



# City of Ann Arbor

## Formal Minutes

### Planning Commission, City

301 E. Huron St.  
Ann Arbor, MI 48104  
[http://a2gov.legistar.com/  
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Tuesday, June 21, 2016

7:00 PM

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

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#### **1 CALL TO ORDER**

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

#### **2 ROLL CALL**

*Planning Manager Ben Carlisle called the roll.*

**Present** 7 - Woods, Clein, Briere, Franciscus, Mills, Bona, and Milshteyn

**Absent** 2 - Peters, and Gibb-Randall

#### **3 APPROVAL OF AGENDA**

**A motion was made by Mills, seconded by Bona, that the Agenda be Approved as presented. On a voice vote, the Chair declared the motion carried.**

#### **4 INTRODUCTIONS**

##### **4-a Resolutions of Appreciation**

*Chair Woods thanked the departing Planning Commissioners for their service, starting with Sofia Franciscus.*

*Ken Clein, Sarah Mills, Bonnie Bona, Councilperson Briere, and Alex Milshteyn each spoke, thanking Sofia Franciscus for her service.*

*Franciscus responded and shared parting remarks with the Commission.*

*Chair Woods thanked Bonnie Bona for her service on the Commission.*

*Milshteyn, Mills, Clein, Briere, and Franciscus each spoke, thanking Bonnie Bona for her service.*

*Chair Woods thanked both Bona and Franciscus again.*

**5 MINUTES OF PREVIOUS MEETING**

**5-a**     [16-0917](#)     May 17, 2016 City Planning Commission Minutes with Live Links

**A motion was made by Milshteyn, seconded by Franciscus, that the Minutes be Approved by the Commission and forwarded to the City Council. On a voice vote, the Chair declared the motion carried.**

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

**6-a**     **City Council**

*Councilperson Briere reported that an annexation recommended by the Commission was approved at the last City Council meeting and that Council decided to emphasize solar power in reviewing development proposals. She stated that Ann Arbor is working toward becoming a solar city and will need to generate ten times more solar generating structures in the next few years than it had done in the last year. She added that this initiative is potentially at odds with the State, who is considering eliminating net metering, which benefits those who use solar energy. Briere said it is an aggressive stance, but should guide the Commission going forward.*

**6-b**     **Planning Manager**

*Ben Carlisle thanked the Planning Commissioners that will be leaving the Commission for their service on behalf of City staff. He reminded the Commission that the July 5th meeting has been cancelled and the July*

*12th meeting will be a regular meeting instead of a working meeting. Carlisle stated that he wanted to give an explanation for why the two projects up for discussion this evening have returned to the Planning Commission. He said recently during the Council approval process for the Woodbury Club site plan, it came to the City's attention that there were questions as to whether the proper public notification procedures were followed. Carlisle explained that during that review process, the Council directed the Commission to take up the proposal again to clear up any potential procedural issues or mistakes. He said the City then looked at all of the projects that were going through the site plan review process and noted that there were three additional projects where the same questions related to public notice could arise. He stated that as a staff, we met with all three development teams facing this issue and gave them several options including going before Planning Commission again or proceeding to City Council; after deliberation, all three development teams decided to take their proposals back before the Commission, including the two projects that will be reviewed this evening. Carlisle said on behalf of City staff, I would like to apologize to the applicants and to the public for these mistakes; however, the applicants did want to make clear there are no public notice issues moving forward to City Council. He stated that with regards to the plans up for discussion tonight, Balfour has a slight change to the plan from what the Commission previously approved and staff will explain those changes tonight but the plan for South Pond is the same one that the Planning Commission recommended for denial back in 2015. He explained that the development team then submitted a revised site plan to Commission and it was also denied. Carlisle stated that it was the applicant's decision to present the plan from 2015 tonight; the planning staff did not advise them for or against doing so.*

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

**6-d Written Communications and Petitions**

**16-0918 Various Correspondences to the City Planning Commission**

*Carlisle stated that the Planning Department received a lot of correspondence late last week as well as today. He explained that messages that were received last week were forwarded to the Planning Commission first thing Monday morning, and as of 5 p.m. this evening, the Commission has received any correspondence regarding the two projects up for discussion tonight.*

**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.)**

*Katherine Griswold, 3565 Fox Hunt Drive, Ann Arbor, said she was here to talk about pedestrian safety. She stated that many plans include sidewalks and driveways and she recommends that each plan is approved by a transportation engineer. She said at this time, the City of Ann Arbor has over 50 violations to the Federal Highway Administration's code, which is called the Manual of Uniform Traffic Control Devices. Griswold explained that signage is being put at the wrong height and in the wrong place and it is very unsafe. She cited the new development across from Arborland as an example; the intersection of Pittsfield and Washtenaw is very congested so people use the service drive through the parking lots and it is very dangerous.*

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

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

**9-a [16-0919](#)** Balfour Senior Housing Facility (2830-2874 South Main Street) Site Plan for City Council Approval - A proposal to construct a 4-story senior living facility totaling approximately 188,000 - square feet (154 total rooms), 74 parking spaces are proposed below grade with 61 surface parking spaces. A landscape modification and wetland use permit have been submitted as part of this proposal. Ward 4. Staff Recommendation: Approval

*Chris Cheng presented the staff report.*

*The Chair read the public hearing notice as published.*

**PUBLIC HEARING:**

*Noting no public speakers, the Chair closed the public hearing unless the item is postponed.*

**Moved by Milshteyn, seconded by Franciscus, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Balfour Senior Living Site Plan, and**

**that the Ann Arbor City Planning Commission hereby recommends**

**that the Mayor and City Council approve the proposed landscape modifications according to Chapter 62 (Landscape and Screening Ordinance), Section 5:608 (2)(c) (ii), and**

**that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Wetland Use Permit for the Balfour Senior Living development.**

*COMMISSION DISCUSSION:*

*Alex Milshteyn asked if they are approving Phase 2, the cottages, or just Phase 1. He said the developer stated previously that the cottages would not be built until the second phase.*

*Jon Drain, REDICO, member of the development team, responded that cottages were contemplated as part of the original plan but they decided to eliminate them from the plan.*

*Ken Clein asked staff about the new outline of the building depicted on the plans and how much square footage has been added; he said it looks like a lot more than 1,700 square feet.*

*Chris Cheng responded that the ground floor area is a total of 1,700 square feet, but all the levels combined total 4,246 square feet.*

*Clein said considering the scale of the plan it looks as though the ground floor will be more than 1,700 square feet.*

*Eavan Yaldo, Saroki Architecture, member of development team, explained that they refined the building programming and realized that they needed more space. She said they sent the correct specifications over to staff but with the scale of the drawing it would be hard to see. Yaldo stated that the building footprint is 1,700 gross square feet.*

*Bona asked Carlisle to explain the difference between the original public notification for this project and the notification prior to the current public hearing.*

*Carlisle explained that it is state law to notify within 300 feet of a project. He stated that the issue with the public notification is when that 300 feet falls within the common area of a condominium association. He said that in the past the City did not notify all members of a condominium association if they were not directly within that 300 feet but the common*

area was touched. Carlisle explained that they realized their mistake in September of last year and have been doing so since then. He said this project was not caught, so they had not notified all members of the condominium association even though a common room was within the 300 feet radius; this notification process simply added the people they missed.

**On a voice vote, the vote was as follows with the Chair declaring the motion carried. Vote: 7-0**

**Yeas:** 7 - Wendy Woods, Kenneth Clein, Sabra Briere, Sofia Franciscus, Sarah Mills, Bonnie Bona, and Alex Milshteyn

**Nays:** 0

**Absent:** 2 - Jeremy Peters, and Shannan Gibb-Randall

**9-b**     **16-0920**

South Pond Village Site Condominium Site Plan for City Council Approval - A proposal to develop 73 single-family site condominium lots on this 36.2 acre parcel located at 3850 E. Huron River Drive, zoned R1B (Single-Family Dwelling District). The site will contain public streets and be accessed from Chalmers with a new public street connection to Algebe Way. A one-acre public park will be dedicated in the center of the site. The northern 12.3 acres of the site will be divided off from the total parcel size of 48.5 acres. Ward 2. Staff Recommendation: Approval  
*Cheng presented the staff report.*

*The Chair read the public hearing notice as published.*

**PUBLIC HEARING:**

*Robert Lindsey, 1305 Chalmers Drive, Ann Arbor, stated that this exact plan was rejected by a vote by this Commission for strong reasons and those reasons have not changed, nor should their decision tonight. He said there does seem to be some magical thinking in the proponents of this plan, that being if we pave some portion of Chalmers Drive, somehow this will alleviate the problem of traffic congestion, the thought being that concrete repels cars. He stated that his experience would suggest the opposite: paving a portion of Chalmers might attract more traffic, as now drivers could think there is a cut-through road. Lindsey said there is one viable alternative once this plan is hopefully rejected, this plan has been presented to the Commission and Council a few times but not gained any traction; the plan to extend Pittsfield Boulevard to these developments. He said this would allow access to Washtenaw Avenue from all developments to proceed east or west at a controlled intersection. He*

*stated that if the developer is concerned about the safety and convenience of his potential customers, and if Woodcreek realizes although traffic from southbound village will continue to go through part of their development, they will get improved access to Washtenaw Avenue, as will Chalmers Drive residents. Lindsey said if the Commission is willing to invest in planning, and Council is willing to think outside of the box, we can solve this problem without magic; if not, then this landlocked parcel should remain undeveloped permanently.*

*Linda Plona, 1560 Woodcreek Boulevard, Ann Arbor, board member of the Woodcreek Homeowners Association, said there are many aspects of the South Pond Village project that are upsetting to many people, especially traffic. She stated that if there were an emergency on Chalmers, Washtenaw, or in the subdivision itself, it could endanger residents' departure or entrance onto Woodcreek Boulevard. She cited examples such as a household fire, major weather storm damage, toxic leak, or a major accident on US-23. Plona said when US-23 was closed recently, all traffic was rerouted to Geddes from Washtenaw Avenue; this caused a major traffic jam. She questioned how the residents of the proposed subdivision could safely exit in the case of an emergency with just one exit. She said the residents at Woodcreek do not have an issue with a subdivision being added in this location; the issue is the entrance and exit to the subdivision. She expressed support for the extension of Pittsfield Boulevard, as mentioned by the previous public speaker.*

*Nina Homel, 3473 Wooddale Court, Ann Arbor, said Chalmers is a poorly maintained, winding dirt road that is just two lanes. She explained that it has no street lights and blind curves. She said that if this project is constructed, Chalmers will further deteriorate due to additional traffic. Homel said around June 2, 2015, a section of Chalmers washed out, exposing a gas line. She explained that the County repaired the wash out the first time by piling gravel over the road and onto a steep bank down to Malletts Creek but the road washed out again within just two weeks. Homel said it is not uncommon for drivers to slip into the ditch due to poor road conditions and limited sight distance; there was a driving fatality at the intersection of Chalmers and Huron River Drive in August of 2014. She added that it is very difficult to get from Chalmers to Washtenaw in either direction.*

*Lilia Cortina, 1839 Meadowside Drive, Ann Arbor, stated that she shares many of the concerns already voiced to the Commission. She said that routing traffic from the proposed development through just one entry and exit point at Chalmers and Woodcreek creates a major threat to the safety*

*of both South Pond Village and Woodcreek residents. She said she shudders to think of an emergency scenario where residents of both developments are trying to evacuate using the access point. Cortina added that the extension to Clark Road for the development would lower the property values of the Woodcreek homes that would be sandwiched in between the two major roads, as well as threaten the safety of those living there. She said the development would also exacerbate the traffic nightmare that is Washtenaw Avenue. She asked the City to think of ways to reduce traffic in that part of town, not exacerbate it by approving this new development. Cortina concluded by citing economic and social justice issues; the cost of paving Chalmers would fall to South Pond and current Woodcreek residents. She said many residents that live on Chalmers are retirees or people with modest means and cannot afford to pay for paving and don't want to deal with the traffic it would induce. She urged the Commission to deny the site plan again as it had in 2015.*

*Richard Mazzari, 1615 Meadowside Drive, Ann Arbor, board member of the Woodcreek Homeowners Association, echoed the concerns about the safety of Chalmers and the impact of paving the road on South Pond. He said people talk about paving and putting more cars on Chalmers, but they forget that every couple of weeks the City dumps tons of dirt to get rid of the ruts and then it goes back to South Pond—it's a vicious cycle. He explained that the roads in his subdivision were designed for 75 homes but there are 87 homes in his subdivision. He said that the 76 additional homes that the developer has planned will bring in another 150 cars onto the roads of their subdivision, which is a safety concern. Mazzari added that there will be no way to repay the residents of Woodcreek for the damage done to the roads by the trucks coming in to build the new subdivision. He said Woodcreek was poorly designed as there is only one exit; he urged the Commission not to approve a development that would exacerbate the problem.*

*Dana Popa, 2085 Chalmers Drive, Ann Arbor, expressed her opposition to the site plan and urged the Commission to deny it again. She said it is unfair for her to pay for a road that she is fine using as is so that a developer can maximize their profits at the expense of residents. She added that an increase to traffic would not be a good idea; there is already a wait of two to five minutes to get onto Washtenaw during peak periods. She stated that traffic analyses are often done during the summer, which are inaccurate because they miss the traffic of parents taking their kids to and from school. Popa added that she bought the home to be "off the beaten path," but paying for the pavement of the road would put her in the middle of the beaten path.*



*Jim Murray, 1879 Meadowside Drive, Ann Arbor, said he lives in a place within the subdivision where every car entering passes them by. He said he is home a lot during the day and thinks the traffic impact analysis underreported the amount of traffic. He stated that if you add 75 homes it will be dangerous for the children that frequently play in the street. Murray said they had a snow event where a car got stuck and blocked the entrance to the subdivision, causing a pileup of 15 to 20 cars; such an occurrence would be worse if South Pond were constructed.*

*Ethel Potts, 1014 Elder Boulevard, Ann Arbor, said here we are again, considering the South Pond development that was denied previously, nothing has changed. She stated that access to Washtenaw is not improved; trying to turn left onto Washtenaw from Chalmers, it is impossible during peak periods. She said the problem cannot be corrected by using Huron River and Hogback as alternatives; they are not built for the added traffic. She stated that if Chalmers is to be rebuilt, section P-9 of the development agreement is confusing; it doesn't say who will be specially assessed to pay for it. Potts explained that there are major natural features that many are concerned about with regards to this development, wetlands and steep slopes, they will be somewhat saved, though major streets and buildings will be built right at the top edge of the steep slope. She noted that the maps available to the public do not show contour lines, and therefore she cannot tell exactly where the steep slope is. Potts said the retention pond to be constructed along Huron River Drive is only shown on the maps as it is completed, it does not show the much larger area of disturbance from bulldozers, freighters, and trucks. She said this project again cannot be approved, all of the problems remain.*

*Marsha Brashears, 2093 Chalmers Drive, Ann Arbor, said she recently retired so she can try to time when she leaves the development, but it is a nightmare going in either direction. She expressed the hope that the Commission turns down the project again.*

*Jean Tan, 1595 Meadowside Drive, Ann Arbor, explained that the Woodcreek subdivision has 87 single family dwelling homes and South Pond has a proposed 73 homes; having just one entrance and exit from these two subdivisions is infeasible. She said that if Woodcreek were constructed today, two entrances and exits would be mandatory. She stated that the proposal is blatantly unsafe and was overwhelmingly rejected by the Commission over a year ago. Tan listed the legitimate reasons for said denial: Chalmers is a poorly maintained dirt road and*

*cannot handle the existing volume of traffic, not to mention additional volume from the proposed subdivision; Woodcreek has an excess of 100 children but no park or playground so they tend to play in and near the streets and adding traffic would be unsafe. She said those in Woodcreek strongly oppose the proposal to use Algebe Way as a connector street to the new subdivision. Tan stated that originally the developer said Algebe Way would not be used as a through street. She explained that there are two alternatives for access to the proposed subdivision that do not affect Chalmers and the subdivision; one has access and egress off of Huron River Drive, which has not been brought before City Council. The other option would be for the city to use the 50 foot wide public right of way along the west edge of Arborland Mall, which would exit directly onto Pittsfield Boulevard with traffic lights already in place; this option would be the most direct and would have no impact on Chalmers, Huron River Drive, or the Woodcreek subdivision. She asked the Commission why this second option is not even being considered.*

*Noreen Aziz, 1829 Meadowside Drive, Ann Arbor, said she first wanted to commend the Commission for wanting to put more solar power into our neighborhoods and make a greener space. She stated that she understands that the City is trying to develop this land to get more tax revenue; however, there is no viable access point to the subdivision, there is Washtenaw on one side and Chalmers on the other going down to Huron River. She explained that if you take Washtenaw and try to turn into the neighborhood, you have a timed and an untimed traffic issue; the timed issue is the light at Pittsfield that is supposed to stop the traffic on Washtenaw coming toward the stadium, and then traffic turning from Pittsfield onto Washtenaw. The untimed issue is the traffic from Paesano, as well as the other shops. She stated that it is very difficult to enter and exit the neighborhood at this intersection. Aziz added that car accidents on Washtenaw can result in a complete standstill. She said they should not approve this development unless a traffic light is installed at the intersection of Chalmers and Washtenaw.*

*Larry Argetsinger, 3520 East Huron River Drive, Ann Arbor, stated that as he understands, the water drains toward the wetlands and South Pond, which is a major issue. He asked for clarification from the developers on the statement printed on Schematic 13, which reads: "0.2% annual rain of floodplain boundary is indicated, the 1% chance of floodplain boundary is contained by the banks of Malletts Creek." Argetsinger said that the last time this plan was presented at the Planning Commission in February; the floodplains are shown to extend from Malletts Creek to the wetlands. He said knowing the location of the floodplain is important information for*

*the public.*

*Nancy Kaplan, 3065 Hunting Valley Road, Ann Arbor, said she is speaking today on behalf of James D'Amour, Vice Chair of the Executive Committee of the Sierra Club, Huron Valley Group, Michigan Chapter. She read the letter submitted by James D'Amour, on file in the Commission Packet.*

*Raman Ranganathan, 1635 Meadowside Drive, Ann Arbor, said he believes he has been before the Planning Commission six times or more, and is here to reiterate his previous concerns. He stated that a prior proposal was rejected and as no changes have been made, the Commission should reject the project again. He explained that he has lived in the neighborhood for 16 years and no compromise has been reached about this parcel of land; he suggested that the City build a park. Ranganathan noted that the project was rejected last time due to traffic concerns and Washtenaw is even busier and has more businesses now. He said the drive is not safe for children, or new teenage drivers. He urged the Commission not to approve the project.*

*Chauncey Williams, 3453 Wooddale, Ann Arbor, echoed the concerns of his neighbors. He stated that he has followed this development for several years. He explained that he walks to work via Chalmers and it is an unsafe road. He said he has sons and is concerned about them driving on the road. Williams said the project should be denied and plans to improve the road should be considered.*

*Carole Bennett, 1575 Chalmers Drive, Ann Arbor, thanked the Commission for their service. She stated that she was heartened by previous votes to deny the project. She said she is concerned about traffic impacts on Chalmers; drivers have hit her trash cans several times and gone into ditches coming around the blind corners. She stated that she has children and her neighbors have children. Bennett said it would be worrying to add more traffic to the intersection. She explained that special events make traffic even worse. She expressed concern that paving the road will entice people further to use it as a cut-through and that would create additional traffic and safety concerns. She added that Huron River Drive is not in the best condition either. She said the infrastructure on the street is not strong. Bennett said she is worried about the tax that would be levied on residents for the paving of this road if the project is approved.*

*Michael Homel, 3473 Wooddale Court, Ann Arbor, said this project would*

*result in inconvenience and congestion, as well as danger to health and safety. He said it is absurd for Chalmers residents to pay for a road that they do not want; it is unjust. He stated that this Commission voted 6-2 for denial and the project has not changed. He noted that Planning Staff has never placed a high priority on this neighborhood; in 2002 staff recommended approval of 350 townhouse units for this site, thankfully Commission and Council rejected the proposal. Homel said that staff says the current proposal complies with code, but it does not; the width of Algebe is too narrow to be a connector and the traffic impacts would be a public nuisance to health and safety. He stated that there is word out there that legal counsel says this plan must be approved or someone will sue; you don't have to approve this plan because it does not meet code.*

*Chris Finney, 1645 Chalmers Drive, Ann Arbor, asked how the developers intend to "redefine luxury" if the development sits behind a shopping center next to a freeway and who will pay for the noise abatement wall that will be the next step in the process to achieving said luxury.*

*Michael Avsharian, 1970 Chalmers Drive, Ann Arbor, stated that he has lived at this address for forty years and may be the person who has lived in the neighborhood the longest. He said he drives to work every day and goes onto Washtenaw and most of the time it is very busy; since the last denial of this project the street has gotten even busier due to additional commercial development. He explained the incredible traffic of maneuvering onto Washtenaw from Chalmers. Avsharian said paving Chalmers will induce faster drivers. He asked the Commission to deny the project again.*

*Tom Covert, Midwestern Consulting, member of the development team, asked that the files and record of the previous meetings that they have had for this site plan be included on the record for the public hearing tonight. He said staff has given their report in support of the project and he and other members of the team are happy to participate in dialogue and answer any questions the Commission has.*

*Amir Mortazawi, 1710 Woodcreek Boulevard, Ann Arbor, said he is a regular visitor to City Hall since 2002. He stated that he won't repeat the previous comments already made, but asked the Commission to put themselves in the place of the residents that have spoken. He asked the Commission to reject the plan again.*

*Lora Scholwitz, 1710 Woodcreek Boulevard, Ann Arbor, stated that she*

*has been here several times. She explained that driving onto Washtenaw from Chalmers or vice versa is like driving in the Middle East; it is very busy and dangerous. She said one can end up waiting for several minutes. She asked the Commission to deny the proposal again.*

*Lisa Cronin, 4021 Thornoaks Drive, Ann Arbor, said Huron River Drive is a beautiful road, but it is an accident waiting to happen, due to traffic. She stated that there is limited sight distance and it is dangerous. She said if nothing is going to be done to support Huron River Drive, the project should not be approved.*

*Blair Gerdes, 3480 Wooddale Court, Ann Arbor, stated that she has lived in Woodcreek subdivision since 1998. She said she has long advocated for appropriate development for the parcel in question and said she appreciates the Commission's respectful consideration of what that development might be. She reminded the Commission that City Council already rejected this site plan. Gerdes cited section 5.1226 of the City's code, which states that a site plan should be approved if it is not a public or private nuisance, or have a detrimental effect on the public health, safety, and general welfare of the citizens. She said this has not been demonstrated so the site plan should not be approved. She added that the street that will serve as a connector is not legally wide enough to service the new development and also that it would be grossly negligent for the Commission to approve a plan that has one access point to the subdivision.*

*Noting no further public speakers, the Chair closed the public hearing unless the item is postponed.*

**A motion was made by Franciscus, seconded by Milshteyn, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the South Pond Village Site Plan and Development Agreement.**

**COMMISSION DISCUSSION:**

*Briere asked staff to reiterate their and MDOT's concerns about using the Pittsfield Boulevard extension and whether they could be addressed by closing off Chalmers to through traffic.*

*Carlisle responded that this plan and subsequent plans and related traffic impact studies have been reviewed by the City's traffic staff multiple times. He said he would read their feedback directly: "The one egress point on Chalmers and the existing Woodcreek Drive will remain as a*

*boulevard access point, thus providing a second access point if one side of the island becomes blocked. Though this approach is not the staff preferred approach, it has been utilized as a provision for emergency access in other developments, including Woodcreek. There is one other additional access point that is physically viable. The 50 foot wide city-owned right-of-way along the western edge of the Arborland site as originally envisioned could provide one-way southbound traffic to the existing traffic signal at Washtenaw, though it would require significant redesign of Arborland driveways and the Pittsfield-Washtenaw intersection. The petitioner explored this option at the request of the Planning Commission and the resulting traffic impact study found there was no measurable improvement to the Chalmers-Washtenaw intersection as a result. The consultant also indicated that the connection may negatively affect other intersections along Washtenaw Avenue. As a result, staff worked with the developer to find viable non-motorized connections to local commercial attractions and transit stops. The City's Engineering Department agreed with the findings of the applicant's traffic engineer.*

*Clein said there is plenty we could discuss but wonders if the Commission is ready to vote.*

**On a voice vote, the vote was as follows with the Chair declaring the motion failed. Vote: 1-6**

**Yeas:** 1 - Kenneth Clein

**Nays:** 6 - Wendy Woods, Sabra Briere, Sofia Franciscus, Sarah Mills, Bonnie Bona, and Alex Milshteyn

**Absent:** 2 - Jeremy Peters, and Shannan Gibb-Randall

**10     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](http://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.)

- 10-a**    **16-0921**    Master Plan Review Discussion - Once a year, the Ann Arbor City Planning Commission and Planning & Development Services Unit review the City Master Plan. The City Master Plan is a collection of plans, or “elements,” that work together to describe a vision for the City’s future and guide decisions about its land use, transportation, infrastructure, environment, housing, and public facilities. The adopted plan elements can be found on the City’s website at [www.a2gov.org/masterplan](http://www.a2gov.org/masterplan) <<http://www.a2gov.org/masterplan>>. As part of its annual review, the Planning Commission is seeking comments about the City Master Plan, including elements that should be studied for possible change or new elements that should be added to the master plan. This information is important to the Planning Commission in setting its work program for the upcoming fiscal year. Staff Recommendation: Approval

*Carlisle stated that this is the third or fourth time the Commission has discussed this matter. He said the Commission continues to implement the plans he spoke about last time. In terms of new plans, the Commission will participate in the Allen Creek Greenway Plan, potentially start kicking off the North Main Corridor Land Use Study, and the City-wide Master Plan, which could begin within the next couple of months.*

*The Chair read the public hearing notice as published.*

**PUBLIC HEARING:**

*Jeremy Matthei, 1518 Gilbert Court, Ann Arbor, said he works for Midwestern Consulting and was here anyway, but lives in the First Ward and thought he would comment on something he has noticed. He stated that he is a civil engineer with experience in transportation and highways but he cares about non-motorized transit and believes there are gaps to*

*be filled. He noted that lighting is an issue; roads like Ann Arbor-Saline are too dark. His biggest concern is crosswalks. He stated that he feels like every year he sees near collisions and people getting hit. Matthei said we are not following the Manual of Uniform Traffic Devices. He said it was created so people would know what to do. He said crosswalks need stop signs or flashing signals. He said he often sees one lane of traffic stop, but the next lane not stop and a person nearly gets hit. He added that visitors do not know the rules of the crosswalks. He stated that he does not believe a stop sign would create much added delay. Matthei also said that he feels that the process for the South Pond discussion earlier felt a little broken; he would like to find a way to make things better. He said there are problems with traffic and development but they can't fix everything all the time; he would like to see the City think of ways to deal with traffic in a more holistic way; there are infrastructure issues to be addressed outside of new development. He said increasing density means increasing density and sometimes that is a good problem to have, look at Manhattan. He stated that when reviewing the Master Plan they should think about some of these traffic and infrastructure issues so they don't come to light during development review.*

*Jane Klingsten, 3347 Elsinore Court, Ann Arbor, said she would like to see the Master Plan revised more frequently than it has been. She noted that sections of the Master Plan are dated back to 2006; thus, today we are running into development issues where parcels are not appropriately zoned. Klingsten cited an example of a parcel that is up for R4 zoning that could end up with an inappropriate land use if a purchase doesn't go through. She said her community has had difficulty in talking with the developer. She noted that the City has area for improvement in becoming more accessible; in the Kerrytown area for example she has gotten stuck numerous times trying to cross the road. She said she has a neighbor that is visually impaired who does not feel safe crossing the road to catch the bus going outbound. Klingsten would like to see these things addressed on a broader, city-wide scale. She stated that she has begun conversations with the Department of Justice to see how the issue of awareness of accessibility regulations could be addressed. She said deviation from the ADA may be happening unintentionally because they are thought of as recommendations, in the context of City development review.*

*Noting no further public speakers, the Chair closed the public hearing unless the item is postponed.*

**Moved by Mills, seconded by Clein, RESOLVED, that the Ann Arbor City Planning Commission hereby approves the "City of Ann Arbor**



**Master Plan Resolution” and the “City of Ann Arbor Resource Information in Support of the City Master Plan Resolution.”***COMMISSION DISCUSSION:*

*Briere said when the Planning Commission created its combined city-wide land use master plan, instead of distinct area master plans, the obvious thing to do was to make sure the various components aligned, but it was not a new city-wide plan, as some components were older than others. She stated that this was a good thing to do, but it happened much more than five years ago. She said she is delighted that it is in the City's budget to undertake a city-wide master planning process, but does not believe it will be in Fiscal Year '17, but Fiscal Year '18 due to staffing issues. She said they are beginning to think of how various corridor studies, including the Allen Creek study, will be incorporated in the master planning process. Briere expressed regret that they had not started engaging the public on this four or five years ago when there was less development happening in the City and the Planning Staff was not spending so much of their time dealing with proposed development. She stated that she is not hoping for an economic downturn, just acknowledging that when there are limited staff resources, you stamp out fires, you don't think about which fire suppression system to get. She said we absolutely do need a new fire suppression system when it comes to development; we should not just re-adopt our Master Plan each year, but revise it each year to ensure that it accurately reflects the needs of a changing community. Briere stated that she has no problem adopting the resolutions as read because we must adopt resolutions to enable us to impose some structure on our planning and site approval process, but I can't tell you strongly enough how much we need to do the work of master planning for the City. She added that she understands the concerns of the people that have spoken about a transportation plan for the City, but a transportation plan is not under the purview of the Commission; there are others that are working on these issues. She stated that everyone sitting at the table and who will be sitting at the table want to do a better job.*

*Clein agreed with Briere on numerous points. He stated that during the economic downturn there were not the funds to allocate toward the type of planning we would have liked; now we are in the situation where it's time to do that sort of planning but we are busy. He said that although transportation is not in their purview, master planning does have to consider the transportation and utility infrastructure to be viable. He said it is important that the community looks at this holistically, and collaboration should happen with those working on transportation master*

*planning. He stated that it is unfortunate but oftentimes by the time master planning is done, it is outdated. He suggested that instead of conceiving of a single, Holy Grail type of plan, they can be more strategic to prioritize efforts and take things in chunks.*

*Franciscus said she is an auditory learner and sometimes this is not the best forum for her understanding, thus she will do her best. She stated that the comments of Clein were very interesting to her and wonders how the process would look to have a more living document as a master plan.*

*Clein responded that he is not a planner but in his understanding, it would need the help of staff or an outside person to help identify the priority objectives. They could break it down by area, zoning district, or by areas where development is most likely to happen.*

*Franciscus asked if it had to be a one-time review process, or if things could be approved piecemeal.*

*Carlisle said those questions are very important, and things the City will consider when it kicks off the master planning process. He stated that the living and breathing nature of a Master Plan happens through the Commission reviewing the Master Plan each year, as part of a checks and balances process.*

*Franciscus asked if it is currently a time when addendums or modifications can be inserted, or if they are only approving an existing resolution.*

*Carlisle responded yes, if there was an amendment to the Master Plan that she wanted to make, they could begin that process, but there is a formal process to follow. The resolution before us tonight, he said, is to approve the objectives of the Master Plan for the Commission, acknowledging that it is not perfect and there are flaws, but it is still valid based on City goals and policies.*

*Franciscus said if she wanted to add an idea or thought to the Master Plan, was this the forum for such.*

*Carlisle responded that if there is a specific element of the existing City Master Plan that she wants to consider discussion of an amendment, this is the time to do so. But as noted, the City will be undertaking a comprehensive review of the entire Master Plan, hopefully within the next year, so it may not be prudent.*

*Franciscus said she is not necessarily looking for an amendment, but as it may be her last meeting, she would like to speak to the spirit of the review. She said she would love to see something in the Master Plan for repairing Huron Parkway or the Main Street corridor. She stated that Huron River Drive is gorgeous but there is a competition between motorist and non-motorists. She said so many of our City arteries are overtaxed by vehicles during peak times, but these are also precious areas for pedestrians and bicyclists. Franciscus said there must be a way to accommodate both; she would like to support looking at how to do that, as there is a chance for a great benefit.*

*Clein said generally the kinds of things we put in the Master Plan are policy issues; what Franciscus mentioned may be more appropriate for the Capital Improvement Plan. He said that item 17 talks about pedestrian access on the North Main Street Corridor.*

*Franciscus said she sees the Master Plan meshing with the Capital Improvement plan as they do go together.*

*Briere said we do set policy with the Master Plan, broad strokes policy, even when it makes specific recommendations, it gives multiple, not just one. She stated that on North Main, as the roadway is maintained by MDOT, many of the pedestrian improvements that the City recommended in the North Main taskforce are dependent upon the State's engagement; the City would need an access easement on the railroad or North Main or M-14. She said North Main will be repaved sometime after the Art Fair and before the end of September from Huron to M-14, which is good news. She stated that it will be repaved, not improved, which means that those who normally travel down the road at 45 mph could find themselves traveling faster because it is smoother. Briere said in order to do safe development of a pedestrian or bike route on East or West Huron River Drive, they will have to work with the PROS Plan (Parks and Recreation Open Space Plan), as much of the road abuts parkland. She stated that the PROS Plan is part of the City's Master Plan. Briere asked which Commissioner will sit on the PROS Plan committee.*

*Carlisle responded that they had asked for volunteers but had not yet found anyone.*

*Briere said that is very sad of us, as that is the entity where these concerns should be voiced. She said the PROS Plan is right now going*

*through the process of being revised. She said the goal is the 3,500-foot view, but our inclination is the two-foot view, and it is always a challenge to reconcile those.*

*Bona asked whether the City will be revising its entire Master Plan, which is seven different elements, or just the Land Use element.*

*Briere responded the Land Use Element.*

*Bona said the State recommends that we update the Master Plan on a five year cycle.*

*Carlisle responded that the State mandates it; the City of Ann Arbor has taken the initiative to review it every year.*

*Bona said reviewing the Master Plan each year is what this resolution says.*

*Carlisle said yes, that is essentially what this resolution is.*

*Bona asked if once we pass the resolution, we have met the legal requirement.*

*Carlisle said yes.*

*Bona said she had always thought we had to update things. She noted that there are seven elements here already, and may add another one, and that means we are doing one and a half elements per year. She said I think that is the reason we tend to get so behind, because we have so many parts and we only do them piecemeal. We are doing land use and open space now, and did transportation a few years ago.*

*Briere said there is a group of people from the Environmental Commission looking at the Natural Features Master Plan Element.*

*Bona said we may add a greenway master plan, which would be element number eight, north main land use would be number nine, and then there is parks and recreation open space, connector high capacity, and implementation of sustainability action plan. She asked if there is a reason why they don't resolve to update the land use of the master plan right here. She said if that is in the plan, and we agree that it is important, we may need to add the land use master plan to our list of resolutions.*

*Woods asked if that is dependent on the budget.*

*Briere responded that it is already in the budget. She said, in her view, the initial funding has been approved, and she suspects the initial funding is enough to establish staff commitment, hire an outside consultant to lead the process, and to work with citizen study groups. She stated that the amount is \$250 thousand; however, as \$200 thousand has been allocated for the Allen Creek Greenway project, she doubts \$250 thousand for the entire land use master plan would be enough. However, the funding is there to get started.*

*Carlisle said it is not unusual for a city the size of Ann Arbor to take land use elements of the Master Plan in chunks, where you don't do the entire Master Plan, but you do it more strategically. He stated that due to budget cycles, the master plan process could extend over several budget cycles. He said once an RFP is put out and a consultant is hired, they can help structure the process and what it will cost and entail.*

*Bona noted that all the language on the master plan says "will," but she is not sure they are all fully funded. She said the list is already long and wonders how a full review of the land use element will be done. She said she would like to try adding language about initiating the master planning process to the resolution.*

*Clein said as a note for language, he is not sure the Commission will initiate the master planning, but they will certainly assist.*

*Woods asked if Staff is recommending postponing the motion this evening.*

*Carlisle said that is from a previous report, but you could move to postpone based on an item from a previous work session that we are going to be discussing in a moment. He said if you don't think anything from the work session will influence the resolution, we recommend approving the resolution with any amendments the Commission drafts.*

*Woods clarified that once the resolution is approved, it does not go on to City Council, it is an internal resolution.*

*Franciscus said the Commission could raise this as an item during a meeting and modify or approve any item on here as would be helpful for the capital improvements plan or things like that.*

*Sarah Mills said it looks as though on the work plan we have master planning and ordinance/zoning things separate; so if the comments I have are about zoning then they would not go in the master plan because zoning and planning are related but separate.*

*Carlisle said if you look at the work program sheet you can see it is broken down into master planning and ordinance, and the master plan work plan is reflective of what you see in this resolution. He said the ordinance is a separate matter, which we can discuss.*

*Mills said she was not at the meeting last night, but she wondered if the solar ready communities' initiative would have more implications for zoning rather than being a master planning and whether it will be addressed this year.*

*Briere said she does not believe it has zoning implications at all, unless we decided to establish zones where solar arrays or projects should or should not be constructed. She said that has not been discussed at present. She stated that it has more to do with the ongoing discussion about creating greener buildings and recognizing that we cannot mandate, but we can recommend, encourage, and incentivize them.*

*Mills said she agreed, and had thought about the requirements for a planned project and potentially ramping up the solar requirement, but that would be an ordinance issue.*

*Woods said she remembers several years ago when the university put the solar panels up on Plymouth Road, there were conversations in the community about whether it was an appropriate location and how it looked. She stated that there is a balance between what people want and what it will look like; we should not assume that there will not be a zoning conversation about solar panels.*

*Briere said she had not made that assumption merely that she had not yet heard a discussion of it. She stated that last night when she spoke to the issue, she would like to see the tops of parking structures, existing buildings, and proposed buildings, have solar panels. She would like the City not to use green space for solar farming. She said the continuing challenge will be the economic feasibility of private property owners to harvest solar energy.*

**Moved by Bona, seconded by Franciscus, that the following amendment is added: RESOLVED, that the City Planning Commission will initiate the process of reviewing the land use**

element for update.”

*COMMISSION DISCUSSION ON AMENDMENT:*

*Briere thanked Bona for adding this amendment.*

**VOTE ON AMENDMENT:**

**On a voice vote, the Chair declared the amendment passed. Vote:  
7-0**

**Yeas:** 7 - Wendy Woods, Kenneth Clein, Sabra Briere, Sofia Franciscus, Sarah Mills, Bonnie Bona, and Alex Milshteyn

**Nays:** 0

**Absent:** 2 - Jeremy Peters, and Shannan Gibb-Randall

*COMMISSION DISCUSSION:*

*Bona said she would like to respectfully disagree with Briere that the transportation plan was outside of our purview; it is actually the Commissions' purview for all of these. On the other hand, we obviously use the resources across the City, like the Parks Department to work on the PROS plan, but it does ultimately come through us, that is why your comment that we do not have a Commissioner on that committee is really unfortunate, but it happens. She said we need to take responsibility for all of them, knowing we get input from other departments and people across the City.*

*Mills asked if the street design manual put together by the DDA needs to be added to the Resource Information in Support of the City Master Plan Resolution.*

*Carlisle said no, because that is more of an ordinance provision than a policy document.*

**VOTE ON MAIN MOTION:**

**On a voice vote, the vote was as follows with the Chair declaring the motion passed. Vote: 7-0**

**Yeas:** 7 - Wendy Woods, Kenneth Clein, Sabra Briere, Sofia Franciscus, Sarah Mills, Bonnie Bona, and Alex Milshteyn

**Nays:** 0

**Absent:** 2 - Jeremy Peters, and Shannan Gibb-Randall

**10-b**    **16-0922**

Discussion of City Planning Commission/Staff FY2016-2017 Work Program

*Woods asked Carlisle if they had talked about discussing this at the next meeting.*

*Carlisle said that the next meeting would be a working session to discuss the bylaws, work program, and committee assignments. He said this agenda item was to prepare the Commission for that meeting. He directed the Commission to their packets to examine the FY 15-16 and FY 16-17 work programs. He said the Commission has accomplished a lot this year. He stated that the high priority items that we did not get to are the downtown zoning amendments edge properties, and the R4C/R2A amendments. Carlisle added that looking toward FY 16-17, the high priority items are ZORO, which will be in front of you in the late summer/early fall, accessory dwelling units, because it has not yet been adopted by Council, and the downtown premiums. He noted that the next four items on the list have not yet been started. He said once we get through the premium discussion, the Commission could be primed to take up another large initiative. Carlisle said staff is looking for feedback on how to prioritize the next initiatives. He added that they had included committee assignments, which are gone through yearly. He said as we are losing three commissioners, there will be significant changes to committees. He asked commissioners to consider which committees they would like to be on for the next fiscal year.*

**COMMISSION DISCUSSION:**

*Milshteyn said it was pretty evident at the joint Council-Commission working session that downtown parking is a big issue that we need to look at sooner rather than later. He said he would like that to move up the list in priority.*

*Milshteyn reported that his term as Chair of the Zoning Board of Appeals will be ending and he will not be serving another term on the ZBA after many years of service.*

**Received and Filed**

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

*Jane Klingsten, 3347 Elsinore Court, Ann Arbor, said she lives in northeast Ann Arbor and has for a very long time. She stated that she is here today because a lot of her neighbors are talking about the impact of development in their community. She said she wants to make the*



*Commission aware of a few issues where she feels the public's interests have not been well-served. She stated that there are laws on wetland protection and water resources that developers and land owners need to follow and they are having difficulty getting the traction they need to ensure that these resources are mapped and delineated properly. She said they had a fly over for the Nixon Farms site, now called North Oaks, which showed wetlands within areas that are being graded and developed that were not marked on the site plan. Klingsten expressed the hope that they would have a better process for Woodbury Club. She said they have repeatedly requested that proper wetlands delineation be done; she takes issue with the study done by the developer, it is outdated. She said the NREPA is a longstanding law and cannot be overridden by developers.*

*William Quinn, 3001 Barclay Way, Ann Arbor, President of the Barclay Park Condominium Association said he seconded the comments made by Klingsten about Nixon Farms. He said at Barclay, their major concern is the Woodbury Club project, which he believes will be coming before the Commission on July 5th. He said they have tried to work with the developer to get them to change the plans in favor of a more environmentally-friendly development because they are very concerned about the wetlands in the area. He said Barclay Park was built on a wetland and has had water problems ever since; they have to pump out water at peak storm events into retention ponds. Quinn stated that they are afraid a development at Woodbury will exacerbate these problems. He said the developer does not seem interested in doing a green roof or pervious surfaces; he finds him to be arrogant and not interested in working with the community. He said he hopes that approval can be withheld until it can be shown that Barclay Park will not be negatively affected by a new development.*

## **12 COMMISSION PROPOSED BUSINESS**

*Bona gave a few closing remarks on her tenure on the Commission, and thanked staff and fellow Commissioners.*

## **13 ADJOURNMENT**

**The meeting was unanimously adjourned at 10:00 p.m.**

Wendy Woods, Chair  
mg

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](mailto: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.