affordable housing.

Rampson said that the petitioner had gone before the City Council to revise the development agreement on the contributions, since originally the development was set up to be condominium units, which had not worked out as planned. She said that Council approved their request and the petitioner had made timely payments since that arrangement.

Bona asked if the contribution covered all of the development or only Building A, and where would the cash payment go.

Rampson said there is on-going discussion regarding this issue, since the City feels the contribution covered the whole site, regardless of if buildings were constructed, while the developer feels differently. Rampson explained that the payment goes towards the City's Housing Trust Fund to be available to leverage federal funding as needed.

Bona asked about the parking arrangement with the neighboring property, which has a large parking lot.

Ophoff pointed out the parking lot for the law school on the display board. He said the original concept was for the parking lot to be used for the law school and the restaurant, which have different peak demand times. He said this hasn't quite worked out this way, since the classes go into the night.

Bona asked if this is the cause of the need for additional parking.

Ophoff said partially, but it is mostly a function of the geometry of the site, since all of the demand is at the front of the site, where currently there is no parking. He said that the rental units also have more cars.

Bona asked if there is the potential for first floor space to take advantage of the far parking.

Ophoff said this is possible, but more likely that employees will park in this area.

Bona said that this was an early attempt at a tight development, and didn't work out quite the way they intended, but it still is working well.

Derezinski asked if there was a possibility of Cooley Law School expanding, which could be a reason more students are parking in those areas.

Jeff Howard said that Cooley is leasing the Ava Maria space. He said they have expanded their hours, but he was not aware of any plans of expanding the physical building.

Derezinski asked if there are restrictions on their students to parking in Plymouth Green.

Howard said that Cooley has no easements, but noted that Plymouth Green Crossing has easement rights for parking on the Cooley property. He is not aware of problems from students parking on the Plymouth Green site.

Derezinski asked about the residents.

Howard said the residential profile is highly professional, with attorneys, doctors and business people. He said they might have one or two units occupied by law students.

Woods asked if the petitioner could explain why they want to reduce bicycle storage.

Ophoff said that the reduced number of spaces is due to the deletion of the restaurant use. It was felt by staff that the intent was to increase the number of bicycle parking on Building A for employees. He pointed to the site plan to show where parking had been originally planned.

Clein asked if the intent for the first level parking would be for residents.

Ophoff said that these would not have to be assigned, but given the higher rental ratios, it may make sense to make these assigned spaces.

Adenekan noted a comment from the citizen participation meeting about noise.

Ophoff said this was from the original sheet piling installation, which is not needed anymore.

Westphal asked if the intent of the first floor parking changed, could be used for other uses than residential.

Ophoff said they could change back and forth.

Westphal noted that the reason why these landscaping issues keep coming up is because commitments had been made previously. He asked about the vines.

Ophoff said that they have been in for five years. He said they should climb to 25 feet.

Westphal noted the dead Honey Locusts trees.

Ophoff said there are 47 new trees going in as a result of this proposal.

On a roll call, the vote was as follows with the Chair declaring the motion

carried.

Yeas: 7 - Bonnie Bona, Wendy Woods, Tony Derezinski, Kirk Westphal, Diane Giannola, Eleanore Adenekan, and Kenneth Clein

Nays: 0

Absent: 2 - Evan Pratt, and Eric A. Mahler

Moved by Derezinski, seconded by Adenekan, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve Plymouth Green Crossings Amended PUD (Planned Unit Development) Site Plan, subject to removing unnecessary utility service leads within 30 days of City Council approval. On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 7 - Bonnie Bona, Wendy Woods, Tony Derezinski, Kirk Westphal, Diane Giannola, Eleanore Adenekan, and Kenneth Clein

Nays: 0

Absent: 2 - Evan Pratt, and Eric A. Mahler

9-b [12-1061](#)

Fiat of Ann Arbor Site Plan for City Council Approval - A request to demolish the existing 2,508 square foot auto service building on this 0.69 acre site and construct a one-story, 3,408 square foot showroom building in its place at 2095 West Stadium Boulevard. The existing parking lot boundaries will remain the same and provide 10 customer parking spaces and 36 vehicle storage spaces. The southern drive opening will be closed. Staff Recommendation: Approval

DiLeo presented the staff report.

PUBLIC HEARING

Stanley Tkacz, representing Suburban Collection, the petitioners, said that their biggest concern was maintaining building design standards, which are dictated by Fiat.

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

Moved by Woods, seconded by Giannola, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Fiat of Ann Arbor Site Plan.

COMMISSION DISCUSSION:

Bona noted that the parking variance was granted in 1995 when there was a 40 foot front setback. She asked staff to explain how a variance is handled in relationship to a site plan.

DiLeo said that variances run with the land, and represent relief from the particulars of the site. She reviewed the plan and said the variance approved originally allowed four parking spaces in the front open space.

Bona said she would probably grant the same variance today.

Clein said that, while the site plan does not promote multi-story use, the design does

make good use of a tight site. He asked if the lighting on site meets the standards.

DiLeo said the lighting plan was reviewed, and they meet the maximum, even though there is no need to prevent spillover onto neighboring parcels since they are not residential.

Clein asked if there will be another store in Columbus in maize and blue.

Derezinski asked if there were potential brownfield issues from the former gas station.

Tkacz said that due diligence indicated the site was clean.

Woods said that she assumes this has been reviewed by the Fire Marshal to make sure trucks can get into the site.

DiLeo said the plans were reviewed and recommended for approval by the Fire Department, with their main criteria to have fire hydrant coverage from the front property line. She noted that there is a large parking lot behind this site which would provide good access from the rear.

Woods asked if Fiats only come in scarlet and gray color.

Tkacz showed Fiat's design book, which they must follow. He showed samples of the proposed materials.

Adenekan said she liked the proposed colors.

Giannola asked if this is across the street from the other dealership and whether there will be more turning movements.

Tkacz said they did a traffic study that showed there will be fewer trips than the current arrangement of running vehicles across the street.

Westphal asked about tree requirements and if the variance will impact the landscape requirements?

DiLeo said no, that these requirements are based on total square footage of the vehicular use area. She said the site met the current landscape requirements.

Westphal asked if there were connections investigated to neighboring parcels.

DiLeo said this was not investigated and there may be concern about theft. She said future uses could be connected if there is interest and permission from neighbors.

On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 7 - Bonnie Bona, Wendy Woods, Tony Derezinski, Kirk Westphal, Diane Giannola, Eleanore Adenekan, and Kenneth Clein

Nays: 0

Absent: 2 - Evan Pratt, and Eric A. Mahler

9-c [12-1062](#)

Food Gatherers Revised PUD Site Plan for City Council Approval - A proposal to construct additions totaling 12,646 sq ft to the front and

rear of this warehouse/office structure, located at 1 Carrot Way, and add 22 parking spaces along the eastern driveway, for a total of 50 vehicle parking spaces on this 2.73 acres site. Staff Recommendation: Approval

DiLeo presented the staff report.

PUBLIC HEARING:

Eileen Spring, Executive Director of Food Gatherers, 1 Carrot Way, said she was pleased to present the proposal for an expanded warehouse. She described the work of their organization. She said they are at capacity for distribution in the current building, and the new space will be devoted to cooler and freezer space which allows them to better provide fresh and healthful food. She said the additional space also will allow for better accommodation for volunteers. She said she is here with a team that can answer questions.

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

Moved by Adenekan, seconded by Clein, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Food Gatherers Revised PUD Site Plan.

COMMISSION DISCUSSION:

DiLeo noted that there were a few errors in the comparison chart. The side setback is actually 15 feet, and the additional will be 20.5 feet. The proposed parking is 50 spaces, not 46.

Clein asked if there will be new site lighting installed as part of the parking.

David Esau, architect for the petitionr, said they are updating the site lighting to maintain the standards in the new layouts.

Woods asked if the neighbors were notified.

Esau said they did the required mailing and did not receive any comments.

Woods said she remembers the original proposal, which generated a lot of concern from neighbors. She thanked them for their work in the community.

Derezinski echoed the sentiment about the good work that Food Gatherers does. He asked how the water run off is handled.

Esau said the site has sanitary sewer, and the produce washing will go to the sanitary sewer.

Westphal said that this looks like a good enhancement to the site. He asked whether thought was given to a gray water system for the produce washing.

Esau said that they have not explored this option, but will look into it.

Bona suggested considering using gray water for the gardens.

On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 7 - Bonnie Bona, Wendy Woods, Tony Derezinski, Kirk Westphal, Diane Giannola, Eleanore Adenekan, and Kenneth Clein

Nays: 0

Absent: 2 - Evan Pratt, and Eric A. Mahler

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

None.

11 COMMISSION PROPOSED BUSINESS

None.

12 ADJOURNMENT

The meeting was unanimously adjourned at 8:30 p.m.

Kirk Westphal, Chair
mg