



# City of Ann Arbor

## Formal Minutes

### Planning Commission, City

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

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Tuesday, April 5, 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**

**Present** 8 - Woods, Clein, Briere, Peters, Franciscus, Mills, Milshteyn,  
and Gibb-Randall

**Absent** 1 - Bona

#### **3 INTRODUCTIONS**

#### **4 MINUTES OF PREVIOUS MEETING**

#### **5 APPROVAL OF AGENDA**

**A motion was made by Milshteyn, seconded by Clein, that the Agenda be Approved as presented. 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

6-b      Planning Manager

6-c      Planning Commission Officers and Committees

6-d      Written Communications and Petitions

**16-0488**      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.)**

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

**16-0489**      Public Hearings Scheduled for April 19, 2016 Planning Commission Meeting  
*Chair Woods read the public hearing notice as published.*  
**Received and Filed**

**9      UNFINISHED BUSINESS**

9-a      **16-0490**      Kingsley Condominiums Proposed Conditional Rezoning and Planned Project Site Plan for City Council Approval - A proposal to rezone the property, located at 221 Felch Street, from M1 (Limited Industrial) to R4D (Multiple-Family Dwelling District) with conditions and a proposed site plan to demolish all existing structures except for the building at 214 West Kingsley and construct a 51-unit, 5-story building with covered and surface parking. A planned project modification is requested to reduce the west side setback. The site is 89,480 square feet and is in a 100-year floodplain. Ward 1. Staff Recommendation: Approval

*PUBLIC HEARING:*

*David Krause, 509 N Ashley Street, Ann Arbor, said he was very much in support of this project and represents most of the residents on North Ashley who are also in favor of it. He stated that this will renovate the neighborhood, remove a blighted property, remediate hazardous waste, and offer storm water retention for an area that has some issues with flooding. He hopes that with Planning Commission support, the project can now move forward.*

*Joann Bailey, 539 N Ashley, Ann Arbor, offered her support for the project. As the two-story Beal Building is right behind her back window currently, she stated that she would be pleased to see it replaced by a new structure that would renovate and revitalize the neighborhood. She has lived in the neighborhood for 20 years and stated that the development site has gotten pretty scruffy, and to think of having some new neighbors and a new structure would be really exciting to her.*

*Ethel Potts, 1014 Elder Boulevard, Ann Arbor, said she is not in favor of the project as a member of the Allen Creek Greenway Group. She felt that the Allen Creek Greenway is under attack tonight as there are three projects up for discussion that fall within the Allen Creek Watershed. She reminded the Commission that floodwaters are a serious concern that will get worse with climate change. She expressed concern that citizens will be held liable for possessions damaged by flooding if the city government issues building and occupancy permits for this project. She highlighted as an example the current building on the site that faces Kingsley, which is up on stilts with screening below it; she said the screens fill up with debris and impede the flow of floodwaters, spreading and backing up the floodwaters. She stated that West Kingsley Street is notorious for deep flooding; a woman has even been trapped in her car by flooding once.*

*Ross Orr, 519 N Ashley Street, Ann Arbor, stated that he is in favor of redeveloping this site as residential, but feels the development is too tall for the neighborhood as it three stories taller than anything around it. He read from the City's Central Area Master Plan, highlighting objective 1 and 5, stating that the project is in conflict with these objectives which relate to the character, scale, and integrity of existing housing in established residential areas and the development of density thresholds that are appropriate for the neighborhood. He said that there is quite a lot of language in the City's planning documents about the interface between the City's downtown with its taller buildings and the surrounding detached*

*housing; he would like the Commission to think about whether the scale of the project is consistent with the goals stated in the City's planning documents.*

*Rita Mitchell, 621 Fifth Street, Ann Arbor, said that she is a long-term advocate of the Allen Creek Greenway and one of her concerns relates to the idea of the path through the Greenway, as it sounds from the description that it will be minimal, perhaps the width of a sidewalk. She stated that this width is not consistent with the goals of the Greenway, which is only just starting its master planning process; she would like to see flexibility and feels that this project is constraining the potential for the Greenway.*

*Fred Beal, representative of the petitioner, thanked the staff and commission for their work thus far. He said the site currently is almost entirely impervious, with existing buildings sitting on top of the Allen Creek drain structure, and substantially into the floodplain. He said the floodway itself goes around the site, along the Ashley Street Corridor, but this site would retain some water in a 100 year flood event; the intent is to remove all of the structures currently in the floodplain and stated that this is a vast improvement from the current situation. He stated that they are removing 28,000 square feet of buildings that are primarily in the floodplain and putting the new building on the opposite side of the site so the Allen Creek drain is better available for maintenance and long-term care. He explained that they are creating much more pervious area and green space and eliminating dilapidated buildings. He said that as the site has never been site-planned, and the buildings are nonconforming, they can't do a small project here, consisting of minor improvements; that's why there has not been a lot of improvement during their ownership of the site, because they could not get a building permit without doing a site plan. He stated that the issues related to this project are removing blighted buildings, substantial contamination from asbestos, universal waste in the buildings, and contaminated soil; the history of the contaminated soil goes back 100 years to when the drain was initially put in and was used as a sewer. He said that right now, if it rains and water leaches into this site—which is not a lot, because most of it runs off the site, completely uncontrolled—the site picks up contaminants, but they are going to straighten all of that out. Beal said that the issue of density is partly a matter of practicality—they need to have a substantial project in order to recoup the cost of site remediation.*

*Brad Moore, architect for the petitioner, said they have moved the building to the western part of the site to keep as much of it as possible*

*out of the area that would flood during a 100 year event. He stated that the fringes of the 100 year flood plain are an at-grade parking level, the residential portions are stacked on top of that, which is part of the reason why the building is taller, to get the residential above any area that would be sensitive to flooding. He said that the site is at the very fringes of the floodplain so even during a 100 year event the depth of the water in the garage doesn't get above 12 inches deep, so that would be washing peoples' tires, not flooding their cars entirely; the floodway which has the moving water which can cause damage is not on the site. He said they have designed the building so that two of the three stair towers, which allow people to exit the building, discharge in areas that would be outside of any flooding, so people could leave the building without getting their feet wet in the event of a flood. He also pointed out that they are maintaining a path as a public benefit, so someone could come down First Street, continue through the site, go across Felch Street, and then potentially access whatever redevelopment of the old City DPW yard might be created in the future. He said along that path they have located five sites where there could be public art, very much in the theme of the fish in the park across Kingsley Street, but rather than have identical fish they would commission artists to each do a different fish, drawing attention to the historic path of the Allen Creek. He said they would dedicate half of the existing building that will remain—which is elevated above the floodwaters—to future use for the greenway, a sort of interpretive center, so people could learn about the history of the Allen Creek.*

*Ron Simolarski, Felch Street, Ann Arbor, said he is concerned about parking, as there are new condominium developments going up on Kingsley as well as Main Street, and parking requirements on First Street and Ashley Street now will permit only residents to park there, so people are parking on Felch Street which only has parking on one side. He said with these changes he has to park his car further away and at his age—69 years—this is a real concern for him. He stated that most of the other property owners on his street are landlords and have divided the homes into multiple units, creating more residents and thus, more cars. He is concerned that visitors to residents of these new developments will be pushed to park on his street, and that more care must be taken to think about creating more parking options for this development.*

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

**Moved by Clein, seconded by Milshteyn, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City**

**Council approve the Kingsley Condominiums rezoning from M1 (Limited Industrial) to R4D With Conditions (Multiple-Family Dwelling) and Conditional Zoning Statement of Conditions, and**

**The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Kingsley Condominiums Planned Project Site Plan, a planned project with an arrangement of buildings that provides a public benefit, subject to 51% minimum open space, 1 foot minimum additional front setback, and a maximum height of 60 feet and combining the lots prior to issuance of any permits.**

*COMMISSION DISCUSSION:*

*Briere said she was glad to be able to discuss the rezoning and site plan approval at the same time. She asked staff about the many opportunities related to the R4D zoning designation, and mentioned a letter written by the developer's architect mentioning R4D zoning, and a specific site, Miller Manor. She asked whether that site was rezoned after the fact because of some complexities, and whether it had previously been public land.*

*DiLeo said, yes, that site had previously been designated PL (Public Land).*

*Briere said that one of the concerns with zoning where the categories don't fit exactly the way the developer proposes to use that zoning is whether the definition of that zone should be altered or whether somehow, the zoning category itself is no longer useful. She expressed confusion over the R4D zoning category for this reason because of the explicit allowance of a height of 120 feet, even with conditions. She said the implication is that this type of zoning is to be used to approve high-rises and that this project, were it 500 feet south, would be in the D2 district.*

*DiLeo said, yes, about 66 feet south the D2 district begins, basically across the street.*

*Briere said what she is seeing is a request to build a D2 building.*

*DiLeo said, it is not a request to build a D2 zoning, because it is a single use, residential, and although the height is compatible with D2, with the 60 foot height limit, the petitioners are proposing a project with a Floor-Area-Ratio of about 100%, compared to the D2 FAR of 200% or*

*400% with premiums. She said the petitioner has the height of the D2, but a single use and the building mass is more residential, more R4C/R4D than R2.*

*Briere said there is no requirement that there be more than one use in a D1 or D2 building, so counting that as a factor doesn't work for her. She asked about the 14 deferred parking spaces and wanted to know if those were the ones on the east side of the lot. She said she understands the public speaker's concerns about parking on Felch, it's very bad, and so far feels the Commission has not been able to address that issue in an appropriate way. She said her concern about making the 14 parking spaces on the site is that when people pull in, their lights will be shining into the rear of the houses.*

*DiLeo said the conflicting land use buffer should take care of that concern.*

*Briere asked how big the land use buffer is.*

*DiLeo said it is supposed to be a solid screening element, and that there is also a wall element.*

*Briere asked about the pathway through the site, noting a seven foot wide sidewalk is not wide enough for two bikes to pass each other.*

*DiLeo said this path is not intended to be the Allen Creek Greenway itself, not a non-motorized path, but instead a pedestrian linkage that bikes would be allowed on, intended to be a connection between two public streets, and the placement of the building does not preclude the future development of the Greenway. She stated that this site does not directly abut the railroad, and that as the Greenway plan is still in its infancy, this path will serve as a placeholder; also that the developer has indicated that they will work with whomever develops the Greenway in the future to find something amenable.*

*Ken Clein said he appreciated that the project brings potential public benefit and deals with storm water in a more effective way than the existing development on the site, but that with anything good can come bad, such as increased traffic and parking. He asked whether this project was required to do a no-rise or no-risk analysis for FEMA to show what its impact would be along the floodway.*

*DiLeo said she might have to defer to the petitioner on that question, but*

*that the project was both reviewed and approved by the County Drain Commissioner's Office as well as the City's storm water and flood plain coordinator.*

*Clein asked whether the garage was open to floodwaters.*

*The petitioner said that in addition to City and County approval, this project was also subject to DEQ approval and that they met with DEQ staff and their comments have been favorable. He said that the garage is required by DEQ to have a calculated amount of openings to allow water to flow through it. He stated that the 100 year flood level at the edge of the building is three inches of water, so they are not concerned from a structural standpoint.*

*Clein asked whether the petitioner has done an analysis to determine the path across the site that the water would take in the event of a large storm event.*

*The petitioner said there is no floodway on their site, so in the event of a large storm event the water would go to the east, through and around the houses of the neighbors, which is where it currently goes.*

*Clein asked about the location of the storm water system for the proposed development, clarifying whether it was west of the building and below grade.*

*The petitioner responded that the entire site is graded to bring all the water from the site in and be dealt with through a series of rain gardens, bioswales, and underground storage. He said this is a combination of infiltration and detention, but because of the soil contamination, they are holding a portion of the water and releasing it slowly.*

*Moore said the subterranean chambers west of the site are the ones that are detention only, and those pump into the City's storm water system gradually, while the rain gardens are infiltration.*

*Clein asked whether the detention system uses pumps or gravity only to release the storm water into the City's storm water system and whether there is an overflow that goes over land into the street.*

*Moore said the system uses gravity only, and that while he is not a civil engineer, he believes the overflow goes into the City's storm water system from an entry point on Felch Street.*



*Clein said he shares Commissioner Briere's concerns that the D2 zoning could be creeping across Main Street, and that this project could set a precedent for further projects of heights similar to those in the D2 district. He stated that this project has a lot of merits, but thinks the City has zones in certain regions for a reason and this R4D could start to overwhelm the area. He said he is more concerned with the mass versus the building height, as the building is essentially one large mass that is 225 feet long; while it is not taller than the other project on Kingsley, it has a much larger footprint. He said that he understands that the architect has attempted to break the appearance of the building up with changes in brick color but he does not think that relieves the sense of a 225 foot long wall that will shade the neighborhood behind it. He stated that he believes the pathway is a good idea, although the image of the proposal is not very inspiring and has potential safety concerns; someone on foot or bike would have to cross the roadway three or four times to cross the site; he wonders whether the path could be along the western portion of the site by the railroad spur or whether it should be routed along the east side closer to the retaining wall. He said he is worried that people will use the roadway instead of the path due to the way it is routed, so he would like to see that addressed before the project moves forward.*

*Mills agreed with Clein about the routing of the path. She said the path is routed around the parking but that it is unlikely that users will walk that way unless there are cars parked there. She stated she wants to point out that if it were D2 there would be no parking required, but in this case there is parking being built, exceeding the minimums to help offset some of the problems with off-street parking in this particular area. She asked how parking is assigned, and whether guests would know where to park.*

*Moore said, they anticipate one assigned spot per dwelling unit, and that would be underneath the building, and the rest would be available to guests.*

*Milshteyn asked the petitioner to describe the relationship between the new building, the condos, and the 214 building, how they are going to be connected or not connected.*

*The petitioner said at this time the 214 building is not going to contain any dwelling units but only related uses, and they have offered the use of half of the building to the City as a public space, such as an interpretive space or office for the Greenway or a place for people to use the restroom, and the other half would be a use related to the condominium*

*development such as an office or small fitness center; the buildings are not physically connected.*

*Milshteyn asked whether there will be any retail or office space other than what is related to the condo.*

*The petitioner said no, the R4D district does not allow mixed use.*

*Milshteyn asked how big the 214 building is.*

*The petitioner said, 3,000 square feet.*

*Milshteyn asked whether the cars will be able to travel from Felch to 1st and Kingsley.*

*The petitioner said, yes that is what is anticipated.*

*Milshteyn asked where the main entrance to the building was.*

*The petitioner said there are three entrances into the building, and the main one would be onto Felch; one would be off the parking lot.*

*Milshteyn asked the petitioner to describe the size of the units, such as bedrooms and square footage.*

*The petitioner said there are a limited number of one bedrooms, several two bedrooms, and a small number of three bedrooms with an average of two bedrooms per unit.*

*Moore said the one-bedroom units would be about 830 square feet, the two-bedroom units would range from 1160 to 1700 square feet, and the three-bedroom unit is about 1800 square feet.*

*Milshteyn asked whether there will be one parking spot for the three-bedroom unit and whether an additional occupant with a vehicle would park along with guests in the side parking lot.*

*Moore responded that they don't know for sure that everyone with a two-bedroom unit and above will have two vehicles and they hope that with the proximity to downtown and access to public transit each unit would not need more than one car; the condo association would determine how to allocate parking for units with more than one vehicle.*

*Milshteyn said if you are not planning on selling additional parking spots, it could get to the point where the condo association assigns parking spot.*

*Moore said yes, the association could vote to do this.*

*Milshteyn asked staff whether the traffic engineer had reviewed the proposal.*

*DiLeo said, the traffic engineer had reviewed the sight distance of both driveways, but that this project does not trigger a full traffic impact study as it does not meet our threshold of more than 150 trips during a peak hour.*

*Milshteyn said his concerns are primarily parking as well as flow through the site, and people cutting through to get to Kingsley and First, especially as the street turns and there is no stop sign, he is very concerned about the traffic, and would like to see that addressed.*

*Franciscus asked what the site of this piece of land is if this site were not developed, as it relates to the contamination in the soil, as well as the water flow-through the site and how that relates to the spread of contamination.*

*Chair Woods said the owners of the property would have to be part of that discussion. She said currently some of the buildings are deteriorating, and there have been comments that they perhaps constitute a blight on the neighborhood.*

*The petitioner said the buildings were built over the last 100 years in steps; the building on the site has primarily been used as a construction center for most of that time; at one point there was a concrete batch point, a dry wall yard, Ann Arbor Building used it to unload materials for subdivision construction from train cars. He said we have owned the site since the early 1990s, but cannot do anything unless something significant is done in order to repair the buildings. He said that does not mean they have not been maintaining them, but without a significant development the current status quo could remain indefinitely.*

*Franciscus asked what the opportunity is for the site and whether this project is the best option. She said she sees there is benefit to the community, especially with the remediation of the soil, but she has concerns with the flow of the pedestrian path, especially for bicyclists. She stated on the whole, she would like to find a way to make this work as well*

*as protect the watershed at the same time.*

*Peters said he has a follow up comment to those of Franciscus and Mills with regards to pedestrian access across the site, especially the west side of the site along the railroad spur. He said that would provide more direct connection for the future Allen Creek Greenway if it were on the western side of the site. He said he wonders if the petitioner would consider making a public statement to go on record saying that could be a possibility. He said he realized there is a lot of pressures that mitigate the ability to use this site, but when it all nets out, the ability to clean up these soils and work with this area to control the storm water on the site and open up the Allen Creek Greenway by removing a building on top of it, is an overwhelming positive.*

*Gibb-Randall said she also wonders about the D2 creep, but not so much in the floodway aspect, because you would have to remove that portion of the site if you were to actually be calculating FAR, which is not required for this district. She said there are overwhelming benefits to cleaning up the site, both visually and environmentally, but her concern is that if it had just been a D2 thing, it would have gone through the Design Review Board first. She stated that she understands why the petitioner needs the density to do the scale and scope of work, given the remediation that must take place, but agrees with Clein that the appearance is not consistent with the objectives stated by the petitioner at the initial citizen participation meeting, which were to keep with the historic character of the design of buildings in the "industrial crescent, following the railroad to the west side of town, the building would have simple lines, a lack of ornamentation, and the materials would include brick, stone, metal siding and glass windows and would include exterior balconies," and she does not see that. She said she feels that it is trying to be downtown in a way, the massing is a mish-mash of veneers that does not fit with the rest of the neighborhood, and while she understands that this is not the Design Review Board, she still feels compelled to say something. She stated that she supports the project in general but feels like there could be significant tweaking to the building massing or architecture to fit in with the neighborhood, such as the example of the Ann Arbor Distillery across the street. She would like to see the design respond to the architecture of the surrounding neighborhood or the past aesthetic of the "industrial crescent" in a more creative way.*

*Mills asking about the number of units in the building, said with 110 bedrooms, there could be more bicycle parking spaces to encourage non-motorized transportation; with only 11 bicycle parking spots, this feels*

*like a missed opportunity given the close proximity to town.*

*The petitioner said each of the 51 car parking spots has a place on the wall in front of it to place a bicycle, a part from the required bicycle spots and there are places within the parking level, should the condo association approve, to put more bicycle spots. He said at the request of the purchaser, a fixture to place the bicycle in front of the assigned parking spot, will be provided.*

*Briere said she sympathizes with Gibb-Randall on the design concerns of this development, and feels it seems like a massive wall, and asked the petitioner to break it up, to minimize the visual impact. She said she still has difficulty visualizing what the building will look like when walking or driving past, or the view from the street.*

*She also said she has not seen how the design of the building harkens back to the site's industrial past. She said another challenge is to make the pedestrian walkway more welcoming; she is also concerned with the twisting manner of the pathway which feels aimless.*

*The petitioner said, multiple 2-D and 3-D images have been provided and the long-view is not what presents itself to the street. He said he could provide the Commission with another image of the view from the street.*

*Clein said he agrees that it is a positive thing for the shorter view to be fronting Felch Street and that the residents on Ashley are the only ones who are likely to see the long view of the development. He said it is not easy to discern which material is where on the illustrations provided. He asked about the specifications of the bricks used and whether the type used could be put into the development agreement.*

*The petitioner said the pedestal is predominantly poured concrete, and there are some areas with a veneer of brick, corrugated metal siding, and cementitious siding, materials commonly found in the industrial use of that site, but in a more modern style. He said the brick used is full-depth and could be put into the development agreement.*

*Clein said he understands that design is not under the purview of the Commission, but as the petitioner is asking for a zoning change, he is offering the opinion that the massing could be dealt with reasonably effectively by simplifying the building but also making the materials used more distinct from one another. He stated that the design appears to be reminiscent of the new hotel a few blocks south and that is not in a style that is as industrial as the one he thought the petitioner was trying to*

achieve.

*Gibbs-Randall said she would like to see more articulation along the wall that pedestrians will be walking along, bordering the Allen Creek Greenway, because that is the wall that will be visible, to enhance pedestrian experience.*

*Woods asked whether the garages are open, and whether one would be able to see through them. She also asked how long the proposed path would be, since if it were short perhaps the meandering nature of it would not be very long. She asked if the petitioner has been in touch with the Greenway Conservancy.*

*Moore said yes, there are some places where the garages are open to allow daylight to come through.*

*Moore said the pathway is approximately 400 feet between sidewalks, noting the path is a temporary solution because the Greenway has not been developed yet. He said they have been in touch with members of the Greenway Conservancy about the use of half of a building for an interpretive center.*

**Moved by Clein, seconded by Milshteyn to postpone. On a voice vote, the Chair declared the motion carried. Vote: 8-0**

**Yeas:** 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, Sarah Mills, Alex Milshteyn, and Shannan Gibb-Randall

**Nays:** 0

**Absent:** 1 - Bonnie Bona

**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**    **16-0491**    Kingsley Parkside Site Plan for Planning Commission Approval - A proposal to develop a 3-unit, 5-story loft townhouse. The site located at 213 West Kingsley Street is 3,168 square feet and zoned D2/First Street Character. Ward 1. Staff Recommendation: Approval

*Alexis DiLeo presented the staff report.*

**PUBLIC HEARING:**

*Vince Caruso, Allen's Creek Watershed Group, said he has concerns about the City developing the Allen's Creek floodplain. He said it is his understanding that the City has an agreement with the Huron River Watershed Council that they would take climate change into consideration, and calculate an increase of 15-20% for flood events due to global warming projections. He said he does not know if this design addresses these changes; the official floodplain delineation has changed from 4.3 to 5.1 inches in 24 hours. He gave examples of major storm events in Dexter and Warren, where costly damage was done. He said one can find video footage of people trying to get their trapped cars out of a property on Depot Street, during a major flooding event, adding the City is not planning carefully enough for flooding if they allow people to park in areas sensitive to flooding. He said three people drowned in Northern Ohio trying to get their cars out of flooding.*

*David Crause, 509 N Ashley Street, Ann Arbor said he is a little annoyed at the Allen Creek Greenway representatives that don't live in the area who don't know what it is like to deal with mucking out the storm water grates in this area. He said that every new development proposed in this area have provisions for storm water problems that they currently face, and we need to allow these things to proceed so that actual residents of this neighborhood can see the problems associated with flooding be*

*somewhat relieved.*

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

**Moved by Mills, seconded by Milshteyn, that The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Kingsley Parkside Site Plan.**

*COMMISSION DISCUSSION:*

*Mills asked about the current storm water management system on site.*

*DiLeo said the project given its size would not require 100 year detention but would require first flush.*

*Bill Meyer, architect of the petitioner, said the storm water would be held in 180 feet of 6-inch diameter underground pipes to release the water over time. He said the impact on the floodway would be minimal as the project's footprint is almost the same as the house that currently sits on the site.*

*Mills asked about the percentage of total imperviousness on the site as compared to the current amount. She also asked about the net cut in grading.*

*DiLeo said the level of imperviousness is about the same as for the proposed building compared to the current building, but that the current building has no provisions for storm water while the proposed building has a storm water detention system planned; thus it is an overall improvement. She stated that a net cut in grading means more dirt has been removed from the site as compared to added to the site for the construction of the project; this means the ground is lower and there is more volume for storm water.*

*Clein asked DiLeo to clarify for the audience what first flush means in relation to storm water.*

*DiLeo responded that the first flush is the amount of water that falls within the first half hour or so of a storm event, typically the first half inch or inch of rain, for example. She said this water is typically the dirtiest as it is washing away what is on the driveway or ground. She stated that the next level is the bankfull, or the amount of rain that would fill the banks of the river, and that the level after that is the 100 year flood level, a level at*



*which the river has overflowed. She said that requiring a project to have bankfull storm water management does not have much of an impact on volume, but it does a lot to clean the water that is ultimately entering the rivers and streams because it is removing the dirtiest part of it.*

*Clein asked whether this project is not required to have bankfull management because of its size but has to do first flush, and whether there is a cleansing process that happens for this amount of storm water.*

*Clein stated that it is a very interesting project on a small site, but that a less interesting component of the site is the parking plan; he asked how wide the individual garage spaces are, between walls, as well as how refuse containers will be placed, as it appears space will be tight, making it difficult for people to extract the bins and place them on the curb.*

*Meyer responded that the garage spaces are 13 feet, 4 inches each; the cars will be stacked in a tandem style. He said he believes there will be enough space for the bin to pass between the wall and the car, without having to move the car.*

*Briere asked about snow removal and parking; the street becomes one lane when there is a large amount of snow. She said she is concerned about where the petitioner will put the snow removed from the driveway of the development. She recommended that the petitioner heats the driveway, so that the snow melts. She also commented that neighbors are concerned about the impact of this development on traffic, as those backing out from this project will have to do so onto busy Kingsley Street.*

*Meyer responded that the snow removal problem is neither unique nor insurmountable, and he feels confident that they will devise a way to mitigate the effects of large snow fall.*

*Peter, the petitioner, said he spoke with the neighbor that was concerned about snow removal and that there are a couple off-site locations where snow can be moved since the driveway is not that large.*

*Briere said it is not so much the width of the driveway but the narrowness of the berm along the street that concerns her; and it is not appropriate to use the adjacent park for snow storage.*

*The petitioner said it is a common problem with a D2 lot, and that they have exceeded the side and front setbacks, and they are willing to truck the snow off-site if necessary. He said as he understands it, the park is*

*actually a storm water retention area and park. He is working with a neighboring property owner to route storm water from his site as well as theirs to the storm water retention park to alleviate flooding issues in the area.*

*Gibbs-Randall said she is pleased to see the use of pervious pavers on the driveway of this project. She asked whether the 30 foot driveway width was possible using a variance.*

*DiLeo responded that 30 feet is the widest curb cut allowable.*

*Gibbs-Randall encouraged the petitioner to also consider using pervious pavement on their pathway, given the concern of flooding in the area. She reminded those present that pervious pavement performs a lot better in the snow, as it is able to go up and down as the ground freezes and thaws, so that would help mitigate snow storage issues during the winter. She said she would have loved to see a green roof on this building.*

**On a roll call, the vote was as follows with the Chair declaring the motion carried. Approved Vote: 8-0**

**Yeas:** 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, Sarah Mills, Alex Milshteyn, and Shannan Gibb-Randall

**Nays:** 0

**Absent:** 1 - Bonnie Bona

**10-b**    **16-0492**

615 South Main Street Planned Project Site Plan for City Council Approval - A proposal to construct a 6-story, 229-unit apartment building with 6,200 square feet of retail. The development at 615 South Main Street includes the consolidation of 3 parcels into a 86,162-square foot site. The property is zoned D2, and a planned project modification is requested to increase the height to 75 feet. Ward 4. Staff Recommendation: Approval

***PUBLIC HEARING:***

*Linda Winkler, Second Street, Ann Arbor, thanked the Planning Commission for the good work they do. She said she was speaking on behalf of herself and other residents of the Old West Side who have several concerns. She stated that the proposed development is massive-looking, suburban in style with a private courtyard in the center, and does not provide publically beneficial open space downtown. She felt the project's interpretation of open space preservation was at odds with the ordinance's intent, as a private courtyard is inaccessible to and barely*

*if at all visible to the public. She stated that if this developer were permitted to build higher buildings in exchange for the provision of this private courtyard space, the public who walk and drive by the development will be worse off than if the development were to stay within the height requirements of the zoning code and no courtyard—or open space—were provided. She said the Design Review Board shares her concerns about the private courtyard and wondered why a C or U shaped building, which would allow open space access to the public, was not considered. She also said members of the Design Review Board felt the project was only marginally consistent with the applicable downtown design guidelines and created an eye of the needle viewscape at this gateway location into downtown. She added that the development would inevitably result in vehicular accidents between those making a left turn from West Mosley Street onto South Main Street and those making a left turn from the proposed development on East Mosley onto South Main Street. She stated that the proposed project would replace commercial space in three contiguous properties with considerably less commercial space in one of the few remaining places suitable for commercial development in this part of downtown. She said she appreciated that the developer revised their site plan to add commercial retail on the first floor of the development, but that it is replacing a significant amount of existing commercial with student housing.*

*Vince Caruso, Allen Creek Watershed Group, said he attended a citizen participation meeting for this development, bringing with him a map of the Huron River watershed, and was told that his map was inaccurate. He said he spoke with Jerry Hancock, Stormwater and Floodplain Coordinator for the City of Ann Arbor, who told him the map was indeed accurate. He requested that the petitioner hold their public engagement meeting again due to this inaccuracy on their part. He said the petitioner indicated that there is a berm to the east of the site that will provide some protection for the site, but the stormwater and floodplain coordinator for the city indicated otherwise. He stated that at the public meeting, several business owners complained of flooding on or near this site. He expressed concern that the underground parking proposed for this development would exacerbate the flooding in the event of a storm event. He reminded the Commission of a Huron River Watershed Council report that advises planning for an increase in flooding due to climate change, and advised them to err on the side of safety in this matter. He advised the Commission to have the city join with FEMA in joining the National Flood Insurance Program Community Rating System to lower flood insurance costs and damage.*

*Lucy Miller, Mosley Street, Ann Arbor, said she has concerns about the South Main Corridor in general from William to Stadium. She said that ordinances that have allowed and encouraged this project, which she considers to be dull and unfit for the neighborhood, are problematic. She stated that the South Main Corridor is changing rapidly and remains ripe for further renewal; she has heard that a developer is interested in a property on the northwest corner of Main and Madison, for instance. She said over the past few months she and other neighbors have reviewed many documents in the city's master plan relating to the South Main Corridor and has found ideals and visions but no clear plans for the neighborhood. Ideas such as activating the pedestrian streetscape, accessibility, and walkability are not found in this proposal. She said she hopes to be able to come together and create and workable and enforceable blueprint for development in the South Main Corridor; a major step would be the current process to evaluate the downtown premiums.*

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

**Moved by Peters, seconded by Councilmember Briere, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve 615 South Main Planned Project Site Plan and Development Agreement, subject to Public Services approval of the traffic impact study.**

**COMMISSION DISCUSSION:**

*Briere asked about the definition of open space and whether an interior courtyard with a swimming pool counts as open space.*

*Jeffrey Kahan, staff, said Chapter 55 of the zoning code requires a minimum of 10 percent open space for projects in the D2 district. The definition of open space at the beginning of Chapter 55 states: "The portion of a lot which is devoted to outdoor recreation space, greenery, and space for household activities. Open space area may include, but shall not be limited to, lawns, landscaping and gardens, wooded areas, sidewalks and walkways, active and passive recreational areas, unenclosed accessory structures used for recreational purposes, permanent or seasonal water surfaces and protected natural areas. It shall not include area covered by parking lots, driveways, refuse facilities, or enclosed accessory structures." He explained that staff believes that includes landscaping that exists around a site but also includes the patio space which includes the pool in the courtyard.*

*Briere stated that that when the Commission discussed and eventually approved the structure directly across the street from this project, which was taller than the height traditionally allowed in the D2 district, was that the developer was providing a benefit to the adjacent neighborhood by moving the massing of the building away from the street toward Main Street and creating the equivalent of a garden area on top of a storm water detention system, which was very innovative and provided a public benefit. She stated that she is less certain of the benefit of this proposal to the adjacent neighborhood, and questioned allowing the density bonus. She asked for clarification from staff as to why allowing a 75 foot structure in this district was a benefit to the community.*

*Kahan stated that Chapter 55 of the city's development code includes a section on Planned Projects that allows developers to deviate from area, height, and placement standards if the developer meets at least one of the standards for approval. He explained that he felt the developer has technically met a number of the standards for approval of a planned project including: building setbacks in excess of the minimum requirement; preservation of a historic feature in the preservation of the old buggy works; transit access or pedestrian orientation, as the site has multiple entry points for both the retail and residential portions of the development, as well as the provision of a public access easement to allow for residents in the vicinity to walk or even drive a vehicle along that corridor to access Madison; and exceeding energy conserving design by at least 15 percent.*

*Briere asked whether the neighboring gas station has also allowed for a public access easement for the path that parallels the railroad track.*

*Kahan responded that they had, a public access easement 18 feet in width.*

*Briere asked whether people exiting this property that are reluctant to turn directly onto Main Street will instead be paralleling the railroad tracks, turning right on Madison and then turning right again at the light.*

*Kahan said yes, they could leave the basement of the building in a vehicle heading east and then turn left along the east side of the building until they get to Madison then they could turn left to the light at Madison and then they could go straight or turn at Main.*

*Briere asked about the traffic impact of the turning motions from the*

*development, specifically the left turning motion from the public access path that parallels the train tracks onto East Madison.*

*Scott Betzoldt, Midwestern Consulting, said they looked at the most conservative situation or worst case scenario where all the traffic was going to be exiting Mosley onto Main. He said the alley mall to which you are referring, which will have brick pavers and be suitable for both pedestrians and cars, is basically intended to be long-term parking and it will gated at the north and south ends and require a pass code to enter, so they don't anticipate very much cut-through traffic. The delay on Mosley turning South, or left, is a little over 90 seconds at that location.*

*Briere said she thinks having people wait over a minute to turn could be a problem, as people can get very agitated. She also said it is the first time she has heard that this pathway would be gated parking.*

*Betzoldt, said one of the things that makes this pathway work is that there is a signalized intersection at Main and Madison and one at Main and Hill, which create gaps. He said their traffic study indicates that these lights create gaps about every 90 seconds, which allows turning movement onto Main from Mosley to work. He stated that the level of service for the Mosley and Main intersection is currently an F when using the first and foremost traffic simulation which everyone uses as a baseline; then you can incorporate more specific parameters to get a more individualized assessment. He explained that there is another model they used called Sim Traffic, which analyzes gaps created by traffic signals; this model found that the current level of service is an F and would improve to a level of service D after construction of this project, a delay of about 45-50 seconds. He said the delays at Eisenhower and Ann Arbor Saline Road or State and Eisenhower see delays of 90 seconds, so this wait is not outrageous. He said they determined that adding a dedicated left turn lane that would allow right turning movements off of Mosley would proceed a lot faster, but there are dangers with visibility with having a right turn lane and left turn lane next to each other. He stated that the 95 percent worst case queue they are predicting would be four cars deep during the peak hour; and using Sim Traffic the prediction is a line of three cars.*

*Mills asked whether the wait for each of the cars in the queue is 90 seconds, and if the queue is four cars, that means the last car could be waiting six minutes to turn.*

*Betzoldt said yes, to the best of his understanding.*

*Mills said that when making a left turn while riding her bicycle onto Huron from Chapin, 90 seconds feels long and 6 minutes would feel like an eternity.*

*Betzoldt said yes, but you have to realize that this 95 percent scenario is almost the very worst case scenario, the average is going to be two cars.*

*Mills said she has noticed while driving this portion of South Main since the building across the street has gone up, lots of people are turning onto Mosley. She asked if they had looked at the scenario of someone on West Mosley heading east or someone on East Mosley heading west, trying to turn onto Main.*

*Betzoldt said yes, but he doesn't feel that interaction is any different from any of the other un-signalized crossings up and down Main Street.*

*Mills asked for clarification of the parking situation in the gated alley.*

*Betzoldt explained that there will be parallel parking along the far east side of the alleyway, which will be a concrete surface; the main part will be a 12 foot wide brick paver walkway, and it will be gated at the north end and the south end.*

*Mills asked if the alley way is only for vehicles, and if it does allow pedestrians.*

*Betzoldt said it allows pedestrians, and will be a shared pathway. He said that models of student housing and traffic vary wildly, some are rural or commuter schools, other are more urban, like this development in Ann Arbor. He said they found that students don't use their cars every day, and that most of the trips occur on the weekends or for grocery shopping. He stated that our numbers very conservative because student housing is not the same as a different apartment complex.*

*Moore said since they submitted the original traffic data, they have included shared vehicles on the site; the goal is to have fewer people dependent on the individual ownership of cars; they have also added one of the shared bike stations. He said they are doing everything they can to minimize the need for vehicle trips, but there aren't a lot of models to reflect those measures, so it is difficult to say definitively what the traffic impact will be. He said the gated parking area in the back was to ensure that those spots would be available to tenants versus the general public.*

*Betzoldt responded to the comments from the city's traffic engineers submitted prior to the meeting, saying there is nothing show-stopping on the traffic comments: several have already been addressed, and others relate to items such as multi-modal transit that will make traffic even less.*

*Mills asked where the sidewalk ends on the north end of the alleyway and questions how much use the walkway will get from pedestrians; she thinks residents may be more apt to use Main Street itself, but those further south might find it convenient to use the path. She asked how pedestrians will get around the gate, and whether there will be room for bicycles.*

*Betzoldt said yes, the path will go around the gate for pedestrians and it will be wide enough for a bicycle.*

*Milshteyn said he was confused about the easement. He said if he leaves the leaves the building and he's walking, it's easy access for him to walk into the pathway. There are cars parked on the right-hand side when he's walking north. If a car needs to pull out or pull in, it is in his way as he is walking through. He gets to the very north of that easement and he is in the gas station, battling all the vehicles pulling in and out onto Madison. He asked whether, were he in his car, would he enter from the south with his keycard and exit to the north.*

*Moore, architect of the petitioner said yes, but you won't be battling cars. He said yes, you would enter in the south, as it is one way in the alley, and exit in the north; there will either be a keycard or a sensor to lift the gate up to exit to the north.*

*Milshteyn said it sounds like the population of the building will be young professionals or non-students.*

*Moore said we have produced the most diversity of any place in town. He said we have townhouses, some of which are facing the courtyard or Main Street with raised porches, micro studios, and one to five bedroom units. He stated that they don't want to market the property exclusively to students because they feel it will desirable to other types of people who want to be able to live downtown but pay less money; the micro studios will be about 350 to 370 square feet. He said the two bedroom units would be suitable for families or young professionals. Thus, they expect a diversity of tenants within the development.*

*Milshteyn asked where the car sharing service will be located.*



*Moore said currently they have those located within the interior garage, but are talking with the Downtown Development Authority about locating them in spaces along Mosley—that hasn't been resolved yet. He said they would like to have them available to their tenants specifically to minimize the amount of vehicle trips coming out of the development but they aren't excluding the idea of having them in the public right of way if the DDA approves it.*

*Milshteyn asked if he subscribes to the service but doesn't live on the property he would not have access to the vehicles.*

*Moore said it depends on the service; there are three operating in Ann Arbor currently: Maiden, Zipcar, and Enterprise. If it were Enterprise those would exclusively be available to those in the building, while Maiden and Zipcar would be available to the wider subscriber network.*

*Milshteyn asked where the bike sharing will be located.*

*Moore said close to the gas station, on the north side of the site, the closer side to downtown.*

*Milshteyn asked when the traffic study was performed and whether it took into account the Madison on Main, the new development that passed through planning commission, which will be depositing drivers onto Main Street as well.*

*Betzoldt said within the last two months; it was revised March 1. He said he doesn't know whether that development was taken into account, but doesn't think the impact will be terribly significant because the footprint is not large.*

*Milshteyn stated that generally the worst case scenario wait time of 4 to 6 minutes to turn is a huge concern for him. He said he is also concerned that the development will be attracting college students and directly across from the building is a 7-Eleven, with no crosswalk. He is worried about the safety of residents as he believes most will not walk to a signalized intersection to cross.*

*Peters said he is concerned about the effect of football games creating pedestrian traffic along the backside of the development and would be interested to hear how the petitioner might plan to manage this.*

*Clein asked staff to clarify the definition given of open space, which any space where there was not building. However, he said, the courtyard has a parking structure beneath it, and wondered if this complicated the classification of the courtyard as open space. He said if the courtyard were not actually open space, then it would not be considered a public benefit, and thus would call into question the merit of making this development a planned project and worthy of a height increase. He said he is more inclined to think of the space along the railroad tracks as open space, as much as people who are not residents can traverse it and there is some landscaping there. He said he is also concerned about the claim of being 15 percent more energy efficient in this building. He stated that in a building like this it is actually very difficult to get that kind of performance demonstrated because the systems are distributed across all the units, except for maybe the systems in the garage or other common spaces; energy efficiency is also dependent upon the behavior of the tenants. He would be more apt to believe that estimate if there were a central mechanical system or if it were designed to be solar heated or passive cooled. He said he is not sure the preservation of the old buggy shop is preservation in the true sense; there is a four-story addition sitting right on top of it—a preservation architect would say not in a respectful manner. As there is parking underneath the entire footprint of the building, this means they are likely only preserving the façade of the buggy shop and gutting the interior; so they aren't really saving the building. As such, he said he would exercise caution in saying the developer is meeting the preservation standard until it is known exactly how the construction process will go and what will be preserved. He stated that he is also curious about why there is a green roof for that portion of the building as it seems like a strange spot for it. He also asked staff about the storm water management system for the building.*

*Kahan said there are two underground storage tanks below grade that use pumps.*

*Betzoldt stated that there is an emergency gravity overflow system in place as well. He clarified that the pumps are not exactly below grade, but are located in the underground parking of the building, about three feet below grade.*

*Moore said the bottom of the tank is below the storm sewer, but the top isn't, so in a major storm event, gravity would cause the water to flow into the storm sewer. He stated that the emergency pipe is about 8 inches; it has been approved by the Washtenaw County Water Resources Commissioner. Currently, he said, all of the storm water sheets off the*

site.

*Clein said he admits that there are benefits to stormwater and other things that this project is providing, but feels it necessary to voice the concerns that he does have. He asked whether the Fire Marshall had given any comments about access to the site.*

*Kahan said the Fire Marshall has signed off on the plan.*

*Betzoldt said they met with the Fire Marshall early on and that some of her suggestions drove their design.*

*Clein asked about access for fire fighters on the other two sides of the building.*

*Betzoldt said they met with the Marshall and they needed a minimum of 20 feet in the alley to access; it uses a public access easement that is over the Allen Creek Greenway drain.*

*Clein said the building is fairly massive and along with the building across from it may create sort of a funnel point entering Main Street visually. He stated that he is still looking for a compelling public benefit to allow the building to go up an extra 15 feet. He added that it looks like the courtyard will be dark for much of the year, it looks like it could use more light.*

*Gibbs-Randall asked whether they will be planting trees in the pathway, as they are treating it like a parking lot and there are requirements for landscaping in parking lots; if this is to have many pedestrians and bikes going through, it would make sense to make it a pleasant place to be. She also asked about the vehicular flow through the pathway and its interaction with the gas station; she would like to see a visual showing where the pumps and the curb cuts are.*

*Moore said there is currently an exit from the South Main Market property in the exact same configuration as the proposed pathway.*

*Woods said this building could account for many more cars exiting than the existing retail. She asked the petitioner to give an overview of the type of retail that would be included in this site and whether any of the existing businesses will have space in the new development.*

*Brant Stiles, Collegiate Development Group, associate of the petitioner,*

said there are about five current retail tenants and they have worked to relocate a good number of them; one in particular they are working with to move back into the development. He said it is important to them to maintain the existing neighborhood retail feel. Currently, he said, there is about 6,000 square feet of retail space and we are proposing about 6,200 square feet of retail space in the new development.

Woods asked about which floors will be occupied by the retail tenants and how many entrances there will be.

Stiles responded that the retail will primarily be on the first floor and depending on which bay they take, there will be one entrance on South Main and two entrances on Mosley. She said one of the audience members during the public hearing commented that there was a discrepancy in the floodplain map; she would like to get this cleared up.

Betzoldt said the floodplain maps that the city uses come from the county and those are generated by FEMA's Flood Insurance Rate Maps (FIRM). He said the map they have used show the floodway in blue and the floodplain in green; the floodway is where 85 percent of the 100 year flow travels, the floodplain can include eddies and low-lying areas that just fill in. In this map, he said, there is no floodway on the property, just the fringes of the floodplain. He explained that FIRM maps are made by a hydraulic engineer that determines what the elevations of the waters are and they plot onto topographic maps; in the city of Ann Arbor the flood level can vary by as much as a foot. To get a more accurate measure of where the floodplain is, he said, one should go into the field with a surveyor, check into a FEMA certified benchmark, and do a topographic analysis of the property; this gets an estimate within a hundredth of a foot. He said, when we do this field assessment, we find that the floodplain changes, growing and shrinking. In this particular assessment, we found that the floodplain contracted closer to the railroad tracks, east of our site, when compared to the map the city had on file. Thus, he said, the map in front of the Commission is less accurate than our assessment. The city's map has been amended, submitted and approved by FEMA. He said he uploaded this updated map to eTRAKit.

Woods asked whether this updated map was going to be in their packet for the next discussion of the project.

Kahan said yes.

Gibbs-Randall said she appreciates the finely-tuned knowledge of

*topography that the petitioner has, but with regards to comment made by Caruso, the issue may not be the location of the floodplain versus the floodway but instead the problem of climate change and the increase in flooding that this area could see in the future. For example, she said, she has been watching the construction of the project across the street and there was an incident this summer where the entire intersection of Madison and Main was underwater and crept up Madison, partway up the block. She said we know things are shifting and changing, and knowing fine-grained topography is great, but these assumptions are not based on climate change volume projections.*

*Betzoldt responded that yes, the estimates are made using FEMA’s latest assessment of the area in 2013 so they may not be the most up-to-date. He said however, that much of what we see on the surface is due to 60 year old infrastructure that is not working as it used to be; it is not necessarily more water but less ability to transport it.*

**Moved by Peters, seconded by Briere to postpone taking action. On a voice vote, the Chair declared the motion carried. Item Postponed. Vote: 8 0**

**Yeas:** 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, Sarah Mills, Alex Milshteyn, and Shannan Gibb-Randall

**Nays:** 0

**Absent:** 1 - Bonnie Bona

**10-c**    [16-0493](#)

Balfour Senior Living Site Plan for City Council Approval - A proposal to construct a 4-story senior living facility at 2830-2874 South Main Street, totaling 184,000 square feet with 154 rooms; 74 parking spaces are proposed below grade and 61 surface parking spaces. A landscape modification and wetland use permit have been submitted as part of this proposal. Ward 4. Staff Recommendation: Approval

**PUBLIC HEARING:**

*Holly McMurray, 401 West Oakbrook Drive, Ann Arbor, said she had several of her residents here before but did not realize Planning Commission meetings lasted this long so they had to leave. She said she is the Executive Director of Brookhaven Manor, the senior living community that is adjacent to the west side of the proposed development. She stated that she has been working in senior living for over 12 years in and around the Ann Arbor area; she is a certified assisted living director, licensed through the Michigan Center for Assisted Living as well as a*

*dementia practitioner and has dedicated her career to being a voice and advocate for seniors. She said she has several concerns regarding the new development: the new development will destroy the scenic wetland that her residents currently enjoy. She expressed concern over the traffic and future congestion that would be resultant from this development on Oakbrook and South Main. She said a resident was struck by a vehicle and subsequently killed walking in this area several years ago; thus the safety of slower moving pedestrians is a concern. She said many of her residents are concerned about the noise of the construction of this development and its impact on their quality of life. She stated that her greatest concern is over what the over-saturation of senior living communities will do the smaller, locally-owned communities that exist in the area; within one mile of the proposed site there are already four senior living communities, plus dozens of other communities throughout Ann Arbor and the surrounding area. She reported lower numbers at her place of employment due to the opening of a senior living community four miles away. She said the senior living market is already over-saturated in Ann Arbor and urges the Commission to consider this in making their decision.*

*Michael Schonbrun, CEO of Balfour Senior Living, said Balfour is a family-owned business started in Colorado 18 years ago in response to his own experience of finding an inadequate place for his mother to move into in her relocation from New York. He stated that they have five properties in Colorado that offer a continuum of care ranging from independent through assisted. He said his wife Susan is a native of Detroit. He said his company has taken great pride in the design and responsiveness to their residents and has won awards from the AIA of Colorado, the Mayor of Denver, and others; thus he feels confident this would be a positive addition to the area. He added that in the last number of years there have been advances in design making communities far more responsive to the needs of the residents. He said they have always received high marks in surveys of their residents, have a very active transportation system including buses and on-demand shuttles. He said he has his team of architects, landscapers, and civil engineers present at the meeting ready to answer any questions of the Commission.*

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

**A motion was made by Councilmember Briere, seconded by Peters, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and the City Council approve the Balfour Senior Living Site Plan, and**

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

*COMMISSION DISCUSSION:*

*Milshteyn asked the petitioner where staff parking will be located.*

*Schonbrun said staff parking will be on site in a surface parking lot. He explained that one quarter of the independent residents will be driving car and that the remainder of the parking lot will be for staff, visitors, and vendors.*

*Eavan Yaldo, Saroki Architecture, said the development will have 135 parking spaces, 61 at the surface level and 74 underground.*

*Milshteyn asked how many staff members are on site at any given time.*

*Schonbrun said there would be approximately 50 staff members on site during the day and less at night.*

*Milshteyn said that means there are approximately 24 parking spaces for guests at the surface level at any given time.*

*Schonbrun said they may put more spaces for staff below ground to allow for sufficient guest parking.*

*Milshteyn asked about the sidewalk that provides access to the cottages, it appears that there is not a sidewalk for these residents along the road.*

*Schonbrun said those cottages are no longer in the site plan.*

*Yaldo explained that the cottages were removed from the site plan due to concerns generated at the neighborhood participation meeting, as well as stormwater and fire hydrant issues that emerged from meetings with planning department staff.*

*Ben Carlisle, Interim Planning Director, explained that the current revision is updated as of March 30 and should be in the Commissioners' packets.*

*Milshteyn asked whether the cottages have been saved for a future phase of the project or eliminated completely.*

*Yaldo said it has completely been removed.*

*Mills asked about the deferred parking.*

*Yaldo stated that they have exceeded the parking requirement, 135 spaces are being provided, which do not include the 15 spaces that are being deferred. She said they have space allocated to develop future parking if necessary.*

*Clein commented that the elevations look very nice. He asked for clarification of the materials used for the development.*

*Yaldo said they made a conscientious decision to look at Ann Arbor and the surrounding community and pay respect to that in the design, to bring comfort and familiarity to residents and the community. She said they are paying homage to the agricultural community by using a farmhouse style; they also have elements of Greek revival, referring to several homes in the area of that style. In terms of the scale of the building, she explained, although it functions as one building, they have decided to break it up visually as it relates to the uses and requirements of the building. She said the Main entry off of South Main is being called the Club House, is an activities space, and is a tall one-story structure. The independent living building, she said, is four stories and meets the requirements of the zoning ordinance, but the fourth story is built into the roof plain to give the appearance of a lower structure in scale. Other buildings on site are two and three stories. The color palette will vary to offer variety, she added, but the materials will be the same to give cohesion to the building. She said the exterior materials used will be stone as a base, as well as providing accents, the main façade will use a fiber-cement plank that looks like wood but performs better, the roof will be asphalt shingles and some metal paneling. She said the stone will look realistic but will not necessarily be real stone.*

*Briere said if it had not been for the public hearing she would not have been aware of the amount of senior living communities in the area and she would like to begin to address some of those concerns. She said she*



*is particularly concerned about the safety of seniors in walking to various destinations. She said she thinks walking toward Briarwood Mall would be an unpleasant experience but walking along Oakbrook or Eisenhower could be pleasant. She asked what provisions are being taken to aid in the safe crossing of these streets for residents.*

*Schonbrun said all memory care and assisted living residents would be accompanied by staff to destinations. For independent residents, he said he expects many will travel by car.*

*Briere asked whether they would be providing sidewalks along the parking that will be constructed.*

*Yaldo said yes.*

*Briere asked for the rationale behind selecting this site for their development, given the high saturation of senior living facilities in the area.*

*Schonbrun said they wanted to be located near shopping, reasonably close to the university, and within Ann Arbor. He said they undertook a market analysis to decide upon the location. He said they were encouraged by the success of other senior living communities in the area.*

*Briere said the most proximate neighbors are concerned about the noise and chaos of the construction, and understands that this is a concern. She asked what they can do to minimize the impact.*

*Schonbrun said their other developments have been built in residential neighborhoods and they have made effort to limit construction hours. He said currently this site is a bit of an eyesore, so he feels this development will be an improvement. He said there is data showing that a senior living community is a light user compared to other possible uses on the site—which clearly will be developed.*

*Peters asked whether the petitioner has been in discussion with the city at about creating a marked crosswalk along South Main Street.*

*Schonbrun said they want safety for their residents and do encourage walking, so if there is reason to believe that some sort of specially marked path is necessary, or signalized pedestrian crossing, they would be responsive to that.*

*Yaldo said the traffic analysis did look at pedestrian crossings and no issues were found.*

*Woods added that if pedestrian safety becomes an issue, residents and owners could get together to petition their City Councilors for a Rectangular Rapid Flash Beacon.*

*Gibbs-Randall asked about the wetland mitigation process and whether there would be on-going or one time caretaking for the existing wetland.*

*Matt Bush, civil engineer, said there is a proposed action plan to remove the invasive species one time and replant with a native species. He said we would be open to a plan to actively weed over time if necessary.*

*Gibbs-Randall said she would like to add caretaking to the development agreement.*

*Schonbrun said they are very open to that.*

**On a voice vote, the Chair declared the motion carried. Approved**

**Vote: 8 0**

**Yeas:** 8 - Wendy Woods, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, Sarah Mills, Alex Milshteyn, and Shannan Gibb-Randall

**Nays:** 0

**Absent:** 1 - Bonnie Bona

**10-d**    [16-0494](#)    2016-2017 City Planning Commission Meeting Schedule

**A motion was made that the Report or Communication be Postponed. On a voice vote, the Chair declared the motion carried.**

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

**11**        **COMMISSION PROPOSED BUSINESS**

**12**        **ADJOURNMENT**

**A motion was made by Milshteyn, seconded by Mills, that the meeting be adjourned. On a voice vote, the Chair declared the**

**motion carried.**

Wendy Woods, Chair  
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 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](http://www.a2gov.org)).

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