



City of Ann Arbor

Meeting Minutes - Final

City Planning Commission

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

Tuesday, February 5, 2019

7:00 PM

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

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

1 **CALL TO ORDER**

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

2 **ROLL CALL**

Planning Manager Brett Lenart called the roll.

Present 8 - Woods, Mills, Milshteyn, Gibb-Randall, Trudeau,
Weatherbee, Ackerman, and Sauve

Absent 1 - Briggs

3 **INTRODUCTIONS**

4 **APPROVAL OF AGENDA**

Moved by Mills, seconded by Sauve, and approved unanimously as presented.

5 **MINUTES OF PREVIOUS MEETING**

5-a **[19-0212](#)** City Planning Commission Meeting Minutes of November 20, 2018

Moved by Trudeau, seconded by Woods, approved unanimously as presented, and forwarded to the City Council.

5-b [19-0213](#) City Planning Commission Meeting Minutes of December 18, 2018

Moved by Trudeau, seconded by Woods, approved unanimously as presented, and forwarded to the City Council.

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

6-a **City Council**

Councilmember Zach Ackerman explained that although he did not attend the meeting, but that on the agenda there was an annexation and contracts relating to affordable housing.

6-b **Planning Manager**

Lenart stated that there will be a working session for the Planning Commission in the following week.

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

No report.

6-d **Written Communications and Petitions**

[19-0214](#) Various Correspondences to the City Planning Commission

Received and Filed

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

No speakers.

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

19-0215 Public Hearings Scheduled for the February 21, 2019 Planning Commission Meeting

Received and Filed

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

(If an agenda item is postponed, it will most likely be rescheduled to a future date. If you would like to be notified when a postponed agenda item will appear on a future agenda, please 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** **19-0209** Bristol Ridge Site Plan for City Council Approval - A proposal to combine 3 parcels (2710 - 2750 Pontiac Trail) totaling 7-acres and developing 69 townhouse dwelling units accessed from one drive off Pontiac Trail. A medium quality woodland is located on the eastern portion of the site with some disturbance. (Ward 1) Staff Recommendation: Approval
Scott Betzoldt, Civil Engineer for the project and Brad Moore, Architect for the project, presented the proposed project, highlighting the following items.

- *Zoning of property is R4A, annexed and rezoned in 2005*
- *proposed project conforms to all zoning regulations, except a variance is being sought for vehicle parking due to the code not recognizing the proposed driveway spaces as legal spaces.*
- *below unit parking to reduce impervious surface*
- *proposed to demolish the two existing buildings, and construct 69 new units in 11 buildings*
- *all work done in one phase*
- *units are the same as in the Blue Heron Pond Development*
- *heavily landscaped conflicting land use buffer, retaining existing trees*
- *little traffic impact on existing intersections*
- *locations of water main locations and sanitary sewer line locations*

- storm water management, pond infiltration

City Planner, Chris Cheng further explained that if the proposed project is recommended for approval, that it would be scheduled for a Zoning Board of Appeals meeting to request the parking variance. He also explained that permits for the proposed project would not be issued until combining the lots was approved.

PUBLIC HEARING

Vince Caruso, 556 Glendale Circle, Ann Arbor representing the Allen Creek Watershed Group, requested that developments consider porous pavement due to its environmental benefits as well as the reduced vehicle noise as a result from porous pavement. He expressed concern with the amount of land purchased for green space.

Sandy Wiley, 29020 Knightsbridge Drive, Ann Arbor, expressed concern with the density of the proposed development, the topography of the proposed development, and managing traffic in the area.

Moved by Mills, seconded by Gibb-Randall that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Bristol Ridge Townhomes Site Plan and Development Agreement conditioned upon combining the lots and ZBA approval.

Commissioner Shannon Gibb Randall inquired about pedestrian connections for the site.

Commissioner Sarah Mills asked for clarification on the grading plan, she expressed support for the variance for less parking, stating that there is plenty of parking provided at the site.

Betzoldt explained that sidewalk will be put in all along the frontage of the development, and that there is a crosswalk to get to Olsen Park. He also explained that approximately eight feet will be removed from the top of the hill. He further explained that the drive and parking lots are designed to accommodate the existing topography.

Councilmember Ackerman also supported the request for the parking variance. He inquired about the history of the site as well as the soil level testing. He also inquired about traffic and safety, and emergency response.

Betzoldt explained that on another property there is history of a dumping area. He also explained that the traffic impact would be low, and that the opening is moved south to comply with site distance needs, that the fire department approved the plan.

Sean Lefere, representing the developer, explained that a phase one analysis was completed and it showed no sign of contamination.

Moore explained that typically when there are fewer than 100 units, the single point of entry is typically sufficient.

Commissioner Julie Weatherbee inquired about porous pavement.

Betzoldt discussed that porous pavement would not be appropriate for the site due to the freeze thaw climate of Michigan, the likelihood of the pores of the placement to be filled with soil during construction, and that many porous pavement designs include storm sewers, because after time, the water is not able to be infiltrated.

Moore added that at the site, the soil is so porous that all storm water will be infiltrated anyway.

Commissioner Gibb-Randall explained that the best application is porous pavers, and that they are better applied in more urbanized areas where the soil quality is poorer.

Commissioner Wendy Woods inquired about the slope of the driveway. She inquired also about residents will dispose of their refuse.

Betzoldt explained that there is a slight hill, at less than 6%. He also answered that the intention is to have residents use the dumpsters as designated in the plans.

Moore added that there are too many units at this site for residents to have individual carts.

Commissioner Scott Trudeau discussed that the proposed development aligns with what is in the Master Plan for the area and inquired about attempts for connectivity.

Betzoldt explained that there are no significant opportunities for connectivity.

Commissioner Sauve expressed support for the parking variance request, explaining that fewer cars parking results in a smaller traffic impact. She also inquired about lighting at the site. She also inquired about locations of mechanical equipment. She also discussed having lights on the buildings be Dark Skies compliant.

Betzoldt explained that all lights comply with code.

Lenart explained that the site would be required to comply with code.

Commissioner Woods expressed appreciation for the quality of the developer presentation.

Chair Milshteyn inquired about the construction plan and price point.

Lefere described the plan for construction, explaining that an access drive will be created to keep traffic from impacting residents. He explained that the price point for the development is in the low to mid four-hundred thousands.

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

Yeas: 8 - Wendy Woods, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, Zachary Ackerman, and Elizabeth Sauve

Nays: 0

Absent: 1 - Erica Briggs

- 9-b** [19-0210](#) On September 4, 2018, City Council passed Resolution R-18-361 directing the Planning Commission to consider and make a recommendation on rezoning parcels on the west side of the 600 block of South Ashley Street (7 parcels, addresses 606 - 628) from C2B (Business Service) to R2A (Two-Family Dwelling). Based on the study findings staff recommendation is denial. (Ward 5)

City Planner, Jeff Kahan presented the staff report. Explaining that it is staff's recommendation denial of the proposed rezoning of even lots from C2B to R2A because it reduces the likelihood of remediating the contaminating soils, it would create a nonconformity relating to use, and would result in the parcels becoming more nonconforming with regard to lot size.

PUBLIC HEARING:

Name Unknown, 531 Third Street, Ann Arbor, expressed concern for redeveloping the proposed rezoning area.

Vince Caruso, 556 Glendale Circle, Ann Arbor, expressed support for the proposed rezoning.

Jeff Benco, 231 West Madison, Ann Arbor, expressed concern with preserving the existing character in the area.

Lucy Miller, 319 West Mosby, Ann Arbor, expressed concern with the proposed rezoning, and encouraged the Planning Commission to be thoughtful in their decision.

Pat Martz, 514 South Ashley Street, Ann Arbor, expressed concern regarding contamination and the floodplain, and explained that due to her proximity to construction and development, her quality of life has been reduced.

Moved by Mills, seconded by Gibb-Randall that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council rezone 7 lots on the west side of the 600 block of South Ashley between 606 to 628 S. Ashley from C2B (Business Service) to R2A (Two-Family Dwelling District) after studying the area as directed and as recommended by the Future Land Use chapter of the City of Ann Arbor Master Plan: Land Use Element.

COMMISSION DISCUSSION:

Councilmember Ackerman explained the City Council direction, discussing what would be permitted at the parcels with and without the rezoning, the brownfield process, and inquired about other potential zoning classifications.

Kahan explained that staff spent some time looking at R4C, which would allow more density however would result in potential parking issues.

Lenart explained that an additional limiting factor to redevelopment of the sites is that they are within a historic district.

Commissioner Sauve inquired about the procedure for the property

owners building an addition.

Kahan explained that with the rezoning, the homeowners would not need to site plan, but would need Zoning Board of Appeals approval.

Commissioner Gibb Randall asked where the contamination is at this time.

Kahan explained that in around the year 2000, the Environmental Protection Agency (EPA) was involved at the site, where they determined that the contamination was flowing to the north.

Commissioner Trudeau clarified that City Council is the decision making body for this topic. He also discussed affordability in the area, and inquired about accessory dwelling units.

Lenart explained that allowing accessory dwelling units will be a proposed amendment.

Commissioner Weatherbee inquired about what would happen with the existing businesses should the parcels be rezoned.

Kahan explained that they would become nonconforming with regard to use.

Commissioner Woods inquired about the opinions of the parcel owners.

Kahan explained that there were mixed opinions from the property owners.

Chair Milshteyn expressed opposition for the proposed rezoning.

Councilmember Ackerman expressed opposition for the proposed rezoning recommendation.

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

Yeas: 0

Nays: 8 - Wendy Woods, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, Zachary Ackerman, and Elizabeth Sauve

Absent: 1 - Erica Briggs

- 9-c [19-0211](#) City Council recently passed Resolution R-18-361 directing the Planning Commission to consider and make a recommendation on rezoning parcels in the area of West Davis Avenue, West Hoover Avenue, Edgewood Place, Wilder Place, and South Main Street from R4C (Multiple-Family Dwelling district) to R1D and/or R1E (Single-Family Dwelling districts). Based on the study findings, 58 lots are proposed to be rezoned R1D and 4 lots are proposed to be rezoned R1E. All other lots in the study area are recommended to remain zoned R4C. (Ward 5)

City Planner, Alexis DiLeo presented the staff report, explaining that the recommendation is to rezone 58 lots to R1D and 4 lots to R1E

PUBLIC HEARING

Vince Caruso, 556 Glendale Circle, Ann Arbor, expressed support for the proposed rezoning.

Abraham Marzpan, 1002 Marvin Court, Ann Arbor, explained that he owns a property that is proposed to be rezoned, and expressed opposition for the proposed rezoning.

Joe Hubert, 302 West Hoover, Ann Arbor, expressed support for the proposed rezoning.

Sivana Heller, 128 W. Hoover, Ann Arbor expressed support for the proposed rezoning.

Matt Heely, 300 West Heely, Ann Arbor, expressed support for the proposed rezoning.

Moved by Mills, seconded by Trudeau that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council rezone 58 lots in the West Hoover Avenue/West Davis Avenue area from R4C (Multiple-Family Dwelling District) to R1D (Single-Family Dwelling District) and 4 lots in the same area to R1E (Single-Family Dwelling District), as mapped and listed in the February 5, 2019 Staff Report, after studying the area as directed and as recommended by the Future Land Use chapter of the Master Plan.

COMMISSION DISCUSSION:

Councilmember Ackerman expressed support for staff's recommendation. He inquired about the setback distances required should the properties be rezoned.

DiLeo explained the setback requirements.

Commissioner Mills expressed appreciation for DiLeo's research and presentation. Mills discussed that nonconformities exist widely in the R4C zoning district, and discussed alternative solutions to rezoning one portion of a neighborhood.

Commissioner Weatherbee discussed the problems with R4C zoning, discussed rezoning at this time as a temporary solution.

Commissioner Trudeau discussed the issues with R4C zoning.

Commissioner Sauve discussed downzoning versus the issue of addressing a problem with zoning.

Chair Milshteyn discussed the need for a consultant to address the zoning problem.

Councilmember Akerman expressed support for the proposed rezoning.

Commissioner Weatherbee noted that the Master Plan specifically references the discussed area.

Commissioner Mills discussed the problems with rezoning the discussed parcels.

Commissioner Woods expressed support for the proposed rezoning.

Commissioner Trudeau expressed apprehension with supporting the proposed rezoning.

Chair Milshteyn expressed opposition for the proposed rezoning recommendation.

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

- Yeas:** 5 - Wendy Woods, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, and Zachary Ackerman
- Nays:** 3 - Sarah Mills, Alex Milshteyn, and Elizabeth Sauve
- Absent:** 1 - Erica Briggs

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

11 COMMISSION PROPOSED BUSINESS

Commissioner Mills requested that tandem parking be added to the parking list.

Lenart discussed census data relating to population increase since 1970 as well as data regarding approved units by the Planning Commission.

12 ADJOURNMENT

Unanimously adjourned at 10:10 p.m.

Alex Milshteyn, Chairperson
/mg

These meetings are typically broadcast on Ann Arbor Community Television Network Channel 16 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Thursdays at 8:00 AM and Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website (www.a2gov.org).

The complete record of this meeting is available in video format at www.a2gov.org/ctn, or is available for a nominal fee by contacting CTN at (734) 794-6150.