

From: Theresa Angelini

Sent: Wednesday, November 03, 2021 10:39 PM

To: Planning <Planning@a2gov.org>

Cc: Gale, Mia <RGale@a2gov.org>

Subject: Proposed Amendments to Chapter 55 (UDC) Sections 5.29.6 (Site Plans) and 5.223 (Storm Water Management and Soil Erosion) dated 10/28/21

Dear Planning Commission Members and Planning Staff,

I am an architect, small business owner, and commercial property owner who has been participating in the Site Plan Review Stakeholders group after helping initiate the City Council Resolution to improve the Site Plan Review process with Councilperson Anne Bannister. The goal of this resolution was to simplify the Site Plan Review Process that has become convoluted and disproportionately expensive, while improving communication of the requirements. The intention was also that small commercial projects that would improve properties incrementally should not become prohibitive. In the same way that the City of Ann Arbor wants to promote affordable housing, the City should also encourage the growth and development of small businesses. In our own small project of wanting to add a code-compliant stairway to a barn office space (formerly used as a church) and removing another structure, the proposed addition of 4 SF to the property resulted in over \$120,000 in costs for engineering of storm water detention, documenting sanitary sewer use reductions, adding unnecessary parking, adding trees to a site with 8 landmark trees (including one huge landmark elm), traffic counts, sidewalks connected to nowhere with no potential for future connections, on top of the tree roots that would kill the landmark tree, and increasing driveway widths for two firetrucks to be crossing between buildings. We had to abandon the project and it has become apparent to us why many small commercial properties along Main Street, State Street, Huron, Packard, and Stadium become eyesores – the cost to make small improvements is disproportionately expensive due to City requirements.

After two years of revising Section 5.29.6 Site Plans, the proposed text and chart outlining the process is a significant improvement and ready for final edits and approval. Staff should be commended on their efforts. A few suggestions: “Site Plan” needs to be defined in the ordinance definitions. This is the source of many miscommunications. Is a site plan a plan drawn of a site, possibly based on a mortgage survey or the city’s online property maps? Is a site plan an Alta Survey, produced and signed by a licensed surveyor? Throughout the ordinance, there are references to “site plans” as well as “Site Plans”. You have to define what a Site Plan is. You also have to realize the costs involved to the property owner for what you are requiring. In our case, the City Planning Staff provided us with the previously approved site plan drawing that had been used by the church to document their parking places. After we met with the City Planning Staff five times to discuss the City requirements before releasing the purchase contingencies on the site, we were told that the previously approved site plan would just need an administrative amendment. After the fifth meeting and release of the sales contingency, we were then told that they were sorry but they realized they had made a mistake and the site plan wasn’t actually a “Site Plan” – there was only a site plan drawing that had been marked up to show parking spaces for the church. Obviously there has been confusion within the Planning Department as to what a Site Plan is. Now is the time to define it.

Also, I am apprehensive about the lack of checks and balances in the new Planning Manager review process in that no one is actually in charge – the various departments of Engineering, Storm Water, Fire, Traffic, Natural Features, Planning, etc. are all seemingly equal and yet have reviews that conflict with one another. How do these internal conflicts get resolved without costing the property owner/developer time and money due to internal City power struggles? This process will have to be revisited after implementation to evaluate how it is working and how it can be improved.

Most importantly, after two years of revising the Site Plan Ordinance, now Storm Water Management and Soil Erosion concerns have hijacked this effort in the last month. The requirements have actually become more odious for small development. Now any project requiring a grading permit for all sites with less than 10,000 SF of impervious surface will have to provide retention/infiltration for “first flush” storm events. What does this mean? We can use the worksheet provided by Storm Water Management for residential single and two family homes to calculate “first flush” – and the

Storm Water Management team needs to provide a similar calculation sheet for commercial projects dealing with “first flush” requirements. Using their formula, 10,000 SF of existing impervious surface on a site with some small improvement that requires a grading plan would be required to provide 800 cubic feet of water retention. (10,000 SF x .08 = 800 cubic feet or 6000 gallons) How do you do that? You could use rain barrels to store almost 6000 gallons of water – 15 rain barrels at 55 gallons each. Does that make any sense? Or how about a rain garden? To retain 800 cubic feet in a rain garden that can only be 1.5 feet deep, that would be 50’ long x 10’ wide – does that make sense on most commercial sites with 10,000 SF of buildings and parking? No. The Storm Water Requirements need to be kept in proportion to the size of the project. You cannot solve the City’s storm water problems at the expense of small commercial property owners. Additional water detention requirements for small projects is unfairly expensive and will encourage more properties to fall into disrepair.

In conclusion,

Please consider treating small commercial developments as you would single family residential projects – require any added impervious surface to be addressed for the first flush, but not all of the existing impervious surfaces. (in the case of residential, over 200 SF of added impervious surface triggers the need for “first flush” retention of the added impervious area – not the total of the existing residential building and driveway.)

Also, require the Storm Water staff to provide a worksheet for commercial projects for “first flush” calculations, similar to the worksheet for single and two family residential projects.

And as per above, define “Site Plan”.

And after implementation of the Planning Manager process, evaluate how this is working with the various departments and decide if some hierarchy is needed to bring reviews and decisions to closure.

Thank you for listening and thank you for working to improve this Site Plan Review process,

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