



# 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, December 2, 2014

7:00 PM Washtenaw County Building, 220 N. Main St., board room

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

*Chair Woods called the meeting to order at 7:03 p.m.*

#### **2** **ROLL CALL**

*Planning Manager Wendy Rampson called the roll.*

**Present** 8 - Woods, Adenekan, Clein, Briere, Peters, Franciscus, Mills, and Bona

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

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

#### **4** **INTRODUCTIONS**

#### **5** **MINUTES OF PREVIOUS MEETING**

**[14-1704](#)** November 5, 2014 City Planning Commission Meeting Minutes

**Moved by Peters, seconded by Mills, that the minutes be approved by the Commission and forwarded to the City Council. On a voice**

vote, the Chair declared the motion carried.

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

**6-a City Council**

*Briere reported that at the previous night's City Council meeting, they voted to annex property on Nixon Road, the first of three sites on Nixon Road that could be annexed. She said this annexation is the proposed site of the Woodbury Apartments. She said Council also approved at first reading amendments to the Main Street Overlay zoning which would allow for a building on the corner of Main and William to be as tall as 120 feet at the corner and 60 feet at the Packard edge, with a greater setback than had been in the earlier character overlay zoning. She noted there would be a public hearing in 30 days and a vote at second reading.*

**6-b Planning Manager**

*Rampson introduced the staff report for the Capital Improvements Plan, which will be on the December 16th Planning Commission agenda, noting the Commission had requested a preview. She said the Capital Improvements Plan could also be found on the City's website. She reported that at next week's Planning Commission working session they would hear about the Affordable Needs Assessment from the office of Community Development, and the meeting will take place in the basement conference room at City Hall. She further reported that the Ordinance Revisions Committee will be meeting on the 16th at 5:30 p.m. to continue discussion about the downtown zoning changes and begin talking about the premiums and potential R4C amendments.*

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

**6-d Written Communications and Petitions**

**14-1705** 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.)**

None

**8      PUBLIC HEARINGS SCHEDULED FOR NEXT PLANNING COMMISSION MEETING**

**14-1706**      Public Hearings Scheduled for the December 16, 2014 City Planning Commission Meeting  
*Chair Woods read the public hearing notice as published.*

**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](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    14-1707**      221 Felch Street Rezoning and Area Plan - A request to rezone this 2 acres site from M1 (Industrial) to R4D (Multiple-Family Residential) and a proposed area plan for the potential redevelopment of this site if rezoned. All existing structures in the floodway may be removed and a 51-unit apartment building with covered and surface parking, as well as all other required site improvements, may be developed. (Ward 1) Staff Recommendation: Postponement  
*Matt Kowalski presented the staff report.*

***PUBLIC HEARING:***

*Christina Lirones, 151 E. Textile Road, Ann Arbor, said she lives in Pittsfield Township, but owns a house at 113 Felch Street, Ann Arbor. She said she loved the mixed use character of the neighborhood and felt it a shame that it should be converted to apartments, adding that the*

*area will lose richness of character and with the proposed height of the apartments, people will lose their sense of privacy that they currently have, especially those living on Ashley, which the project will back up to. She said the project is not in character with the neighborhood, noting that it is a very old neighborhood with houses from the late 1800 and she asked that care be taken to preserve the character. She said traffic is also a huge issue, especially at peak hour and in icy road conditions, given the steep incline. She said there could be sewer system issues in the area since it is so old and it hasn't been mapped clearly. She told of sewage back-ups in their house and the discovery that they were on a separate lead which by-passed the City's main sewer which no one at the City was aware of. She said their house, which is up the hill, was recently added to the FEMA floodplain map and pointed out that the project could also be in the floodplain.*

*Sandi Smith, 515 N. Ashley Street, Ann Arbor, said she has known the petitioner for a long time and has no opposition to the re-zoning request, but pointed out the building on the eastern edge is currently over the Allen Creek Drain, and the former Allen Creek site which is a sensitive spot. She said they should think about not putting more vehicles there and the possibility of traversing north to south. She added that this is an opportunity for the City to be a part of broadening the vision of the Allen Creek Greenway. She said the existing block wall that runs along the back of their properties has provided a lot of privacy over the years and she asked that with the transition that they add a significant buffer from car lights and cars.*

*Brad Moore, 4844 Jackson Road, Suite 150, Ann Arbor, architect for the project, presented the proposed area plan associated with the rezoning request, pointing out the location of the floodplain. He said they would maintain the condition of the existing building on Kingsley. He said that residents in new buildings will be above the floodplain, including exit stairs, and only cars parked at grade would be in danger of potentially one foot of water that would intrude during a 100-year flood event. He explained that many of the issues, such as modeling, would be brought to bear at the site plan stage, but is not required at the area plan stage. He said the proposed rezoning conditions have been presented to staff for their consideration.*

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

**Moved by Bona, seconded by Mills, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 221 Felch Conditional R4D Zoning and Area Plan.**

**COMMISSION DISCUSSION:**

*Bona asked staff about situations, such as this project, that looks to be an advantage to the City, but is not supported by the Master Plan. She asked what factors, during their review, would lead staff to conclude a recommendation to contradict the Master Plan, which she added, she was very hesitant to do.*

*Kowalski said there are no site specific recommendations in the Master Plan, and historically in the Central Area Plan it was recommended for industrial land use, and includes language that alludes to fringe areas along the outside of downtown. He said the current Master Plan supports a project of this nature as does the Land Use Element that has been adopted. He said one of the key features of this project is improving a natural feature, which is the floodplain and floodway, by removing all of the structures out and improving function.*

*Rampson added that there is a section in the Master plan that speaks to the Railroad corridor, in a more general way, and as the uses change in the railroad corridor. She said the plan took into consideration that the industrial use would change over time and offered that when this item returns, staff could pull out the language from the Master Plan and see how it fits with this particular proposal and other language of natural features and floodway functions to try to be more targeted to this site.*

*Bona said that would be very helpful. She asked staff how they see R4D zoning fitting into the surrounding zonings such as R4C, R2A and some office zoning, while avoiding spot zoning.*

*Kowalski said one of the reasons staff is asking for postponement is that they are still looking into the many issues of conditional zoning. He said it is adjacent to the D2 district, directly across Kingsley, and the uses are compatible. He said they are still playing with the massing, and the density for the area is an issue, which staff will keep studying in hopes of solidifying the issue before the item comes back before the Commission.*

*Bona asked about comparison to the D2 district, noting it would be helpful to see the comparisons. She said it would also be helpful to know which zoning would allow for more flexible uses. She said it's very rare that they have projects adjacent to residential properties that are willing to support mixed uses, and it would be a shame to miss that opportunity. She asked if the idea of artist lofts could be done on this parcel.*

*Briere asked why this parcel is asking for conditional zoning. She expressed concern about the amount of impervious surface being proposed, noting it is adjacent to City-owned land that they would like to*

*become part of the Allen Creek Greenway Trail system. She said not minimizing the impervious surfaces seemed like a flaw in the project. She asked how the greenway could be maximized if the rezoning and site plan are approved, adding that there has been much talk about the greenway without action. Regarding the proposed zoning she said she had a sense that they were being very selective, which made her quite uncomfortable.*

*Woods noted that Planning staff will need more time to respond to the in-depth questions and suggested that the Commission list items they want more information about.*

*Clein said he felt it was a good thing that there was interest in looking at improving these challenging sites near downtown, but also shared some concerns. He said when the Master Plan lists the area as continued industrial use, it says "don't change it". He said he has concern about the R4D, since it is not around there and it becomes almost like a soft D2, and while he had not seen the conceptual elevations, he expressed concern that the scale and bulk are out of character with the surrounding residential area and felt there should be some sensitivity to the issue. He said he would like to see the mixed use remain since it allows for office use. He struggled with seeing the benefit to the City from the stormwater side, while he understood the long term benefit of removing the buildings from Allen Creek but expressed concern with replacing them with impervious surface which would not be an improvement. He requested that the petitioner look at providing connectivity, adding that the rain gardens seem small and discontinuous. He asked how this project relates to the Allen Creek Greenway, which is not part of the Master plan, but referenced in documents.*

*Mills said she had questions about the area plan, acknowledging that it is conceptual and no one is held to it; however, the rezoning sticks, so she wanted to know the worst case scenario. She asked if the parcel were rezoned how close to the east property line and all the way around could something be built, adding that this would give the Commission an idea of what the City could be getting.*

*Adenekan asked about the Allen Creek drain location and the impact on utilities the removal of buildings would have, as well as the addition of a parking lot.*

*Kowalski said no new buildings would be built over the creek, and he was not sure of the impact from the creek on utilities.*

*Adenekan asked how many units could be built and the proposed height.*

*Kowalski said they are currently proposing 51 units with a height of 57 feet.*

*Peters asked about the current buildings and what maintenance issue might be alleviated through their removal. He asked if there might be an opportunity for mitigation from a disaster preparedness standpoint.*

*Franciscus asked if porous pavers had been considered for lot surfacing.*

*Kowalski said he didn't believe the petitioner had gotten that far into design level yet.*

*Franciscus said this is a great opportunity for mixed use and it would be a shame to lose it. She agreed with the public speaker who had mentioned the need for maintaining the buffer wall for screening as it adds protection. She encouraged the developer to conserve that level of protective element, noting that it would bring a more harmonious outcome with the neighbors.*

*Bona commented about the Allen Creek study not being a planning document, stating that there is a lot of Allen Creek in the PROS plan, which is a Master Plan document. She said addressing that would be helpful as it is guidance they can follow. She said one of the ways to get the public benefit from the greenspace from a greenway while allowing the development that a private land developer has the right to, is to consider what you could do on the entire site and then squish that over so we can have the greenway and allow some height variance, like a planned project, in order to concentrate the development and get that benefit. She said we don't have an appropriate zoning to compare, but even R4C which is adjacent to this site, that would allow mixed use. She said it feels like we are taking R4D zoning and then limiting how much will be built, and she would rather take the site and look at it in a more holistic way, adding she was not comfortable about the way the request is being presented.*

*Bona asked about the sewage issues, noting that typically with new projects we get improvements to utility systems and traffic improvements when applicable. She requested a more thorough explanation on capacity issues, especially about concerns brought by neighbors. She said she felt it was worth being more specific about these issues.*

*Woods asked the petitioner about the citizen participation meeting and requested staff to provide the report when the item returns to them. She asked if the petitioner if they have had any communication with Allen Creek Greenway Conservancy.*

*Moore said he had not, but Mr. Beal had.*

*Woods encouraged the petitioner to speak with the group to hear from those doing studies of the area. She asked if the Allen Creek Study was on the City's website.*

*Rampson said she believed The Greenway Conservancy Report is referenced on the website in the discussion of the North Main Task Force and explained that it is a private entity that has created the report and doesn't have any official weight in terms of the City recommendations. She said there is currently a student group doing some work on the topic and their presentation will be held next week at the downtown library. She said the information provided will be used by the City in moving forward on the issue. Rampson said staff will provide more information to the Commission on how it all fits together with this proposed request.*

*Moore said they have been working with the Washtenaw County Water Resources Commission to make sure the project complies with their new ordinance and there will be a drastic reduction in impervious surfaces from what is currently on the site. He said they will also be complying with all the storm water detention requirements as well as the Michigan Department of Environmental Quality's requirements as they relate to the floodplain and floodway.*

*Woods asked about the residential building that might remain on the site and if so, it would need to be raised up higher.*

*Moore explained that there are different standards for residential and non-residential, with residential having the highest standards since they don't want people's homes being inundated with water. He said the current requirement for residential use space is that it has to be higher, above the high water mark, than the building currently is. He said if it were to be used for residential purposes it would have to be raised by a couple of feet but it could be used as it currently is, for community space, similar to what one finds at condominium associations.*

*Woods asked if Moore had experience with elevating buildings.*

*Moore said yes, adding that he has even moved buildings to other sites.*

*Rampson said that several Commissioners had referenced mixed use, and that staff usually reference mixed use as being commercial, office, and residential. She asked if the Commission was meaning industrial to continue on this site or some other type of use, such as office space. She said something like commercial space is something that is currently*

*on this site.*

*Franciscus said she was thinking mixed use in the sense of residential with the commercial use being more a creative space, such as the 'artist loft' mentioned by Bona. She said commercial has a fast paced feel to it and she was thinking maybe something like a small take-out.*

*Clein said he was thinking residential, working and commercial since there is a precedent for that across the street on Felch with commercial retail space. He said from a planning perspective, something that requires a lot of parking might not be practical on this site.*

*Bona said she agreed with previous comments, adding that rather than type of use, she was sensing a scale that might be a lot of small spaces and not something big that dominates.*

**Moved by Peters, seconded by Bona, to postpone to date uncertain when conditional zoning issues have been reviewed and to answer questions posed by the Commission. On a voice vote, the Chair declared the motion carried.**

**10-b**    **14-1708**

2250 Ann Arbor-Saline Road Annexation, Zoning and Site Plan - A proposal to annex this vacant 5.34 acre parcel from Pittsfield Township, zone it R4B (Multiple-Family Dwelling District) and construct one building containing 75 dwelling units, exercise room, community room and indoor pool. The units will be a mix of one (20), two (53) and three (2) bedroom units. The proposal includes constructing 84 exterior parking spaces and 70 parking spaces under the structure. A storm water detention basin will be located in the rear of the site. The basin will be oversized to accommodate additional offsite water runoff from the north. (Ward 4)  
Staff Recommendation: Approval

*Kowalski presented the staff report.*

**PUBLIC HEARING:**

*Barry Gates, 2017 Marra Drive, Ann Arbor, said he lived directly north from the proposed development, and his wife is the President of The Meadows Association. He spoke on behalf of the Meadows Association. He asked who is going to pay for the cost of the regional detention basin, noting that the staff report references a development agreement that he found to be unclear on the matter. He said association members walk the area down to Village Oaks during heavy rains and have seen that the area that is proposed for the location of the gated entrance from Lambeth, regularly has water flowing across the area. He said a lot of water pours off from the nursing home detention area, and they don't want a dam created that would push water upstream. He asked whether*

*provisions have been made, since the water flows over the roadway and entrance, and what that provision is.*

*Ken Timmer, 2112 Ascot Road, said he and his wife have lived there for 40 years. He said he appreciated the sensitivity shown by the Commission to items such as zoning islands and traffic increases. He referred attention to the aerial view showing zoning of the subject parcel, as well as all the parcels surrounding it. He said they are all zoned R2 or R1, with the exception of the nursing home, which is R4B, which has minimal traffic and is a modest 2-story structure. He said it's not surprising that everything is single-family or two-family residential because that was the Master Plan when this area was established, and all extensions of land have honored that commitment. He said Delaware and Chaucer were extended but were single family cul-de-sacs; Marra and Village Oaks were built with single family structures, with single driveways going to streets designed for residential living with winding curves, and parked cars. He said now we have a proposal that is not single-family but a 4-story, 75-unit condominium structure that has its driveway going right into Lambeth, Ascot and Chaucer. He said the plan shows 79 parking spaces under the structure, with the closest route leaving the structure going out Lambeth, and in order for cars to get onto Ann Arbor-Saline Road, they have to go all around the building. He said he lives right at the end of Lambeth and all those headlights are going to go right by his living-room window, and down the street where they always have bikers and walkers. He said not having a traffic safety analysis done is not responsible on the developer's part or the City's part, and it is not what Ann Arbor is all about.*

*Robert Parnes, 2067 Ascot Road, Ann Arbor, read from a prepared statement, which was also submitted to the Commission. He expressed opposition to the cut through connection to Lambeth Drive and the added traffic. He said he understood that the cut through was not essential to the long-term success of the condo project, and the fire department says it's not essential since they have access. He said he believes the developer wants to give condo occupants convenient access to the north and west, through using their street, and being able to access Scio Church Road. He noted that when streets are used as cut throughs, it increases traffic and decreases safety and property values. He said he has tried to think of benefits from the cut through to the existing neighbors but can't think of any, and with the one-way security gate proposed, the neighbors won't be able to use the cut through to speed their connections going east and to Ann Arbor Saline Road. He said the benefits seem to be all for the developer, and he urged the Commission to deny the cut through to Lambeth.*

*Judith Hanway, 2059 Ascot Road, Ann Arbor, said she has lived there*

since 1987 and is opposed to a cut-through to Lambeth, because it will increase traffic. She said the appeal of living here is that the street is a half circle with no outlets to other streets, so there is no reason to drive down the street unless one lives there or has a delivery on the street and is therefore clear of extraneous traffic. She said the curve in the street means limited sight distance and is exacerbated during football Saturdays when cars line both sides of the street and in the winter when snow piles up. She said she believed the proposed gate will be abandoned over time and left open, which will leave a flood of traffic to overwhelm their street. She noted that the Fire Department does not require the cut-through and will only be disadvantageous to their neighborhood. She said she has issues with the amount of impervious surface proposed on the site plan, noting that they need less pavement and not more, in order to address the issues with stormwater; abandoning the Lambeth connection would reduce impervious surface. She said the existing vegetation that currently absorbs run-off would be stripped and even while the developer is proposing to plant new vegetation, it will take a long time for the roots to develop. She said she is concerned about the detention area location and expressed concern with it being too close to adjoining properties. She asked who will be responsible for maintain the detention area, adding that this has been a problem in the past, and lack of maintained ponds has caused flooding in their neighborhood. She said during heavy rainfall there is knee-deep water on the proposed site, and she asked the Commission to consider the negative impact the proposed project would have on the existing neighborhood.

Frank Burdick, 2049 Winsted Blvd, Ann Arbor, said he also lives in Lansdowne, and agreed with all the previous comments on the Lambeth cut-through. He said the sanitary sewer needs to be inspected before any construction begins, noting that the manholes have been infiltrated since they were installed. He said the required 21 footing drain disconnects will be difficult to acquire as people are not willing to accept being disconnected, given the bad press and current lawsuits. He said he is highly opposed to the footing drain disconnects as well as the project.

Mae Keller, 498 Village Oaks Ct. Ann Arbor, said the stormwater problems are worse than anyone can imagine, and she has nothing to say about the cut-through, but wants everyone to know how important the detention pond is to solve the problems. She said it is proposed to be located close to the houses because that is where the water is. She said she has stood in chest-deep water to clear drains. She said it flows from the woods and because the soil is clay it doesn't absorb it. She said this issue is the subject of a study by the City, and the proposed detention pond represents an opportunity to improve the situation, and

*she is very distressed to hear comments from others who are not affected by the stormwater issues speak against this proposal. She asked the Commission to take into consideration the current stormwater issues in their deliberations.*

*Greg Herbert, 2058 Ascot Road, Ann Arbor, said he has two grandchildren that spend time with them. He said the staff report is not correct in that there will be no impact to the Lansdowne neighborhood. He said that is true only if there is no connection to Lambeth. He said all the people in his neighborhood, including him, have sacrificed by driving north in order to go south to get to Ann Arbor Saline Road to protect the children, and he would like to have the people in this proposed development make the same sacrifice. He said if the connection happens, all the traffic will use the cut-through and put the children at risk. He said the gate will come down eventually and he begged the Commission not to approve a cut-through to Lambeth.*

*Steve Harler, 2134 Ascot Road, Ann Arbor, said he was shocked about how disingenuous the proposed project is; claiming 25 traffic movements when they have 154 parking spaces, proposing a volleyball court but marketing the condos to seniors. He said if you look at the overall view of the streets you can see the V-shape of Scio Church Road and Ann Arbor Saline Road with the linkage becoming the most direct cut-through everyone will use, and he believes the developer is prepared to spend the additional funds for the cut-through access because he will be able to market it as a short-cut. He felt that things about the proposal were just being made up and weren't being looked at clearly.*

*Melanie Ragharan, 2122 Ascot Road, Ann Arbor, said she lives just across from Lambeth Road, which is a quiet residential neighborhood. She said the traffic on Ascot Road is low, as are noise levels and pollution, and that that is why they bought their house in this neighborhood 18 years ago. She said there are senior citizens and children who live in this neighborhood, and the senior citizens take walks throughout the neighborhood and the children play on the streets all the time. She said they care about these things and creating access to Ann Arbor-Saline Road will make it dangerous and will add light pollution from headlights directly into their family room. She said their neighborhood would be irrevocably altered by the proposed plan, and the neighborhood would no longer be what they expected when they purchased their home. She said she is surprised that the project doesn't require a traffic impact study. She said the green area that is proposed to have the access cut-through is the last remaining ash tree area that is heavily wooded in their neighborhood, and for all these reasons she and her family and neighbors are opposed to the access.*

*William Pollard, 2139 Ascot Road, Ann Arbor, said he grew up in this house, which was the original house of the subdivision, and grew up always hearing that the Lansdowne neighborhood would never be connected to Lambeth and would be blocked from Ann Arbor-Saline Road. He said the traffic on Ann Arbor-Saline Road is so bad that people will much rather go to Lambeth, and he doesn't want to see additional traffic in the neighborhood. He was also surprised to hear that trees will be cut down from the wooded area that his house backs up to, adding that people had even been tagging trees in his backyard without getting his approval to even access his property, and he doesn't want to lose any trees. He said on football Saturdays the neighborhood is all parked up and people are trying to find ways out and they don't need more traffic.*

*Nancy Yalonen, 487 Village Oaks Court, Ann Arbor, said she and her husband have lived there for 24 years, and they live at the low end so stormwater ends up in their yard. She said they support detention because they need a way to control this and they have watched their backyard fill and flood with 4-5 feet of water, before it continues on to the other neighbors. She said she wants the Commission to know it is frightening and needs to stop.*

*Brad Moore, 4844 Jackson Road, Suite 150, Ann Arbor, architect for the project, said the correct term for explaining the project should be "active adult" or what was previously known as empty nesters (not necessarily seniors). He clarified that the Fire Department has said that two entrances are not required, but would be preferred. He said the characterization of a cut-through is not valid as there will not be any one running through this site from Ann Arbor-Saline Road through the Lansdowne neighborhood, as it will have a gated controlled access point with a RF tag activation. He distributed a handout to the Commission saying that this gate is what is known as an estate entrance and will only be accessible with an RF card. He said the total traffic trips during peak hour are between 24-25 per industry standards, and the Traffic Engineer indicates that only 4-5 would use the Lambeth Drive as all the common destinations are out Ann Arbor Saline Road. He said his client feels it is important to have a secondary access to the site for emergency vehicles as well as for people to get in and out on game days when Ann Arbor Saline Road is not an option. He said there is no real short-cutting involved as the destinations are on the opposite sides of Lansdowne. He said he has been in discussion with the City Attorney in tweaking the Development Agreement to make sure that the access gate will have to be maintained at all times after the condominium association takes ownership of the property, and the City would close the gate should the condo association not maintain it. He said there is another gate from Ann Arbor Saline Road accessing the site with only residents being able to*

*access the site. He said they work hard with other City departments to address other issues, such as the stormwater management of the site, adding that there are long-standing issues on this site and the on-going discussion is in regards to who will pay for it. He said the City would like to maintain the facility themselves so they can control how often it is dredged, cleaned up and make sure the outlet isn't clogged. He said the facility is not one that holds water, but is dry, except in storm events, and will be screened with new vegetation, noting that the existing vegetation is mostly invasive and quite a few dead ash trees.*

*Scott Betzoldt, site engineer for project, said this project provides an opportunity for a regional detention for an area that is known to have significant flooding issues. He said the project is the confluence of 5 properties upstream, some with detention, some developed, and some constructed with deficiencies from the approved plans. He said the Lansdowne neighborhood was not required to have detention at the time of their construction. He said the developer has agreed to provide a regional detention basin which is far in excess of the requirements for this development. He said this project would require 45,000 cubic feet of storage for its own impervious surface and stormwater management, and what they are providing is a basin that is in excess of 158,000 cubic feet, which will essentially reduce the discharge to the south to 1/8 of what it is today, which will afford a lot of peaceful sleep to the residents downstream, and will be a significant benefit to the community in this area. He said the City would maintain the system and details on the allocation to the project are still being worked out.*

*Chuck Wilkins, 2083 Ascot Road, Ann Arbor, said he has lived here for almost 40 years, and has seen a lot of things occur in the City over the years. He said in earlier talks, the Fire Department talked about access and mentioned a tear away gate and plastic mat where vegetation grows through them but they would still be able to access the area if and when needed. He said he thought this was a logical alternative. He shared the sentiments that added traffic would bring to their neighborhood but felt keeping the opportunity for emergency access was a good idea.*

*Mike Manz, 2147 Ascot, Ann Arbor, said the retention issue may be great and he is not convinced there will be no standing water given the wetlands in the area. He was mostly concerned with the access to Lambeth, noting there are 21 houses on their street and they would have the equivalent of 71 driveways added to their street and his main concern is safety. He said as far as access, most of the traffic will want to go north on Ann Arbor Saline Road which will mean a difficult left turn so people will much rather go through the neighborhood which he predicted will happen. He asked the Commission to give his comments consideration.*

*John Nicklas, 2086 Mershon, Ann Arbor, said he is concerned about the access off Lambeth Way and in looking at the site plan, he noted that the vast majority of parking spaces, even the underground ones, have the quickest exit on to Lambeth which is the how people will exit and enter. He said the Fire Department can only access one side of the building; the south side does not have a roadway for access so if there were a fire on that side, they couldn't get at it, so it would make sense to have roads on both sides. He said if the intent is to have the underground parking go out through Ann Arbor Saline Road the design should be closer to that road and not closest to Lambeth. He said it seems like the residents of this very nice development are not going to be seniors but young active people who have cars and are working. He said this isn't just a problem for Ascot, but noted that the easiest way to get out of Lambeth is to go out on Seventh Street, close to Lawton School and Pioneer School, during access time when children are being transported and walking to and from school. He strongly urged the Commission to not allow the access to Lambeth.*

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

**Moved by Clein, seconded by Adenekan, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 2250 Ann Arbor-Saline Road Annexation, R4B Multiple-Family Dwelling Zoning, Site Plan and Development Agreement, subject to preliminary plan approval by the Washtenaw County Water Resources Commissioner, and**

**The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 2250 Ann Arbor Saline Road Wetland Use Permit, to remove up to 1,728 square feet of wetland area, and mitigation plan, including construction of at least 2,592 square feet of new wetland, restoration and monitoring of the remaining wetland area.**

**COMMISSION DISCUSSION:**

*Woods asked if the Commission wanted to address the motions together or separately.*

*Clein said he felt they were well connected and interdependent; he asked for clarification of wording.*

*Kowalski clarified the wording.*

*Bona asked staff if the City rezoned the parcel to R4D and the proposed*

*development didn't get built, what would be the potential units that could be built on the site.*

*Kowalski responded that it would be pretty close to the proposed number of units being proposed.*

*Bona asked the petitioner about the character and definition of "active adult", stating that the Master Plan recommends connecting this site to the adjacent neighborhood to access the schools and park. She asked about the people they will be marketing to and if there will be children and what aspects of this project appeal to them.*

*He said it would be possible for people with children to buy a condominium at this site, but they are marketing to empty nesters or those who are past parenting, but could be grandparents, and are close to retirement or post retirement. He said the site provides a location that is easily connected to shopping and recreation, mostly by non-motorized means. He said there are indoor and outdoor recreation amenities on site geared towards keeping physically active, and the plateau area shown as a volleyball court could be used for any activity in the future. He said the site is set up for people who do a lot of walking and they will be able to walk to nearby parks and non-motorized connections are important.*

*Bona said she appreciated the emphasis on walking and biking.*

*Bona asked why they would be providing 43 more parking spaces than required if they are marketing towards active adults.*

*Moore said these are people who are still dependent on cars and would have a second car as well as allowing for visitors.*

*Bona said she doesn't buy it; if someone is an early retiree they can start sharing cars, noting that cars sit 95% of the time so it wouldn't make sense to allow for that many extra parking spaces for active adults.*

*Clein said the proposed side setback seems to be less than what is required.*

*Kowalski said because of the building length and height there is additional setback requirement. He explained that the code allows offsetting or averaging of setbacks and reviewed the site plan layout with the Commission.*

*Clein confirmed that the proposed project meets the required code.*

*Kowalski said yes.*

*Clein asked about the traffic impact statement and if the determination was made by the City or the petitioner.*

*Kowalski said the petitioner submitted the required data, which was reviewed and analyzed by the City's Traffic Engineer.*

*Clein asked if the City's engineer checked the data and confirmed that a full traffic impact study is not required.*

*Kowalski said yes.*

*Clein asked if peak hour is the same as rush hour.*

*Kowalski said yes.*

*Clein asked about the Fire Department's comments about suggested means of access to the site.*

*Kowalski said for 100 units or above, the requirement is for two access points, so for this 75 unit project it would not be required; however, the Fire Marshal stated in her review that she preferred having two access points from an overall safety service level, as well as being beneficial to the existing neighborhood.*

*Clein asked if there was discussion about access around the proposed building.*

*Kowalski said, yes, the Fire Marshal looks at that as well, noting that the petitioner would be adding a fire hydrant to the site, which would be close to the underground parking entrance.*

*Clein asked about the turning radius for fire trucks.*

*Kowalski said the plan had been revised from an earlier plan to address fire truck access.*

*Adenekan thanked the public who came to provide their concerns and comments, noting that public input is important. She asked Moore to explain why the connection on Lambeth is not a cut-through from Ann Arbor-Saline Road.*

*Moore said to prevent cut-through traffic from Ann Arbor-Saline Road and Lambeth, there are two traffic control access points that will have gates which are closed until a resident from the proposed development*

*approaches, and they will have a radio frequency controlled fob on their keychain that will be recognized by that gate and open for them and close behind them. He said only those residents with radio frequency controlled fobs will be able to activate the gate, so there won't be key codes that can be given out for others to use.*

*Adenekan asked out the removal of landmark trees.*

*Moore said the site has been used for football parking and the soil is compacted, which has left the existing trees on the site with root compression, so the trees are in decline. Mitigation trees will be planted throughout the site to replace the loss of the trees.*

*Adenekan asked whether the stormwater basin will be retention or detention and how deep it will be.*

*Moore said it is a detention basin and designed to hold water for a short period of time and let it gradually trickle out of the site.*

*Betzoldt said a detention basin acts like a ziplock bag with a very small hole in the bottom, in your sink, and you were to fill it up rapidly with tap water. It releases the water at a slow rate, equal to the rate of the undeveloped run-off rate of the site.*

*Adenekan asked if there would be a fence around it.*

*Betzoldt said, no, and that the slopes are 5 to 1 with most water events filling up the pond  $\frac{1}{4}$  to  $\frac{1}{2}$  of the way and discharging over a period of 12-48 hours and begin to dry up again.*

*Mills asked about the plan in the packet that showed the sidewalk right along Ann Arbor Saline Road with a buffer.*

*Moore clarified that the plan she was referencing was a conceptual plan used from their Citizen Participation meeting and had evolved since that meeting, and the sidewalk has since been removed back away from the curb.*

*Kowalski explained that the site plan reduction showed the accurate location of the sidewalk.*

*Mills asked about the public easement for sidewalks.*

*Kowalski said the City is requesting this through the project, but it is not something that they can require.*

*Mills said she was torn over the connection, because she sees a benefit to the people in this neighborhood to be able to walk to Busch's, but what she is hearing is the concern over added traffic, which she understands. She said she gets the point made about unfairness in that only those in the condo development will be able to use the access and she likes the idea of only allowing access for emergency vehicles, whether by pavers or a gate. She said having that there for future options would be her personal recommendation, and she didn't think it should be for one-way access only. She said she had a question about the Master Plan calling for single-family, but said she would pass that off to someone else.*

*Briere said the Master Plan talks about linkages to Ascot Street and the parks, but in her mind she didn't feel that those linkages needed to be vehicular linkages and that the Master Plan was mum on the issue, and that could be because the Master Plan is not recently written and the community's expectations change over time.*

*Briere asked the developer if what they were creating would be considered a gated community.*

*Moore said the access control is not at the front entrance, but midway through the site, which allows for visitors to access the site and park, so the project is not considered "gated". He reviewed the proposed plan with the Commission.*

*Briere said gated communities make her feel very uncomfortable, and she doesn't care for the hint of elitism that they seem to imply, and she doesn't believe they add sufficient security as much as residents might think.*

*Moore said in this project they are intended as a way to avoid cut-through traffic, as stated by the neighbors.*

*Briere said she has talked to City staff about the detention basin and understands they are aware of the interest in starting construction to help take care of detention problems in this entire neighborhood, and she thanked the developer for taking on the efforts of designing the basin to handle such a large capacity and said she appreciates their willingness in this matter.*

*Moore added that they are making adjustments to the development agreement that will allow the City to construct the detention basin early next year, even if they are not ready to begin construction at that time.*

*Briere said she appreciates that the City will be doing the maintenance,*

*since condominium associations often find it difficult to take on the issues that might arise from these detention basins. She said she doesn't object to the concept of stacked dwelling units, but is very dissatisfied with the connectivity that the developer and petitioner are pursuing with the existing neighborhood. She said if we built the City on a grid pattern, every neighborhood would be connected to everybody, but most of the City is not. She said she has yet to see neighborhoods openly willing to connect with new developments, noting that we, as a Planning Commission, aren't encouraging these connections. She said we aren't seeing suggestions that Placid Way be connected to Nixon Road or that the Northsky development be connected to Larkspur. She said when these connections are not required for larger projects she is hard pressed to understand why they should be for smaller projects.*

*Moore said there are unique circumstances when people can't get out onto Ann Arbor-Saline Road during football Saturdays because of overwhelming traffic; situations that other neighborhoods don't have to deal with.*

*Briere said that is why she supports the connection concept for emergency vehicle access, and she believed the City would see a ripple effect on the neighboring streets with added traffic.*

*Peters asked if pervious pavement had been considered within the development, considering the water issues on the site. He also asked if alternative internal routing had been considered for the development rather than through the subdivision and if an alternative site had been considered for the placement of the volleyball court so not to add the risk of pushing silt into the detention basin nearby.*

*Moore said the volleyball court is a level grassy field for games and the detention area will be a mowed grassy area, and part of the lawn. He said the circle drive was rejected because they are only allowed one drive onto Ann Arbor Saline Road, along with the topography of the steeper slopes on the western sides. On the permeable pavers, he explained they had soil borings done that showed heavy clay soils that are not suitable for infiltration.*

*Franciscus thanked the public speakers for attending. She said if there is a gate, she would like to encourage a bike or pedestrian path and walkthrough.*

*Moore said that currently there is no path through the site but they have proposed to allow a pedestrian connection whether gated or un-gated.*

*Franciscus asked about the proposed entrance to the parking area and if*

*they had considered using the other side of the building that would be closer to Ann Arbor Saline Road.*

*Moore that the topography is higher on that side so they have pretty much created a 2-story building with a drive-out basement.*

*Adenekan asked about the timeframe and duration of the construction of the project.*

*Moore said construction and utility drawings would be 6 months, with construction estimated to take 16-18 months.*

*Adenekan asked about bedroom types.*

*Moore said there would be 2- and 3-bedroom but mostly 2-bedroom types.*

*Woods said she is not convinced that the drive on Lambeth is the way to go, and shared the concerns about the one-way proposal for the gated design. She said she understood the Fire Department's desire to have another access to the site but was very concerned about increased traffic into the residential neighborhood and so close to the nearby schools. She asked staff for options available to the Commission in moving forward on the proposal before them, specifically if they should want to express their dislike of the connection.*

*Rampson said the Commission could ask for a postponement on the item and request staff to work with the developer as well as the Fire Department on other access options. She said another option would be to move the project forward this evening with their recommendations being 'subject to' items. She suggested that if the Commission moved to postpone action of the development that they might consider moving the annexation forward, as they have done on other developments, since that takes some time as well as knowing that the City's Systems Planning Department is eager to move forward with the detention basin and it would be easier if the parcel were in the City's jurisdiction.*

*Woods pointed out the detention facility was also in the last Capital Improvements Plan.*

*Bona said if the site would be proposed for single-family detached homes, she would strongly be in favor of a vehicular connection, but as soon as the proposal goes to where it is with higher density and closer to Ann Arbor-Saline Road, she became uncomfortable with the access connection impacting the quieter residential neighborhood. She said she would be supportive of an emergency-only access and removing all*

*other gates, adding that it is not Ann Arbor to have gated communities, gated complexes, so she would like to discourage that. She said she would like to address the sidewalks through the site for neighboring residents to have a clearer straighter path and she would like to get rid of the parking and to stop focusing on cars and focus more on access by walking and biking. She said she will recommend postponement but when the plan comes back she would like to see a bigger picture of the internal sidewalks as well as the crosswalk. She said there have already been pedestrian issues in this corridor and she would like to hear of possible ways to make this work.*

*Woods asked if the postponement would be on both motions.*

*Bona said she would move the annexation forward.*

*Peters asked if they separate the annexation motion and move it forward, would they also have to zone it.*

*Rampson clarified that the annexation would move forward to the State, and the zoning cannot move forward until the annexation is complete so it can catch up at a later date.*

*Woods added parcels can be zoned up to two years after being annexed.*

*Clein said he agrees with the interpretation of the Master Plan and the outlook on the corridors being different. He said he felt if the gates were a safety issue he felt it could be addressed through a break-away gate and a driving surface that is more for emergency uses. He said the gates also rub the wrong way and look a little exclusive and should belong in other areas, not in Ann Arbor. He suggested the best location for a new sidewalk could be skirted along the southern side if grading allows. He was in favor of moving the annexation forward and postponement of the other motion.*

**On a friendly amendment by Briere, accepted by the mover and seconder, the motion on the floor was amended to read: the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 2250 Ann Arbor-Saline Road Annexation. On a roll call, the vote on the amended motion was as follows with the Chair declaring the motion carried.**

**Yeas:** 8 - Wendy Woods, Eleanore Adenekan, Kenneth Clein, Sabra Briere, Jeremy Peters, Sofia Franciscus, Sarah Mills, and Bonnie Bona

**Nays:** 0

**Moved by Bona, seconded by Clein, that the Ann Arbor City Planning Commission hereby approve the 2250 Ann Arbor Saline R4B Multiple-Family Dwelling Zoning, Site Plan and Development Agreement, subject to preliminary plan approval by the Washtenaw County Water Resources Commissioner, and**

**The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 2250 Ann Arbor Saline Road Wetland Use Permit, to remove up to 1,728 square feet of wetland area, and mitigation plan, including construction of at least 2,592 square feet of new wetland, restoration and monitoring of the remaining wetland area.**

**Mills moved to postpone, seconded by Peters. On a voice vote, the Chair declared the motion carried.**

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

*Greg Hebert, 2058 Ascot Road, said the neighborhood currently goes through Village Oaks to get to Busch's. He said if they have an additional pedestrian connection, visitors of the new development might park on Ascot if they can't get in.*

*Melanie Ragharan, 2122 Ascot Road, emphasized the preservation of the mature trees on Lambeth to the extent possible.*

**12 COMMISSION PROPOSED BUSINESS**

**13 ADJOURNMENT**

**Moved by Franciscus, seconded by Peters to adjourn at 10:30 p.m. On a voice vote, the Chair declared the motion carried.**

Wendy Woods, Chair  
mg

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