



City of Ann Arbor

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

Tuesday, October 18, 2011

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 on 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 Mahler called the meeting to order at 7:05 pm.

2 ROLL CALL

Present 8 - Bona, Mahler, Woods, Derezinski, Briggs, Westphal, Giannola, and Adenekan

Absent 1 - Pratt

3 APPROVAL OF AGENDA

Agenda was unanimously approved.

4 INTRODUCTIONS

None

5 MINUTES OF PREVIOUS MEETING

5-a 11-1334 September 20, 2011 City Planning Commission Meeting Minutes

A motion was made by Westphal, seconded by Briggs, that the minutes be approved. On a voice vote, the Chair declared the motion carried.

Yeas: 8 - Bonnie Bona, Eric A. Mahler, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 1 - Evan Pratt

**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 the previous night's meeting, City Council considered the Heritage Row PUD. He noted that changes to the original PUD had been under discussion between staff and the developer. He said that first reading of the PUD ordinance passed with an 8-3 vote. He said that second reading of the PUD ordinance is on an accelerated schedule, with action scheduled for October 24.

Derezinski said City Council also considered two items related to the City Place site plan: the modifications to the landscape buffer and revised building elevations. He said that the changes to the site plan were approved by City Council in good faith, allowing the developer to move forward with review of the City Place project simultaneously with the Heritage Row PUD reconsideration.

Rampson added that the City Council had also reviewed and approved the revisions of the City Apartments project at First and Washington, which will be a joint development between the City and private development.

6-b Planning Manager

Rampson reported that the ICMA Fellows whom the City had hosted are now in Washington DC before they head back to Indonesia. She said it was a very good exercise in showing other communities and in this case, another nation, the many opportunities Ann Arbor has to offer in regards to sustainability and environmental approaches at the local governmental level.

Rampson reported that the Michigan Association of Planning conference would take place starting tomorrow, noting that Evan Pratt and herself would be making a presentation on the A2D2 project. She said that Jill Thacher would also be making a presentation on the challenges for local government surrounding Medical Marijuana.

6-c Planning Commission Officers and Committees

Derezinski gave an update on the Ann Arbor Public Art Commission. He said there will be a work session before Council in November to provide a presentation about art in public buildings and the ways in which the Commission can promote art outside of the set-aside funds. He said that one project being considered is a collaboration with Rotary Club to beautify landscape areas throughout the City. He said the Commission is also working with the Detroit Institute of Arts to have works displayed in Ann Arbor.

Westphal reported that the Ordinance Revisions Committee met to discuss amendments to the landscape ordinance, in addition to changes related to setback requirements for drive-thrus.

6-d Written Communications and Petitions

11-1341 Correspondence 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.)

None.

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

None

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 11-1335 Arbor Hills Crossing Site Plan for City Council Approval - A proposal to demolish three commercial structures and construct a 90,700 sq ft rental/office center containing four buildings and 310 parking spaces on a 7.45 acre site at 3100 Washtenaw Ave located at the southeast corner of Washtenaw Avenue and Platt Road. This item was postponed at the June 7, 2011 City Planning Commission Meeting. Staff Recommendation: Approval

Kahan gave the staff report.

PUBLIC HEARING:

Tom Covert, 4750 Venture Drive, Ann Arbor, representing the petitioner, introduced the design team. He said that since the last Planning Commission meeting, they have obtained approvals from the Washtenaw County Water Resources Commissioner and Michigan Department of Transportation, in addition to considering suggestions made by the Planning Commission. He said this resulted in several

changes to the site plan, such as the realignment of the Glenwood intersection, adjustments to the Platt Road curb cut, adjustments to the Washtenaw Avenue pedestrian and bicycle path to provide 10 feet of width, addition of a patio to the west of Building C, revision to the landscape plan to address the new requirements, and approval from the Brownfield Review Committee. He said they are looking to relocate the bus pullout to the west of the site and release the access easement with the school property owners to the south. He said that they would like to move the site plan forward with the brownfield plan to City Council.

Rob Burroughs, architect for the project, said he wanted to address comments from the earlier Commission meeting. He said that changes were made to Building A to provide additional transparency and a pedestrian door. He said that a lattice treatment along the Platt frontage will provide visual interest. He said that the building facade of Building D includes more pedestrian-scale elements along the north elevation and added brick treatment to the south elevation.

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

Moved by Derezinski, seconded by Giannola, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Arbor Hills Crossing Site Plan and Development Agreement.

COMMISSION DISCUSSION:

Woods said she was glad that the bus pullout will be moved closer to the Washtenaw County Recreation Building. She asked for a description of a vapor barrier.

Kahan said this is a membrane that will prevent toxic gases from escaping from the ground into a building.

Arthur Siegal, 27777 Franklin, Southfield, environmental attorney representing the petitioner, said this is correct. He said that the barrier will mitigate any possible vapor getting into the building.

Woods asked if this is monitored for the life of the building.

Siegal said there is no requirement for monitoring, but a ventilation system would take care of any possible vapors.

Woods asked if this vapor barrier will be installed under all the buildings.

Siegal said this vapor barrier would be installed under Buildings C & D, depending on the results of on-going soil sampling.

Woods asked how common this remediation approach is in brownfield projects.

Siegal said this approach has become more common in the last 3-5 years.

Woods asked what happens to vapors that arise from soils in parking lots.

Siegal said that if vapors migrate into a building, there is a concern because there is no mechanism for vapors to be evacuated except through the ventilation system. He said there are no standards for exterior vapors that are at these significantly low levels.

Bona asked about the sources of contamination.

Siegal said there was a former gas station on the western side of the property with

low level residential contaminants, and an auto dealership, with contamination from oils and greases consistent with auto repairs.

Derezinski noted that the bus pullout is very advantageous, serving a dual purpose with the Rec Center. He asked if there had been discussion about providing cover for the bus stop.

Covert said there would be a standard 9 x 20 or 9 x 30 foot shelter placed next to the bus pullout.

Derezinski noted that the Platt/Washtenaw intersection was identified as a major node for crossing in the Reimagine Washtenaw study. He noted that this demand will be increased with the new Washtenaw Avenue path.

Briggs asked about consideration of a pathway or boardwalk through the wooded area.

Stegeman said they considered this, but the area is not that far to walk around and they did not want to disturb the wetland.

Covert said that they have provided a walkway from Building C to Building A, with an area for seating next to the wetland. He said it has been a challenge to address the grade change from Platt down to the center of the site; he noted that a walkway through this area would require ramps as a result of these grades.

Brigg asked about the west elevation on the Platt frontage. She asked if there was an interest in a public/private partnership to place public art along this frontage, which would fit with the Re-Imagining Washtenaw project.

Stegeman said that he would be interested in considering this option. He said they intend for this project to be a community gathering space.

Westphal said he appreciated the added effort in the facades that face traffic. He said he seconds Commissioner Briggs interest in additional ornamentation. He asked if the Platt frontage would be a location for a sign.

Burroughs said they aren't that far along in their thinking about signage.

Westphal asked if the rooftop of Building A would be visible from Washtenaw.

Rob Burroughs, architect for the petitioner, responded that westbound traffic would see the rooftop. He said the roof treatment is intended to be an activity generator.

Bona thanked the petitioner for responding to the Commission's earlier comments and complimented the site plan, especially in the effort to deal with the site elevation changes.

Mahler asked about the Development Agreement; Paragraph 8; if the language is standard.

Kahan explained that it was standard.

Mahler asked if the petitioner contemplated converting this project to condominiums at any time.

Stegeman said they can't rule this out, but it is not intended at this time.

Mahler asked if it is standard not to include any of the Brownfield mitigation measures in the Development Agreement.

Rampson explained that the Brownfield plan is a separate document which is reviewed and approved by the County. She noted that they have not traditionally overlapped the two legal documents, adding that the Development Agreement will include some legal binding language that includes their Brownfield plan.

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

Yeas: 8 - Bonnie Bona, Eric A. Mahler, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 1 - Evan Pratt

9-b 11-1347

Gallup One Stop Gas Station Administrative Amendment to Site Plan Landscape Modification for City Planning Commission Action - A request to approve a modification from Chapter 62 (Landscape and Screening) as allowed in Section 5:608 (2)(i) and (VII) which would allow the existing landscaping to be maintained per the previously approved site plan at 2955 Packard Road. Staff Recommendation: Approval

Kahan presented the staff report.

PUBLIC HEARING

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

Moved by Westphal, seconded by Adenekan, that the Ann Arbor City Planning Commission hereby approves the proposed landscape modifications in order to maintain the previously approved landscape plan according to Chapter 62 (Landscape and Screening Ordinance), Section 5:608(2)(c)(vii).

COMMISSION DISCUSSION:

Westphal asked if this petition had been considered by the Planning Commission in the past.

Rampson explained that approximately 2 years ago, the gas station had requested and been granted a rezoning from C1 to C2B. She said that they had also requested and received a Special Exception Use to operate the gas station within a C2B zoning district. Rampson further explained that they had gone through the site plan process for a major renovation of the site, which upon completion and the approval granting of the site plan, the owners decided not to follow through on, due to the costs involved. She said the petitioner had then decided to make an administrative amendment to an older approved site plan dated 1989 by adding a small addition.

Westphal asked if they would need to comply with any stormwater detention.

Rampson explained if the request was only an administrative amendment and not a full site plan it did not trigger the need to comply with stormwater detention requirements.

Westphal asked if there were any known deficiencies with the existing stormwater on the site.

Rampson responded that while there were large areas of impervious surfaces, they were not aware of any contaminants in the area.

Woods asked about the trees shown on the previously approved plan and if they were never installed or if they had died.

Rampson said it was difficult for them to know if they had died or been cut down.

Woods asked how the City monitors site plan approved trees over time and if it is even possible given the size of the task.

Rampson said if the City had enough resources they could do what other communities do through annual or biannual monitoring of sites to verify compliance with the approved site plans. She noted that currently the department focuses on getting newly constructed sites into compliance and then the follow-up is complaint based.

Woods asked if the City has a naturalist who gives advice on what kinds of trees they should be planting.

Rampson explained that the City has staff that give feedback to the petitioner on street trees, and with the new landscape ordinance amendments in place it gives specifications on which species do well in various environments but doesn't mandate specific species.

Westphal asked if the project had required a postcard notification to the neighbors.

Rampson said no.

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

Yeas: 8 - Bonnie Bona, Eric A. Mahler, Wendy Woods, Tony Derezhinski, Erica Briggs, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 1 - Evan Pratt

9-c 11-1346

University of Michigan Credit Union Administrative Amendment to Site Plan Landscape Modification for City Planning Commission Action - A request to approve a modification from Chapter 62 (Landscape and Screening) as allowed in Section 5:608 (2)(i) and (VII) which would allow the existing landscaping to be maintained per the previously approved site plan at 340 East Huron Street. Staff Recommendation: Approval

Rampson noted that the petitioner asked that this item be postponed, since they were unable to be present to answer any questions the Commission might have.

PUBLIC HEARING

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

Moved by Westphal, seconded by Woods, that the Ann Arbor City Planning Commission hereby approves the proposed landscape modifications in order to maintain the previously approved landscape plan according to Chapter 62 (Landscape and Screening Ordinance), Section 5:608(2)(c)(vii).

Bona moved to postpone, seconded by Adenekan.

Briggs said that she would support discussing this item in absence of the petitioner, and postpone it if questions arise.

Bona withdrew the postponement motion.

Westphal asked if Commission would see this project.

Rampson responded that the Commission would not see this addition request, since it represents less than 10% of the floor area of the building.

Westphal asked if the addition required review by the Design Review Board.

Rampson said the ordinance allows the Planning Manager to review administrative amendments to determine if the changes warrant Design Review Board action. She said in this case, the addition is on the third floor and matches the existing facade, so she determined this review was not necessary.

Derezinski said that he felt the Commission could go forward with this action.

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

Yeas: 8 - Bonnie Bona, Eric A. Mahler, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 1 - Evan Pratt

9-d 11-1348

Glacier Hills Planned Project Life Enrichment Center Addition Administrative Amendment to Site Plan Landscape Modification for City Planning Commission Action - A request to approve a modification from Chapter 62 (Landscape and Screening) as allowed in Section 5:608 (2)(i) and (VII) which would allow the existing landscaping to be maintained per the previously approved site plan at 1200 Earhart Road. Staff Recommendation: Approval

Kahan gave the staff report.

PUBLIC HEARING

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

Moved by Bona, seconded by Giannola, that the Ann Arbor City Planning Commission hereby approves the proposed landscape modifications in order to maintain the previously approved landscape plan according to Chapter 62 (Landscape and Screening Ordinance), Section 5:608(2)(c)(vii).

COMMISSION DISCUSSION:

Derezinski noted that retrofitting the site would require reconstruction of the parking lots, which doesn't seem to be necessary in this case where the change is minor.

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

Yeas: 8 - Bonnie Bona, Eric A. Mahler, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 1 - Evan Pratt

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

No speakers.

11 **COMMISSION PROPOSED BUSINESS**

Derezinski asked the audience members where they were from.

The audience members responded they were UM Urban Planning students attending the Planning Commission meeting for a class assignment.

Rampson mentioned that the Ordinance Revisions Committee is working on bringing two changes before the Commission related to the Landscape Ordinance; one dealing with the bio-retention requirement as well as parking lot islands. The other issue is dealing with buffer requirements between R3 and R4 projects from adjoining residential uses. She noted that these requirements came out of the Area, Height and Placement Ordinance revisions, and these buffering requirements have proven impractical in the R4C district. She said that it becomes a hardship to add a 15 feet land use buffer of trees between 2 residential houses in the R4C when often times the setback is only a minimum of 12 feet or even less.

Derezinski thanked Rampson for her practical explanation on the matter and explained to the audience that change occurs when they realize that ordinances become impractical in real life scenarios. He said that in some instances the Commission even requires a yearly review of new ordinances to see how they are working and that the City keeps up to date.

12 **ADJOURNMENT**

Meeting unanimously adjourned at 8:25 pm.

**Eric Mahler, Chair
mg**