



TO: Mayor and Council

FROM: Sumedh Bahl, Community Services Area Administrator
Jim Baird, Interim Police Chief
Craig Hupy, Public Services Area Administrator
Cresson Sloten, Systems Planning Manager

CC: Steven D. Powers, City Administrator

SUBJECT: Council Agenda Responses

DATE: 10/5/15

B-1 – An Ordinance to Amend Sections 3:11, 3:14, 3:15, 3:16, and 3:17 of Chapter 40, Trees and Other Vegetation, of Title III of the Code of the City of Ann Arbor (Ordinance No. ORD-15-09)

Question: The PSATF recommendation on sight lines (B in objective #3) was a general statement (provide sight lines that permit motorists to see pedestrians) and did not include any specifics in terms of sight lines and vegetation – did they have any specific recommendations on heights or with regard to this ordinance? (Councilmember Lumm)

Response: The Pedestrian Safety and Access Task Force did not provide additional detail regarding heights and sight lines in their final recommendations.

Question: At one of the meetings where this was on the agenda, I mentioned that it would be important for the City to clarify what (if any) changes are expected for residents and in terms of enforcement. Can you please provide that clarification and if there are changes, how they will be communicated to the residents. (Councilmember Lumm)

Response: If the ordinance revisions were approved as proposed, cultivated herbaceous plants below the specified height would be allowed in the lawn extension

area. Changes in the requirements would be communicated to residents via the website, press release, enforcement handouts/flyers, social media, resident newsletter and CTN. Enforcement will still be complaint driven. The standards would be more complex and potentially more time/resource consuming to enforce as staff is not currently knowledgeable in differentiating between plant species and life cycles. This will potentially allow more room for error.

Question: Can you also please confirm that the changes contemplated here are consistent with AASHTO guidelines and if different, what the rationale for the difference is? (Councilmember Lumm)

Response: In regards to the motorist, AASHTO's *A Policy on Geometric Design of Highways and Streets*, 6th Edition (2001), states that sight distance is measured from a driver's eye height of 3.5 feet (42 inches) from the roadway surface. Depending on the sight distance being calculated the driver is expected to see an object that is 2.5 feet (30 inches) high, for intersection and decision sight distance, or 2.0 feet (24 inches) for stopping sight distance. Cultivated herbaceous plants that reach a height of 36 inches will block a driver's sight distance in most areas with a curb (standard height is 6 inches).

B-2 – An Ordinance to Amend Sections 4:60, 4:61 and 4:62, and to Delete Section 4:63 of Chapter 49 (Sidewalks) of Title IV of the Code of the City of Ann Arbor (Ordinance No. ORD-15-04)

Question: Please provide clarification on whether Community Standards Officers have the authority to issue a citation to an occupant versus the owner? (Councilmember Kunselman asked the question at the September 21 Council meeting)

Response: Community Standards Officers are authorized to issue citations to an owner or an occupant. Both are articulated in the ordinance. However, in practice, the owner (based on Assessors' records) is issued the citation. If there was a need to issue a citation to an occupant and the CS Officer needed to identify same, they would make contact and request ID. This is within their authority. If an occupant were not compliant, the CS officer would then have two options. #1 issue the citation to the owner or #2 request a PO respond who can compel the occupant to identify themselves under 9:62(26) of the City Code.

DC-1 – Resolution to Accept the Recommendation of the Pedestrian Safety and Access Task Force

Question: I understand that there are the qualifying words in the third resolved clause of "within the constraints of available resources and other priorities" and that's appropriate, but there are 55 different recommendations in the report and can staff please clarify how they will interpret "program them as feasible"? (Councilmember Lumm)

Response: According to the City Council resolution to appoint a Pedestrian Safety and Access Task Force (R-13-367), the Task Force was formed to “consider steps toward the creation of a comprehensive Pedestrian Safety Action Plan.” Feasibility of recommendations will be considered on an ongoing basis as current projects are developed and during the development of a future Pedestrian Safety Action Plan.

DC-3 – Resolution Regarding Natural Features and Stormwater

Question: Is the Environmental Commission’s Natural Features Committee active? (Councilmember Warpehoski)

Response: Yes, the Natural Features Committee is active and meets as issues arise.

Question: How will this resolution affect other duties within Systems Planning? (Councilmember Warpehoski)

Response: The work effort that would be required by this resolution would affect multiple staff areas beyond just Systems Planning, including staff from the Planning and Development Unit, Natural Area Preservation Unit and the City Attorney’s Office. Items that would likely be delayed or otherwise impacted include: the Allen Creek Greenway Master Plan; the Allen Creek Railroad Berm Opening; Downtown amendments for premiums; Downtown amendments for edge properties; the Zoning Ordinance Reorganization (ZORO) project; implementation of Urban and Community Forest Management Plan recommendations, including, development of programs focusing on proactive maintenance program, outreach, volunteers and wood utilization; Citizen Pruner program implementation, oversight and improvements; oversight and management of contract work for forestry related activities; development of the annual tree planting plan; and long-term NAP projects, such as natural features inventorying, database management, outreach efforts and development of natural area management plans. Current development proposals, as well as future site plan reviews for stormwater and floodplain management, landscape ordinance compliance, and natural features protection, and legal matters related to development proposals would also be affected as the same staff resources for these items would be needed for this effort. Additionally, with the very recent retirement of the City’s Planning Manager, more staff time will be needed to deal with development related items, issues, and questions, leaving less time available for all other work items. This particularly applies to staff in Planning and Development, Systems Planning, and the City Attorney’s Office. As a result, if staff hours are devoted for implementing this resolution, the timeliness of addressing these development items may suffer.

DB-2 – Resolution to Approve 410 First Site Plan and Development Agreement, 408 N. First Street (CPC Recommendation: Approval – 7 Years and 0 Nays)

Question: The DDA staff comments identify the need to minimize disruption to on-street parking. What plan exists to minimize impact to pedestrian travel, as discussed in the pedestrian safety and access task force report? (Councilmember Warpehoski)

Response: The 410 First developer proposes to create a sidewalk diversion into the street with a double row of barriers to protect pedestrians from vehicles. This proposal appears to align with the Pedestrian Safety and Access Task Force Recommendations to City Council, and would be reviewed by staff as part of project permitting.

Question: The note received from the developer indicated that the proposed on-site storm detention system will contain 120% of a 100-year rain event on-site and that when Allen Creek is at full capacity, the on-site detention system will have the capacity to store water until the water can be released into the City system. Can you please confirm those are accurate statements? (Councilmember Lumm)

Response: Yes, those are accurate statements.