



City of Ann Arbor

Formal Minutes - Final

City Planning Commission

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Wednesday, September 7, 2022

7:00 PM

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

This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at a2gov.org/watchCTN

To speak at public comment call 206-337-9723 or 213-338-8477 or Toll Free 877-853-5247 or 888-788-0099 Enter Meeting ID: 977 6634 1226

This meeting is accessible in person, via Zoom, or by phone, see agenda for details.

Please click the link below to join this hybrid meeting via Zoom:

<https://a2gov.zoom.us/j/97766341226?pwd=akdzTVllcnBBAkJNSIZJdFpDdGUrdz09>

Passcode: 882985

To speak at public comment call 206-337-9723 or 213-338-8477 or Toll Free 877-853-5247 or 888-788-0099 Enter Meeting ID: 977 6634 1226

Please note it is possible that telephone or electronic public comment may encounter technical difficulties that prevent your participation. For the greatest assurance that your comments will be heard, submit them in writing ahead of the meeting or attend in person.

1. CALL TO ORDER

Chairperson Shannan Gibb-Randall called the meeting to order at 7:00 pm, in Council Chambers at City Hall of Ann Arbor.

2. ROLL CALL

Brett Lenart, City of Ann Arbor Planning Manager, called the roll.

All Commissioners attended the meeting in-person.

Others Present: Planning Manager Brett Lenart, City Planner Jeff Kahan.

Present 9 - Mills, Gibb-Randall, Sauve, Abrons, Hammerschmidt, Disch, Lee, Clarke, and Wyche

3. APPROVAL OF AGENDA

Moved by Sarah Mills, Seconded by Lisa Disch, to Approve the Agenda as presented. On a voice vote the Agenda was unanimously Approved.

4. MINUTES OF PREVIOUS MEETING

- 4-a. [22-1483](#) August 3, 2022 City Planning Commission Meeting Minutes

Attachments: 8-3-2022 CPC Approved Meeting Minutes.pdf

Unanimously postponed to the next meeting.

5. REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING MANAGER, PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS

- 5-a. **City Council**

Councilmember Disch reported Council had not taken action on any Planning related items, since their previous meeting.

Planning Manager Lenart noted that Council received a Historic District Commission Study Report for the creation of a new historic district for The Hayden House. No action was taken at the meeting. He added that Council also accepted a Historic District Commission grant award for the department to complete an update to the historic resource, The Old Fourth Ward Survey.

- 5-b. **Planning Manager**

Lenart reported that the Comprehensive Plan sub-committee had met since the previous Planning Commission meeting, and provided feedback on scopes to be included in the Request for Proposal (RFP) for consultants. He said upon incorporation, the RFP will be ready to go out.

- 5-c. **Planning Commission Officers and Committees**

Commissioner Ellie Abrons reported that the Ordinance Revisions Committee met on August 23rd, discussing the Transit Corridor (TC1) zoning district. They were joined by the City's Transportation Manager, Raymond Hess. The Setback standard as it relates to street trees and green space, and the setback as it relates to safety with driveways and curb cuts was discussed. She noted staff are working on the issue and she believes they will bring it before the full Commission when ready.

Lee reported that the Transportation Commission recommended Approval of eliminating right-turns on red stoplights in the downtown of

Ann arbor and it is moving to City Council.

5-d. Written Communications and Petitions

22-1485 Various Communications to the Planning Commission

Attachments: Barton Hills Village.pdf, Borset.pdf, De Young.pdf, Garber.pdf, Jordan-Sedgeman.pdf, Mirsky.pdf, Ritter.pdf, The George CPC Communication.pdf, Clark .pdf, Gurk, Washtenaw Climate Reality.pdf

Received and Filed

6. PUBLIC COMMENT (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.)

Noting no speakers, Chair Gibb-Randall closed the Public Comment period.

7. PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

22-1486 Public Hearings Scheduled for Tuesday, September 20, 2022 Planning Commission Meeting

Scheduled public hearings reviewed by Brett Lenart.

Received and Filed

8. UNFINISHED BUSINESS - Project Presentation, Staff Report, Public Hearing, and Commission Discussion of Each Item

8-a. 22-1487 The Village of Ann Arbor Site Plan and Rezoning to R4A (Multiple-Family Dwelling) Zoning for City Council Approval - The petitioner proposes to construct 561 dwelling units on approximately 65 acres, at 1680 Dhu Varren Road. Units include owner-occupied and rental units. Access is proposed from Pontiac Trail, Dhu Varren Road, and Leslie Park. Storm water detention is proposed on-site. Project includes a Wetland Use Permit for 0.03 acre of wetland impact. Construction is currently proposed to take place in two phases. Staff Recommendation: Approval

Attachments: Revised Staff Report Sept 7 2022 ver 2.pdf, CPC Brownfield Memo.pdf, Planning Commission Response 8.29.22.pdf, Village of Ann Arbor Site Plan 1 of 3.pdf,

Village of Ann Arbor Site Plan 2 of 3.pdf, Village of Ann Arbor Site Plan 3 of 3.pdf, Villages of Ann Arbor Staff Report w Maps-July 19 2022.pdf

PROJECT PRESENTATION:

Tim Loughrin, Robertson Homes, 6905 Telegraph Road, Suite 200, Bloomfield Hills, Michigan 48301, provided a review of the amendments made to the project.

STAFF REPORT:

City Planner Jeff Kahan provided the staff report on the agenda item.

PUBLIC HEARING:

Ken Clark, 497 Larkspur Street, Ann Arbor, said he lives about 1,000 feet from this proposed development. He spoke of biking to get around, to work, to this meeting, and he brought his concerns as they relate to biking and this development. He said he generally likes the project, but is a little confused as the developer is talking about air-based heat pumps, when most of the recommendations for somewhere like Ann Arbor, would be for ground-loop heat pumps, which work fabulously. He said DTE is planning on making their electricity zero emission, seemingly before the furnaces in these units would fail, so it seems odd that they would be talking about air-based heat pumps and furnaces when they could be talking about ground-loop heat pumps that would work and be much closer to zero emission all the way through DTE cleaning up their act. He said drilling the ground-loop is best done early in the project; he doesn't understand why they aren't putting a lot more solar on these roofs, adding both he and his neighbor have solar on their roofs and it's been terrific and he really likes it. Clark spoke of his concerns for greenhouse emissions, being the largest source of emissions in Ann Arbor. He said the City's adopted goals call for 50% reduction in VMT, and the second transportation goal is 25% of in-town trips by bicycle. He referenced their traffic study diagrams, saying he didn't know what intersections they were studying, because the included examples were not Pontiac Trail or Dhu Varren Road, since neither of these mentioned roads have left-turn lanes, but they do have bike lanes. He said he would like their traffic study to deal with the problem of aggressive driving that they're seeing on Pontiac Trail to see if they can help solve those problems. He said he saw no discussion or mention that the Lowertown Mobility Study recommended a roundabout at the Pontiac Trail entrance to this development.

Ken Garber, 28 Haverhill Ct., Ann Arbor, commented that air-source heat pumps are totally fine. He spoke of his concern with the 320 apartments of this development that will be using gas furnaces. He thanked them for all-electric appliances in the for-sale part of the project.

Garber said it is a false negative that affordability and sustainability are not compatible in new construction, referencing exhibits (for complete public comments, see communication included in packet material). Assuming high-efficiency (10 HSPF, SEER 18) heat pumps, as in Exhibit G, management should lose few if any renters over the \$34 or \$57 average monthly difference in utility bills. And if the petitioner chooses, it could mostly eliminate that difference with rooftop solar on these apartment buildings, and/or passive building construction methods, which apparently were never considered. But even those \$34 and \$57 monthly utility increases are inflated. The analysis in exhibit G used DTE's October 2021 gas rate of 0.6677 dollars per therm. As of August 31, 2022, DTE is charging residential gas customers 0.7913 dollars per therm, 19% higher than the old rate. If you plug current gas prices into the model, the difference between gas and electric mostly disappears. They're essentially at parity. Any difference is likely insignificant in the context of overall construction costs. Note that the heat pump also serves as an air conditioner, so there's no need for separate air conditioning units, or ductwork. He suggested they add more solar units to help cover the price difference for the rental apartments.

Dr. Langmore, spoke in agreement with former speaker Garber on the underestimation of electric utilities. He suggested that both the rental apartments as well as the houses need to be all-electric, and include solar. He said he has solar on one of his houses and they basically don't pay any electric bills, when averaged over the year. He said the advantages of electric are reducing the installation cost (of putting in the methane gas pumps) and adding solar would reduce the electric bill by over \$100 per month, with the pay-back period being anywhere from 5 to 10 years in our climate. He said the older solar panels were more than double as expensive as they are today and the pay-back period used to be 13 years. He noted solar panels last for approximately 25 years, and after they're paid for it's free electricity. He said owners are eligible for State and Federal incentives and it serves as a good example for the City of Ann Arbor to work aggressively on the A2Zero Project. This is an opportunity, a really good project, it'll be very efficient, and he doesn't think we should compromise on having only one-half of the project be electrified - It would simplify and streamline everything towards low emissions and serve as a great example of the City as well as a great example to other developments too.

James D'Amour, 2771 Maplewood Ave, Ann Arbor, referenced the Northeast Area plan, said a lot of what has been built in the plan area, should probably not have been built, but here we are. He added, whatever is built here, will not create sprawl in the Township. He noted that Robertson Homes is a major developer in Lodi Township. We forget that our actions on housing we do only in isolation of Ann Arbor and not in context of the greater southeast region of greater southeast Michigan - the region of Detroit. We are in a regional market and what we do, we

need to look at in that whole context. He said he's seen a lot of good things tonight in terms of the process here, and staff have really worked hard in coming up with a really good proposal. Of all the major parcels of the northeast area, this is the one that was the most buildable and I see something fairly responsible here. D'Amour agreed with previous speakers that we need to make this entire development all-electric, we need to move closer to the A2 Zero goals, and you need to hold the petitioner's feet to the fire to make this project all-electric to keep to our goals and in addressing the climate crisis. He said, making this all-electric is the least you can do tonight; it's a lot of work, and might take more give and take, but it's moving forward and setting a good example for future developments like this. He thanked the Commission, for their time and for listening to him.

Hugh Garton, 3080 Cedarbrook Road, Ann Arbor, said he lives about 1.5 miles from the proposed development. He spoke of the comparable utility costs to the tenants whether using gas or electric; future gas costs are likely to rise more than electrical costs, seeking long term bargains for tenants; tenants are in a very poor position to affect change in the future for their own tenements, so please consider your duty to act on their behalf to secure their chance at a carbon neutral living arrangement; while the updated plan is certainly an improvement, it still obligates a very large carbon footprint for likely 30-50 years into the future; in a climate emergency, the City, and by extension, the Planning Board, should use all measures at its' disposal to minimize the climate impact of new developments; modest on second solar, would allow for electrification in the rental sites without great financial difficulty; if affordability really is the problem and the Board is determined to move forward with this, then the City should be advised it should use its' tax abatement or other equalization options to solve this as the Commission could approve this recommendation to Council.

Michael Strother, _ , spoke of the contribution to the rotary (round-a-bout) saying he thinks this is great; the center of the rotary should not just be paved over, given this is a major entry point and as a means of traffic calming device. He said he'd like to see some plantings, trees, flowers, at this point of entry into Ann Arbor, as it would deserve.

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

Moved by Lisa Sauv , Seconded by Wonwoo Lee, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Village of Ann Arbor R4A Zoning, Site Plan, and Development Agreement subject to the following conditions prior to scheduling for City Council consideration:

- 1. The petitioner obtaining a variance for the maximum front**

setback along Dhu Varren Road.

2. Public Services Area-Engineering and Solid Waste Review and Approval, including of all outstanding review comments identified in the September 6, 2022 Engineering Review #5 Memorandum and in the September 1, 2022 Solid Waste Review and subsequent reviews.

and

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Village of Ann Arbor Wetland Use Permit to allow filling and mitigation of 1,300 square feet of wetland disturbance and on-site mitigation.

COMMISSION DISCUSSION:

The Commission took into consideration the presented petition and discussed the matter. [For a complete record of the discussion, please see available video format.]

On a roll call voice vote, the vote was as follows with the Chair declaring the motion carried. Vote: 8 - 1

Yeas: 8 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Sadira Clarke, and Donnell Wyche

Nays: 1 - Ellie Abrons

9. REGULAR BUSINESS – Project Presentation, Staff Report, Public Hearing, and Commission Discussion of Each Item

10. PUBLIC COMMENT (Persons may speak for three minutes on any item.)

Ken Garber, 28 Haverhill Court, Ann Arbor, addressed his comments to the developer for Robertson Homes, Mr. Loughrin, saying, "You've seen how much we care about our future, our present. The climate crisis to many of us is something that keeps us up at night, it's all we think about in our spare time. We're seeing our City's Climate Action plans literally go up in smoke, in real time - not just tonight but in previous meetings with previous developers. Would you meet with us and others of us who are concerned with this and see if we can work something out. He said, we have a lot of very smart people here in Ann Arbor, like Dr. Langmore here, Professor Emeritus, Molecular, Cellular and Developmental Biology and Physics at the University, co-founder of a successful bio tech company; we had a Pediatric Neurosurgeon, Dr Garton, call in earlier today. I'm a comparable dummy, but I really think this can happen

and would be compatible with economic feasibility of your project. It's ultimately your decision but we would really appreciate an in-person meeting to discuss it. He thanked the Commission for a very thoughtful discussion this evening.

Tim Loughlin responded, I'd really appreciate meeting with you.

Hugh Garton, thanked the developer as well as the Commission for their thoughtful discussion into this proposal. He asked the members of the Planning Commission to speak to the members of the City Council, between now and when this project comes before them for a vote, about their feelings. He said it seems to him it's a very strong opportunity for the City Council to move with its' funds and its' efforts to support the developer so the developer can find a way to get to the point we all wish they could get to. If this truly is a matter of dollars and we could put so many dollars into each unit...well we're going to vote soon enough for a large sum of money to be for climate action - that's what that money should be for, and here's a great opportunity to spend that money in a way it will guarantee us a carbon reduction we want. Please use your efforts to speak to your members of City Council; I certainly will. We should be able to pre-opt a plan if we're only talking about \$40 or \$50 per month per unit - that's not that much money!

Noting no further public speakers, the Chair closed the Public Comment period.

11. COMMISSION PROPOSED BUSINESS

Wyche asked about the MAP Conference.

Lenart said the Commission could make a motion to support Clark and Wyche who would like to attend this year's Michigan Association of Planners Conference in October.

Moved by Lisa Disch, Seconded by Sarah Mills, to support Sadira Clark and Donnell Wyche who would like to attend this year's Michigan Association of Planners Conference in October.

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

12. ADJOURNMENT

Moved by Donnell Wyche, Seconded by Ellie Abrons, to adjourn the meeting at 8:55 pm. On a voice vote, the Chair declared the motion carried.

Shannan Gibb-Randall, Chairperson

/mia gale

eComments for the Commission may be left via our Legistar calendar page (column to the very right) <http://a2gov.legistar.com/Calendar.aspx>

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. Persons requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed 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>). 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.

(If an agenda item is postponed, it will most likely be rescheduled to a future date. If you would like to be notified when a postponed agenda item will appear on a future agenda please contact Planning staff. You may also call Planning and Development Services at 734-794-6265 during office hours to obtain additional information about the review schedule or visit the Planning page on the City's website (www.a2gov.org))

(Public Hearings: Individuals may speak for three minutes. 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.)

These meetings are typically broadcast on Ann Arbor Community Television Network Comcast 16 / AT&T 99 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website <https://a2gov.org/watchctn>. The complete record of this meeting is available in video format at <https://a2gov.org/watchctn>, or is available for a nominal fee by contacting CTN at (734) 794-6150

City Planning Commission regular meetings are transitioning to a hybrid meeting model. The City of Ann Arbor highly encourages the public to view and participate in public meetings remotely due to the high COVID-19 transmission rate in Washtenaw County. In order to prevent the transmission of COVID-19, protect the health of meeting attendees, minimize the possibility of disrupting the meeting, and thereby promote public participation by creating a safer meeting environment, City Council has established a regulation that all in-person attendees at meetings are required to wear a mask. See the Mask Requirement signage that is posted throughout City Hall. The City of Ann Arbor has existing COVID-19 safety rules that are required of visitors entering city facilities. If you choose to attend a meeting in-person, the following safety rules are expected to be observed. These include:

Masks - Required in Council Chambers. Masks are available at the guest services desk in the lobby of Larcom City Hall.

Physical Distancing - Individuals should be physically distanced from one another at least 6 feet.

Illness - Anyone diagnosed with COVID-19, who has symptoms of COVID-19, or has had recent close contact with someone with COVID-19, should not attend a public meeting.

