



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Meeting Minutes City Planning Commission

Tuesday, August 20, 2013

7:00 PM

City Hall, 301 E. Huron Street, 2nd Flr.

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. Persons with disabilities are encouraged to participate. All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to: City Clerk's Office, 301 E. Huron St., Ann Arbor, MI 48104. Requests need to be received at least two (2) business in advance of the meeting. Planning Commission meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>) or on the 1st floor of City Hall on the Friday before the meeting. Agendas and packets are also sent to subscribers of the City's email notification service, GovDelivery. You can subscribe to this free service by accessing the City's website and clicking on the red envelope at the top of the home page.

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).

Chair Westphal called the meeting to order at 7:04 p.m.

1 CALL TO ORDER

Chair Westphal called the meeting to order at 7:04 p.m.

2 ROLL CALL

Kowalski called the roll.

Present 7 - Bona, Woods, Westphal, Giannola, Briere, Parekh, and Peters

Absent 2 - Adenekan, and Clein

3 INTRODUCTIONS

4 APPROVAL OF AGENDA

Moved by Giannola, seconded by Bona, that the agenda be approved as presented. On a voice vote, the Chair declared the motion carried.

5 MINUTES OF PREVIOUS MEETING

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

6-a City Council

Briere reported that the previous night's Council meeting was an amenable one that was let out earlier than usual, and that Council members are looking to the beginning of October when the R4C/R2A and the D1 Zoning reports should be completed and presented to Council.

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

Bona reported that the North Main Huron River Vision Task Force has held their final meeting, and they have made their decisions on the final details. She said the report is being polished before moving on to Council in September.

6-d Written Communications and Petitions[13-0993](#)

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.)

Kathy Griswold, 3565 Fox Hunt Drive, Ann Arbor, stated that she would like to see the Non-motorized Plan on-line, showing all updates incorporated into the Plan. She said there is a lack of infrastructure shown, such as sidewalks and crosswalks in school walk zones, and when programs come before the City, such as the bike-share program, Council cannot make intelligent decisions because that information has been withheld from them. She said the process of collecting information is also a very closed process and she would like to see an open committee where everyone was invited [in contrast to the ALT Committee that she stated was by invite only]. She asked for information collected by Craig Hupy on sidewalk gaps and information collected by Eli Cooper to be made readily available in the same place on the City's website.

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING[13-0994](#)

Non-motorized Transportation Plan Update - The City of Ann Arbor Planning Commission will hold a public hearing on an amendment to the 2007 Non-motorized Transportation Plan. This amendment includes a section on best practices pertaining to planning and policy which includes issues such as updated design guidelines, signage, bicycle parking, and funding. The amendment also includes near-term and long-term non-motorized recommendations for major transportation facilities in Ann Arbor. Copies of the draft plan can be reviewed at: www.a2gov.org/NTPUpdate

9 UNFINISHED BUSINESS

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.)

(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** [13-0995](#) Rayer Annexation & Zoning for City Council Approval - A request to annex this 0.39 acre parcel located at 2640 Miller Avenue, which contains a single family dwelling from Scio Township into the City of Ann Arbor and zone it R1B [Single-Family Dwelling District]. (Ward 5)
Staff Recommendation: Approval

Kowalski presented the staff report.

PUBLIC HEARING:

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

Moved by Giannola, seconded by Peters, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Rayer Annexation and R1B (Single-Family Dwelling District) Zoning.

COMMISSION DISCUSSION:

Briere asked about a recently approved development in the area.

Kowalski said this proposed development was on the corner of Miller Street and Maple Road, and backed up to Calvin Street.

On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 7 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Sabra Briere, Paras Parekh, and Jeremy Peters

Nays: 0

Absent: 2 - Eleanore Adenekan, and Kenneth Clein

- 10-b** [13-0996](#) Belle Tire Site Plan for City Council Approval - A proposal to construct a new 9,735 square foot, one-story auto service building with 47 parking spaces on this 0.84 acre vacant site located at 590 West Ellsworth Road. Access will be provided from an existing shared

driveway on West Ellsworth Road. (Ward 4) Staff Recommendation:
Approval

Katy Ryan presented the staff report.

PUBLIC HEARING:

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

Moved by Briere, seconded by Bona, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Belle Tire Site Plan, subject to the recording of a shared parking easement and the recording of a sanitary sewer easement before issuance of building permits.

COMMISSION DISCUSSION:

Briere said that she recalls that when the Tim Horton's project was reviewed, there were concerns brought regarding the lack of pedestrian and vehicular linkage to the neighboring site. She asked if staff was aware of any connection proposals.

Ryan responded that Belle Tire representatives have been in discussion with their neighbors and there is a vehicular connection proposed, but she was not sure if that would include a pedestrian connection as well.

Woods asked staff to show the movement of traffic upon entering the site from Ellsworth.

Ryan commented that the City traffic engineer has signed off on the proposed project.

Kowalski explained that when they moved forward with the Tim Horton's plan and the rezoning of the parcel, they took into consideration shared usage of the drive, considering that the lot probably would be split and used for a business. He said with the approvals of the Tim Horton's curb cuts they are confident they will be able to manage the traffic flow, given that the peak hours of Tim Horton's is different than the proposed Belle Tire business. He demonstrated the circulation through the site, with an ingress and egress from both Ellsworth and South State Street with an drive down the middle of the site.

Woods asked if the traffic leaving the site onto South State would be right-turn only.

Kowalski said he believed it would be, but was not sure.

Woods suggested that it might be helpful for the petitioner to have the answers to these questions as the item goes before City Council.

Parekh asked if there is a sidewalk that continues all the way across the site.

Kowalski showed on the site plan where the sidewalk would be filled in to complete any gaps, making it easy to visit Tim Horton's while your tire needs were being met.

Bona asked about the vehicular connection to the business on the north, noting that while it is not required, they do like to hear about them.

Ryan said that she only knew they were in discussion and she would not want to speculate on the proposed location.

Christopher Enright, architect for Belle Tire, said they have been in discussion with the developer to the north, which have mainly been about the sanitary sewer connection. He said they have talked about a connection to the north, but it would affect both site plans and would potentially eliminate some parking on their site, which they can not currently afford to lose.

Bona said she hopes that they can work something out, and at the least to have a pedestrian connection would be helpful.

He said they do believe they have the possibility on the far east side of the property, in the greenspace, to add a pedestrian connection to connect to the neighboring parcel, while they continue working on the vehicular connection as well.

Westphal stated that he echoes the typical priorities of shared drives and vehicular circulation over parking. He asked staff if there might be any deferral on parking requirements for the use of pervious pavers, given the sandy soils in the area.

Kowalski responded that they typically do not recommend pervious pavers where auto servicing will be the main use. He said he is aware that while the minimum parking requirements have been met on the proposed site plan, the petitioner has indicated they would not need that many parking spots, since customer cars are being serviced while on site. Kowalski explained that with a deferral for the possible use of pervious pavers, it would not assist with a vehicular connection since the parking requirements are set.

On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 7 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Sabra Briere, Paras Parekh, and Jeremy Peters

Nays: 0

Absent: 2 - Eleanore Adenekan, and Kenneth Clein

10-c [13-0997](#)

Honda Testing Facility Expansion Site Plan for City Council Approval - A proposal to construct a two-story, 24,116 square foot addition to the existing vehicle emissions testing and certification facility, located at 3947 Research Park Drive. An underground storm water detention facility will be constructed on the southwest portion of this 2.72 acres site. (Ward 4) Staff Recommendation: Approval

Kowalski presented the staff report.

PUBLIC HEARING:

Tommy Chen, American Honda Motor Company, presented his Project Management Team, stating he was very pleased to come before the Commission with this proposal for an addition to their facility where they propose to build state of the art chambers that will allow them to build even cleaner cars. He said they have been at their Ann Arbor location since 1975, doing tail pipe emission testing to meet compliance with the EPA. He said the addition will also bring more job personnel from Japan, and he personally believes Ann Arbor is the right place for technology.

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

Moved by Woods, seconded by Peters, that the Ann Arbor City Planning

Commission hereby recommends that the Mayor and City Council approve the Honda Testing Facility Expansion Site Plan, subject to 1) a variance for the driveway width being granted by the Zoning Board of Appeals, 2) a public access easement for the sidewalk being provided prior to issuance of building permits, and 3) providing one footing drain disconnect prior to issuance of a certificate of occupancy.

COMMISSION DISCUSSION:

Woods asked if the sidewalk being built will be connected to an existing sidewalk on the neighboring sites or will it be a first of many.

Kowalski responded that it will be connected to an existing sidewalk on the south, in front of Mercedes Benz. He said as each petition is received they are working on extending the sidewalks.

Woods asked if most businesses in this area are auto-related.

Kowalski said yes, and that people do walk through the area.

Woods commented that maybe the petitioner could impress them by adding sidewalks.

Peters asked if the petitioner had considers natural screening in the rear instead of fencing.

David Henry, explained that the fence was necessary since it acts as security as well as privacy, given that they have had problems in the past with people breaking into the cars.

Parekh asked about the rational for the petitioner seeking a variance.

Kowalski answered that they are required to have a curb-cut that is 24 feet wide because they are not a one of two-family dwelling. He said they currently have a curb-cut that is 19 feet because that is what was required when they originally constructed their building. He said the petitioner has indicated that they are willing to go to a 24 foot wide curb-cut; however, that would increase impervious surface as well as require the cutting down of two nicely mature trees. He said the smaller curb-cut meets their current needs of operation, but since they are doing a site plan for the site, the City reviews the whole site and requires them to bring everything into compliance with the current ordinances and requirements.

Bona commented on the proposed Floor Area Ratio of 37%, which doubles their existing Floor Area Ratio; noting that this would not have been possible under their previous ordinance. She said it is good to see a project come through where the petitioner has taken advantage of the increased FAR; where the City's change is evidence that it works well. She also explained that the height restriction for this location is none, and if the site were located next to a residentially zoned district it would have a height restriction.

Westphal stated that it is good to see the investment coming to the City and the petitioner has been a good neighbor for many years. He wished them well as they move forward.

On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 7 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Sabra Briere, Paras Parekh, and Jeremy Peters

Nays: 0

Absent: 2 - Eleanore Adenekan, and Kenneth Clein

10-d [13-0998](#)

Resolution to Request that the City Council Utilize an RFQ/RFP Process that Conditions the Sale of the “Y Lot” Property

Bona introduced the resolution, explaining that some of the Commissioners have been working on this, since they learned that the City is considering selling the old Y site located on East William, between Fourth and Fifth Avenues. She said due to the fact that City Council directed the Planning Commission to review the D1 and D2 zoning in the downtown, they saw that this lot was zoned D1, and so it falls into one of the City owned lots in the downtown that has been included in recent studies and plans. Another fact for consideration is that the City’s Climate Action Plan has been adopted since the D1 zoning was enacted. She read the following Statement, explaining that this the most important point to be made through this resolution, noting that the City can sell it as a by-right zoning or use this as a larger benefit to the community;

‘WHEREAS, the redevelopment of city-owned parcels are the City’s only opportunity to require a development with greater emphasis on long-term, on-going and growing economic benefit to the community;’

She read the suggested RESOLUTIONS of the draft dated 8/14/13, and entertained any revisions, additions or deletions.

PUBLIC HEARING:

Donald Salberg, 3105 Lexington Drive, said he was wondering if the public could receive clear definitions of resolution terms such as foot traffic, “mixed-use” so he and others could understand what conditions would be allowed on the site. He said there are many citizens that feel that the Connecting William Survey was not done properly and does not reflect the viewpoint of the majority of the citizens of Ann Arbor. He said it was important that the City didn’t go out urgently trying to sell City lots until the City knew what they wanted to be built on those lots. He said these lots are revenue producing lots; the “Y lot” bringing in over \$240,000/annually, which would be enough to service a \$ 3.5 M loan offered around 3 percent. He said he didn’t understand the urgency to sell this lot when they weren’t sure what they would be getting for the next 50 years.

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

Briere explained that the City uses the term “mixed use”, as others, within the planning and zoning area, to mean not just a single-use, but rather a mix of uses for a site, where you could see retail on one floor and residential on another of the same building. She said “mixed use” does not contain parking for the residential use, since it would need to be for the public. She said generating foot traffic is a goal that many people in our community have spoken about for this site, which tends to mean a high level of service for this site, not something like a bank of a lawyers office that have limited foot traffic. She further explained that what the public have expressed is that they want a reason to go downtown, places to see and visit. She said probably having a building with restaurant space on the bottom floor would not benefit the community as a whole, both taxable value and increased value of community

engagement, such as casual encounters that occur with generated foot traffic.

Briere said that Council feels that they should sell this parcel instead of sitting on it, and monies generated above any outstanding debts should go to the Affordable Housing Fund.

Moved by Bona, seconded by Giannola, that the proposed resolution be approved by the Commission and forwarded to City Council.

COMMISSION DISCUSSION:

Parekh had questions on the word choice in the seventh Whereas of the proposed resolution.

Bona responded that the wording came directly from the Connecting William Street Framework Plan, with the intent of the resolution being that Council requires mixed uses for this site.

Parekh asked if the two separate Resolved statements could be combined, if the Commission felt strongly enough about the recommendations. He said since he is new he will follow the lead from those who have put the resolution together.

Giannola responded that both were included to allow for Council choices, if Council wants to come up with their own conditions but still use an RFP. She added that coming up a resolution to Council is not standard and rarely done by the Commission.

Westphal said he would be in favor of striking the words, "some or all", in the last Resolved statement, since he felt the listed items are all doable and there seems to be a large consensus of support within the community for these items.

Woods asked what an RFQ was, and if they needed to include both RFQ and RFP, and if they might be interchangeable.

Bona said the RFQ/RFP process came directly out of the Connecting William Street Framework Plan on how to sell City owned property, with RFQ meaning Request for Qualifications and RFP meaning Request for Proposal. She said it is done in a 2-step process, with the RFQ asking for qualifications of potential developers, before RFPs are accepted by a narrowed down group of developers. She said that using the RFQ process is fairer to the developers knowing that they have already been vetted by the City. She said she felt it was important to be consistent.

Woods said that she felt they might be leaning too heavily on the Connecting William Street Framework by taking using exact wording from the Plan when the Commission accepted the plan as a resource document.

Woods asked about the use of the words "should be sold utilizing...", could be changed through the addition of the word "if sold", since she felt the resolution should not be saying that the Planning Commission is saying that the lot should be sold, since they have not had that discussion and rather responding to what Council is working on.

Westphal asked if the Commission was open to friendly amendments offered on the floor or if they wanted the item to come back to the Commission.

Bona and Giannola were open to friendly amendments.

Briere thanks Bona and Giannola for their work on the resolution in making it more

concise; however expressed concerns about the references made to the Connecting William Street Plan since Council did not act on the plan and make it a part of the Master Plan, or ask the Planning Commission to move on it, but rather just received it as being an attachment to their agenda. She said that meant to her that Council was not as enthusiastic over the plan as others were, and she feared that leaning too heavily on the plan might be enough to turn some Councilmembers off from the proposed resolution. She said she felt Council was receiving suggestions and the message from the broker that they should put as minimal stipulations as possible on the sale of the parcel and that there were maximum revenue to be made through the sale, because that is the message she received when she met with the broker.

Briere said that Council feels strongly about the need for "mixed uses" for this site with the vehicular access and parking using the existing Fifth Avenue underground parking structure since it is both frugal and sensible since the City spent money creating it. She said some Councilmembers feel the need for a plaza or open space, while others see that as cutting down on the maximum use of the site.

She said if she can not support the resolution before the Council then she would rather that the Commission re work it so she would not feel that she would be whittling away at it. She suggested that the resolution be simplified down to a 1-page document since she felt it did follow the City's Master Plan for the downtown, without referencing it to the Connecting William Street Plan.

Woods said she appreciated Briere's comments concerning the Connecting William Street Plan. She said she felt the role of the Planning Commission was to give advice and while those who receive the advice might or might not like it, it remains their duty to give it and not present Council with pabulum. She said in the end it is up to Council what they will do with the advice received. She explained that in the past when she was both a Councilmember and a Planning Commissioner, she felt that it was not in her role to go before Council as the advocate for the Planning Commission; the Planning Commission is its own advocate and they stand on their own. She said she didn't want Councilmember Briere feeling like it was her role to take recommendations made by the Planning Commission and make sure they are approved by the Council. She said while the Commission sits around the table to wordsmith the document their goal was to give advice, because that is what citizens need to hear from the Commission, as does as the eleven who sit around the Council table.

Bona said that under both RESOLVED statements of the proposed resolution, she feels that the Commission is clearly making recommendations to Council and she didn't want anyone thinking that she had any control over the final decision. She expressed her thoughts that just because the library lot was controversial is should not take down the whole document because this "Y lot" was not controversial. She said they are recommending that they require a plaza or open space to be incorporated into the landscaping, since that is what the public has requested through the Connecting William Street Plan, and having sidewalk as open space is not enough for this three-street site. She didn't feel that they should shy away from referencing the plan, because the public input is contained in the plan. She said the request to have a third-party certification for the building's energy and environmental performance would make a tremendous benefit to the community and for the site.

Westphal said in looking back at the process in how the City Council directed and tasked the DDA to look at City owned sites, and with the public input that surface parking lots were not the best use of these sites in a community view. He said it was not DDA's task to develop a new Open Space Plan, which was in place, already, through the PROS Plan, and because the DDA's plan did not contain

recommendations for new open space, he believed there was dissatisfaction with the plan. He noted that the Park's Advisory Commission is currently studying the issue and when they have made their recommendation then he believes the Connecting William Street Plan which was put on hold, will be further addressed.

He explained that in sitting on the committee, looking at Connecting William Street, they documented the most unique contact points throughout the community which made it a really robust discussion with this lot being one of the least controversial sites. He said he felt that the community demanded them to look at their in-put into the Connecting William Street Plan and that referencing the plan should not be a deterrent to looking at the resolution. He noted the public could find the document, showing over-arching goals as well as site specific goals, on the DDA's website. He said he believes it left much flexibility to the City for each site.

Westphal further noted that public input on the study of the City owned sites showed that they were willing to accept a lower sales price in turn for insisting on higher standards for architecture, materials and a plaza or other amenities on the ground floor, because they want to be proud of structures in the downtown, and because putting in higher quality buildings and materials also have shown to result in higher tax income over time. He said it is something that fewer and fewer developers are willing to do these days. He felt it was OK to reference the Connecting William Street Plan in the resolution.

Giannola said that the Connecting William Street Plan was the only available document containing public input on this site and that is the only reason she used it as a reference, not because she felt it was more important than the Master Plan. She said if members felt strongly about referencing the Connecting William Plan then she suggested leaving them in the WHEREAS clauses, but removing them from the lost important RESOLVED clauses. She agreed with Woods that she too did not want to try to pre judge what Council would do with the resolution and not get in the middle of the politics of it. She asked the Commission to simple look at the resolution and ask themselves if they believed what it said and if they want to pass it on to Council, since she said she was not even sure if Council would vote on their resolution.

Briere said she really appreciates the comments made by Woods, Bona and Giannola, agreeing that the Commission does not make rules for Council but rather recommendations. She said she personally believes the RESOLVED clauses are important to be passed on to Council because without regard to the source of the concepts, it does not need to read per the Connecting William Street Plan, because what she hears from the community all the time is what should be expected. She noted the difference from the 413 East Huron project that was on private property versus this Y-lot that is public property and having an opportunity to having a serious impact on an external design of a very prominent building on three-streets could be valuable to the community. She reiterated that she would be happy to see it not say per the Connecting William Street Plan, because she didn't believe it was the only option of looking at these ideas. She stated she did want to advocate for the RESOLVED clauses because she felt that is what they should be advocating when putting restrictions, if any, on developers.

Bona reiterated comments made from the Commission.

Peters suggested leaving the two RESOLVED clauses separate. He agreed with comments made by Bona and Giannola that it was important for Council to hear their recommendation that if they sold the site, leaving it with the by-right zoning would be not acceptable to the community.

Westphal asked if the drafters felt it acceptable to add the clarifying word, "stub" when referencing the existing Fifth Avenue underground parking structure, to the eighth WHEREAS clause.

Bona and Giannola agreed.

Parekh suggested adding the words "via the investment already made", to that same clause, since this would be fulfilling prudent action.

Westphal questioned the need for the parenthesized phrase in the seventh WHEREAS clause.

Briere commented that the way the clause regarding,.. "large plate office or lodging as a primary use, residential as a secondary use and active uses on the first floor" was phrased, in the seventh WHEREAS it made it unclear to her, since it seemed weird.

Westphal said that his recollection of the discussions and comments at the committee were clearly reflective in this clause as to what the primary uses should be with flexibility built into the secondary uses.

Bona said it was included as a point of reference and was acceptable by the public as a primary use and the residential use as secondary and something else on-top, given that residential use requires windows and the code requires the building to be stepped back as it goes up.

Giannola reiterated that the WHEREAS statements were supporting statements and the RESOLVED statements being what they were recommending and asking to be required.

The Commission discussed active use definitions.

Westphal suggested changing the first check mark under the second RESOLVED to read, "Require a building that provides a human scale, creates visual appeal, and contains active uses on all first floor street frontages".

Giannola, clarified that all suggestions were taken as friendly amendments and would be voted on at the end of the discussion.

Bona reviewed suggested amendments incorporated, with the final resolution as follows:

Resolution to ask City Council to utilize an RFQ/RFP process that conditions the sale of the "Y-Lot" property

WHEREAS, the City Council passed a resolution to direct the city administrator to solicit responses to a Request For Proposal for Brokerage Services for the Sale of 350 S. Fifth Avenue (Fifth & William Surface Parking Lot/Former "Y" Lot);

WHEREAS City Council directed the Planning Commission through a resolution on April 1, 2013 to review the D1 and D2 zoning;

WHEREAS the role of the Ann Arbor City Planning Commission is to advise the City Council on development issues within the City of Ann Arbor;

WHEREAS the Connecting William Street Framework Plan was created at the request of City Council on April 1, 2011 and 1) incorporated input from more than

2,000 participants from the public in its creation, 2) makes both overarching and site-specific recommendations for city-owned lots downtown, and 3) recommends a RFQ/RFP process for implementation;

WHEREAS the redevelopment of city-owned parcels are the City's only opportunity to require a development with greater emphasis on long-term, ongoing and growing economic benefit to the community;

WHEREAS the City Planning Commission requests that the City Council and public recognize the sale of the "Y" Lot without an RFP may result in a development that 1) does not fulfill the overarching or site-level recommendations of the Connecting William Street Framework Plan, 2) does not meet the Intent statement for the Midtown Character Overlay Zoning District in the zoning ordinance, and 3) ignores the recommendations of the Design Guidelines;

WHEREAS the Connecting William Street Framework Plan contains recommendations that focus on bringing people and activities to this and other core downtown sites to achieve the common goal expressed by the community: 1) creating the interesting and engaging sidewalk atmosphere currently lacking along William Street, 2) recommends a large plate office or lodging as a primary use, 3) residential as a secondary use, and 4) active uses on the first floor;

WHEREAS the City Planning Commission has specific recommendations for this site that include: 1) discouraging surface parking, 2) discouraging vehicular access beyond the street curb, and 3) encouraging all vehicular access via the investment the City made in a stub from the existing Fifth Avenue underground parking structure;

WHEREAS the Connecting William Street Framework Plan calls for open space that is privately developed, owned, maintained, and programmed in coordination with building's development to create an active interaction between inside uses and exterior spaces;

WHEREAS the City Planning Commission recommends open space on this site be required and incorporate landscaping;

WHEREAS the Design Guidelines are optional and making them mandatory for this project would allow the City to test this process in its ability to achieve development that is generally considered an attractive asset to the character of the district; and

WHEREAS the Climate Action Plan was adopted after the Downtown Plan, D1/D2 Zoning Ordinance, Design Guidelines and Connecting William Street Framework Plan and recommends high-performance buildings, green roofs and solar ready buildings;

RESOLVED, that the City Planning Commission recommends to City Council that the "Y" Lot is sold, an RFQ/RFP process be utilized that conditions the sale of the property in order to obtain a long-term, ongoing and growing economic benefit for the residents of the city; and

RESOLVED, that the City Planning Commission recommends to City Council that the "Y" Lot is sold, an RFP contain some or all of the following conditions:

- A building that generates foot traffic, provides a human scale, creates visual appeal and contains active uses on all first floor street frontage;
- A "mixed use" development;
- A requirement that any vehicular access and parking be accessed via the City's

Fifth Avenue underground parking structure;

- A requirement for an entry plaza or open space appropriately scaled and located to be properly activated by adjacent building uses and to be maintained by the developer;*
- A requirement for the entry plaza or open space to incorporate generous landscaping;*
- A requirement for mandatory adherence to the Design Guidelines as interpreted by the Design Review Board;*
- A request for a third party environmental certification (eg. Leed Gold or Platinum))*

On a roll call, the vote was as follows with the Chair declaring the motion carried. Approved by the Commission as amended

Yeas: 7 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Sabra Briere, Paras Parekh, and Jeremy Peters

Nays: 0

Absent: 2 - Eleanore Adenekan, and Kenneth Clein

Bona asked staff what happens with the resolution after the Commission action.

Kowalski said that he would require a clean copy of the amended resolution and it would possibly go to Council at their September 3rd meeting or to their following meeting.

Briere said this resolution isn't an action item for Council and would be a communication item only and no vote would be taken on it, and when there is a next step they will act as needed. She suggested that when it is forwarded to Council, copies also be provided to the City Administrator as well as to the broker working for the City on this matter.

Westphal asked if the drafters of the resolution intended the resolution to be incorporated into the brokerage process.

Giannola stated that it was their goal to communicate to Council what their thoughts were for the site if they were rushing into selling the property.

Westphal asked Briere if she felt forwarding the resolution to Council as an action item would be the most beneficial way.

Briere said that she could not answer that since it would be getting into the politics deeper than desired by Commissioners. She said they could use it at a later date if they felt it should become an action item and would mean that the Council would be discussing it and not the Commission. She said she would like to defer this item from being an action item until she and the Commission were ready to ask the Administrator to issue an RFP.

General discussion pursued over the process of bringing action items to Council.

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

Donald Salberg, 3105 Lexington Drive, expanded on his previous comments that it is very convenient to use the ground level parking on Fifth and William, and he said it would be interesting for the City to conduct a survey to ask why people prefer the ground level parking instead of using the underground parking. He said building a large building on this site would be building a speculative building and unlike others

that are built for a specific purpose, such as the large Costco Building. He commented that previous large buildings, such as Ashley Terrace have failed.

12 COMMISSION PROPOSED BUSINESS

13 ADJOURNMENT

Moved by Peters, seconded by Woods, that the meeting be adjourned at 9:35 p.m. On a voice vote, the Chair declared the motion carried.

Kirk Westphal, Chair
mg

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