# PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of February 17, 2016

**SUBJECT:** South Pond Village Site Plan for City Council Approval

3850 East Huron River Drive

File No. SP14-051

## PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the South Pond Village Site Plan and Development Agreement.

### PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the South Pond Village Wetland Use Permit, to remove up to 14,147 square feet (.33 acre) of wetland area, and mitigation plan, including preservation of 8.35 acres of existing wetland, restoration and monitoring of the remaining wetland area.

### STAFF RECOMMENDATION

Staff recommends that this petition be **denied** because the current site plan does not comply with applicable local ordinances, standards, and regulations; the development would not limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land and viable alternative to the current plan exists.

# **LOCATION**

The site is located east of Woodcreek Condominiums, south of East Huron River Drive, west of US-23 and north of the Arborland Shopping Center (Northeast Area, Malletts Creek Watershed)

The estimated cost of construction is \$25,000,000.

## **CURRENT SITE PLAN HISTORY**

The original site plan was submitted in October 2014. This earlier version of the current plan was reviewed by the Planning Commission in January and February of 2015. That version of the plan was similar in layout and had all access to the site via the existing Right of Way along the southern boundary of Woodcreek exiting to Chalmers Road. That plan was recommended for denial by the Planning Commission due to concerns regarding the traffic impact to Washtenaw and Chalmers Roads.

The petitioner proceeded to City Council in June 2015. After a hearing at the June Council meeting, the developer prepared an alternative plan with access via a new road to the north to attach to East Huron River Drive. This plan was presented to City Council in August 2015. After discussion, the City Council referred the revised northern access plan back to City Planning Commission for review and action. Staff routed the plan for review by all city departments and has been working with the petitioner to address staff concerns.

### **DESCRIPTION OF PETITION**

<u>Site Description</u> - The subject 48.5 acre site is zoned R1B (Single-Family Dwelling District) and is currently vacant. The majority of natural features, including all wetlands, steep slopes and significant woodlands are located in the northern 12 acres of the site. The petitioner is proposing to donate 2 parcels of land on both sides of the new access road, 2.08 acres and 6.27 acres. A total land donation of 8.35 acres that contain the highest quality natural features is proposed. A land division will be required.

<u>Development Proposal</u> - The petitioner is seeking site plan approval to construct 77 detached single-family dwellings on site condominium lots fronting public streets, for a gross density of 2 dwelling units/acre. Parcel sizes will range from 10,008 to 24,416 sf, with an average size of 11,128 sf. Anticipated house sizes range from 2,700 to 3,000 sf with attached two-car garages. The project will be constructed in a single phase.

<u>Access</u> - The main access to the development is proposed from East Huron River Drive via a new public road (South Pond Way). South Pond Way is proposed to be constructed directly through an area of multiple protected natural features. The road will be located in a 50-foot wide Public Right-Of-Way and will be 32 feet wide. An eight-foot wide sidewalk is proposed on only the western side of the northern section of South Pond Way in order to minimize impacts on the adjacent natural features. If the plan is approved by City Council a waiver of the sidewalk policy will be required; Staff would support this waiver to help preserve natural features.

Secondary access to the development will be provided though the existing Algebe Way public street stub. This access is required by the Fire Marshall and will provide the existing Woodcreek neighborhood with secondary access to Huron River Drive and South Pond Village secondary access to Washtenaw via Chalmers.

Sidewalks will be installed on both sides of all proposed streets in the development (other than as noted previously) and will link South Pond Village with the existing Woodcreek neighborhood through the Algebe Way connection. The developer has proposed several walking paths through the site that will connect to the natural area to the north.

The petitioner will not be required to contribute to the paving of the segment of Chalmers Road from the current end of pavement to the new public street since there is no direct access using Chalmers.

<u>Storm Water Facilities</u> - Storm water management for the project is under the jurisdiction of the Washtenaw County Water Resources Commission (WCWRC). The petitioner conducted numerous soil borings on the site, which revealed that the soils will not allow for an infiltration system on the main portion of the site. As a result, storm water detention will be provided in a

basin in the northwest corner of the site where the soils will permit an infiltration system. The location of the basin is at a natural low point for the site. The full 100 year storm capacity for the site will be an infiltration system. An outlet pipe from the main basin to Malletts Creek will be designed to keep the wetland flows equivalent to the water flow level before construction.

<u>Natural Features</u> – The site includes landmark trees, woodlands, regulated wetlands, steep slopes, and is located in the floodplain.

There are 67 landmark trees located on the site. Thirty-nine of the 67 landmark trees are proposed to be removed or will be impacted by the proposed construction of the houses and access road to Huron River Drive. The petitioner will plant a total of 280 caliper inches on the site for landmark tree mitigation.

In addition, the plan proposes removal of trees within a regulated woodland in the northern part of the site. The total disturbance to the regulated woodland is 6.82 acres. The majority of the woodland removal is the result of the placement of the access road to the north and stormwater detention basin servicing the site. Mitigation trees required for the woodland tree removal will equal a total of 1,935 caliper inches. The woodland tree mitigation will be provided through a combination of on-site plantings and contribution to the City's Street Tree Planting Fund. A total of 645 trees will be planted on site as part of the required mitigation.

There are 4.83 acres of wetlands located on the site. The project will remove 14,147 square feet (.33 acre) of wetland area. This disturbance is proposed to be mitigated by preservation of 8.35 acres of natural areas containing wetland and woodlands, and restoration and monitoring of the remaining wetland area. These wetlands are regulated by the MDEQ and a permit is required for their disturbance. A Wetland Use Permit from the City of Ann Arbor is also required. The MDEQ is currently reviewing the plan and any site plan approval will be contingent upon a permit being issued from the MDEQ. The MDEQ held a public hearing to hear comments on the permit request. The hearing was held on January 13<sup>th</sup> in Ann Arbor and at this time MDEQ is still reviewing the application. The majority of wetlands are located in the northern section of the South Pond Village site. There is also a small .006 acre wetland, located in the south part of the site, not regulated by the MDEQ that will be filled for construction of a residential lot. The petitioner has submitted the required Wetland Use Permit for review and approval by City Council.

There are regulated steep slopes on the site which will also be impacted by the proposed development. These slopes will be impacted from the construction of the new road as well some limited disturbance for the stormwater facilities.

There is a substantial floodplain complex that coincides with a wooded wetland on the north end of the project site. The proposed plan includes an entrance road to E. Huron River Dr. that goes right through the floodplain and includes 1,920 cubic yards of floodplain fill. The proposed access drive to E. Huron River Dr. is located in a large wooded wetland/floodplain complex. It will be necessary to obtain a floodplain permit from the Michigan Department of Environmental Quality for the proposed floodplain activity.

Per the "Guidelines for the Protection and Mitigation of Natural Features" (NF Guidelines), each of these separate natural features (floodplain, woodland, and wetland) falls into the highest concern categories. Additionally, Chapter 57 places a higher importance on preservation of overlapping natural features. Per the NF Guidelines, Section 1:5(2)(B): "Floodplains of highest

concern should be preserved as part of any development proposal (which means not only is there no disturbance to soils, but there is no disturbance to surface and subsurface hydrology regimes)".

The previous plan reviewed by the PC eliminated much of the impact to the regulated natural features. The access for that site plan was provided via the unimproved Right-of-Way along the southside of Woodcreek subdivision adjacent to Arborland Center. A comparison of the natural features impact of both plans is below.

# Comparison with the site plan previously reviewed by Planning Commission.

NATURAL FEATURE	NATURAL FEATURES IMPACTS Previous Plan with access off Chalmers/Clark Road (Plans Dated: 03/20/2015)	NATURAL FEATURES IMPACTS CURRENT PLAN with access off Huron River Drive (Plans Dated: 11/03/2015)
Woodland (acres)	5.93 acres (258,410 sq. ft) Impacted	6.82 acres (296,740 sq. ft.) Impacted
Woodland Tree Removal	2,680" DBH Removed	3,870" DBH Removed
Landmark Tree Removal	598" DBH Removed	560" DBH Removed
Wetland	No Impacts	0.33 acres (14,407 sq ft.) Removed
Open Space Buffer (Regulated 25' open space buffer around wetlands and watercourses)	221 sq. ft. Impacted	0.71 acres (27,952 sq ft.) impacted
Steep Slopes	1.19 acres	1.13 acres
Floodplain	0 acres	0.76 acres (3,146 sq ft). Removed

<u>Street Trees and Landscaping</u> – A total of 110 street trees will be planted along the public streets, including Huron River Drive, and within the South Pond Village site. The petitioner proposes to plant a significant natural buffer along the western border of the property bordering the Woodcreek neighborhood. The buffer will contain a continuous screen of a mixture of deciduous and coniferous trees with low shrubs along the property line.

<u>Parks and Open Space</u> - The South Pond Village development will contain a one acre neighborhood public park near the center of the site and at the terminus of the Algebe way extension. The location will allow convenient access for both the residents of the Woodcreek neighborhood and South Pond Village. The park will be owned and maintained by the City of Ann Arbor and designed by City Parks staff. City staff will conduct neighborhood meetings with all residents within a guarter mile and the final design will be based on community feedback.

# **CITIZEN PARTICIPATION**

The petitioner held a meeting for interested citizens on August 28, 2014. Invitations were sent to residents and property owners within 1,000 feet of the site, as well as all subscribers to the GovDelivery planning update service. Fifty-four people attended the meeting. The attendees asked questions about traffic impacts, natural features impact, provision of parkland and storm water treatment. The full report provided by the petitioner is attached.

## SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Natural Area Park Open Space/Vacant Land	PL (Public Land) R1B (Single-Family Dwelling District)
EAST	Highway - US-23	TWP (Township)
SOUTH	Commercial Shopping Center	C3 (Fringe Commercial District)
WEST	Residential	R1B (Single-Family Residential District)

## **COMPARISON CHART**

		EXISTING	PROPOSED	REQUIRED
Zo	ning	R1B (Single-Family)	R1B (Single-Family)	R1B (Single-Family)
Gr	oss Lot Area	48.51 acres	48.51 acres total  Parcel sizes: 10,008 to 24,416 s.f.  Public Park: 1.1 acre	10,000 sf/lot MIN
S	Front	N/A	30 ft MIN	30 ft MIN
Setbacks	Side(s)	N/A	5 ft MIN	5 ft MIN
S	Rear	N/A	40 ft MIN	40 ft MIN
	velling units r acre	N/A	1.6/acre	4.0/acre
Нє	eight	N/A	30 ft MAX	30 ft MAX
	rking - Itomobiles	N/A	154 Spaces (Garages) Street Parking	1 space MIN per unit
	irking – cycles	N/A	Class A (Garages)	None

### **HISTORY**

This site was previously farmed, although has not been actively cultivated since the 1960s. A petition was filed in 2002 to annex the property into the City and zone it R4A (Multiple-Family Dwelling District). The accompanying area plan proposed 315 dwelling units in 48 buildings, a density of 6.7 dwelling units per acre. The South Pond Village zoning to R4A and area plan were recommended for denial by the City Planning Commission at the December, 16 2003 meeting.

The property was officially annexed on January 14, 2005. At the July 18, 2005 City Council meeting, City Council postponed consideration of the zoning and area plan to allow the Master Plan Revisions Committee sufficient time to consider amendments to the future land use recommendations for the subject parcel and to better understand the scope and timing of a proposed study of the Washtenaw Avenue Corridor by the Michigan Department of Transportation (MDOT). The R4A zoning and area plan were denied by City Council on December 19, 2005. In March 2006, staff initiated a zoning of the land to R1B, which was subsequently approved by City Council.

### PLANNING BACKGROUND

<u>Master Plan: Land Use Element: Site Specific Recommendations</u> – The South Pond Village site is identified as Northeast Area Site 10. The Master Plan offers the following site specific recommendation:

This 48-acre parcel is bounded by the Woodcreek neighborhood of single-family dwellings to the west, Arborland shopping center to the south, US-23 to the east and Huron River Drive and the South Pond Nature Area to the north. The site contains flat areas and pioneer vegetation on the southern portion. Wetlands and some slopes are located on the northern portion. Most of the site was farmed into the 1960s. A stub street at the east edge of the Woodcreek development has been constructed to provide access to the site, as does the 90-foot public right-of-way along the southern boundary of Woodcreek. Access to the site will be challenging for a number of reasons: a) US-23 freeway is located east of the site, b) Arborland shopping center is located south of the site, c) extensive natural features exist on the north side of the site including steep slopes, wetlands and woodlands, d) access to Huron Parkway west of the site by a collector road would impact a creek corridor and require the removal of single-family homes. Additionally, access to Washtenaw Avenue at Chalmers Drive would be very challenging since no traffic light is planned on this Michigan Department of Transportation (MDOT) trunkline. [A 50-foot wide public right-of-way is located along the western property line of Arborland from Washtenaw Avenue to the public right-of-way north of Arborland.]

Because of the limited access, residential uses are recommended at a gross density (minus right-of-way) of 2 to 4 dwelling units per acre. Single-family detached homes, duplexes, townhouses, multiple-family (stacked units), and assisted living facilities are recommended. Development should be located at the south and central areas of the site and away from the wetlands, steep slopes and wooded areas on the northern portion. If primary access can be provided directly through the Arborland shopping center south of the site, with adequate access provided to Washtenaw Avenue, residential uses are recommended at a gross

density (minus right-of-way) of between 6-10 dwelling units per acre and include single-family detached homes, duplexes, townhouses, multiple-family (stacked units) and assisted living facilities. Uses such as hotel, retail, and office would also be appropriate for the portion of the site south of the Algebe Way stub street (from Woodcreek) if access can be provided through the Arborland shopping center with adequate access to Washtenaw Avenue. A mixture of these residential and non-residential uses would also be appropriate if adequate access is provided through Arborland to Washtenaw Avenue. All traffic generated by hotel, retail, or office uses should be directed through Arborland. Non-residential uses should be adequately screened from existing residential areas.

Future development should incorporate community design techniques (described in Chapter 5) that support the goals and objectives of this Plan.

Public pedestrian access should be provided to the woodlands and wetlands on the north portion of the site. A neighborhood park is recommended that is centrally located and easily accessible to residents of this site and the Woodcreek neighborhood. Lighted, paved pathways to accommodate pedestrians and bicyclists should be provided to the Woodcreek neighborhood and the rear pedestrian access point for Arborland Mall. Landscaping should be provided on the east side of the site to buffer the project from US-23. Landscaping should also be provided on the south side of the site to screen the possible future east-west collector street and Arborland Mall.

Woodcreek Area Traffic Circulation Study - Access to the site and related transportation issues have been examined extensively in the history of the South Pond site.

Transportation planning specifically to address existing and predicted congestion in the area began over 30 years ago. In 1988, the Clark Road Extension Study projected significant traffic volume on Washtenaw Avenue and recommended steps be taken to extend Clark Road from Ypsilanti to Ann Arbor, ending at Huron Parkway, as an alternate east-west route to relieve congestion on Washtenaw Avenue. The 1989 Northeast Area Plan reinforced this recommendation. City Council ordered the Woodcreek Area Traffic Circulation Study (done by an independent transportation engineering consultant) in 1995. It recommended the then-proposed Woodcreek development and the future Van Curler property (South Pond Village site) disperse their traffic in as many directions as possible to minimize impacts to any one road, as well as continue efforts to extend Clark Road to Huron Parkway to address congestion in the general vicinity, since Huron Parkway has the greatest available capacity.

Upon review of that study, Planning Commission used the data but came up with its own recommendations, the Circulations/Access Options Report, which essentially recommended a new road (or roads) along the south side of Woodcreek, through the South Pond Village site, connecting to Huron River Drive as the most preferred solution to vehicular circulation and access. And if this were not possible, Planning Commission suggested pursuing acquisition of right-of-way along Arborland's west boundary and pursuing acquisition of right-of-way for an east-west collector street between Chalmers Drive and Huron Parkway.

City Council, upon reviewing the Woodcreek Area Traffic Circulation Study and Planning Commission's Circulation/Access Options Report, came up with its own future recommendations, which were slightly different from both. In the resolution to approve the Woodcreek Area Traffic Circulation Access Options Report, City Council said to obtain

right-of-way along the south side of Woodcreek, then look into improving the Chalmers-Huron River Drive intersection, then develop a connection to Huron River Drive through the South Pond Village property, and finally develop a two-way road along the west side of Arborland. This resolution is the most recent, and the only adopted resolution, specifically for transportation and vehicle circulation applicable to the South Pond Village site. It should be noted that the concept of a Clark Road connection over US-23 was not included in the 2009 Transportation Plan Update.

The City subsequently acquired the recommended 90-foot right of way south of Woodcreek Condominiums and a 50-foot wide right-of-way along the west side of the Arborland parcel. The proposal to acquire property along Chalmers for the road connection to Huron Parkway is still listed in the approved 2015 Capital Improvements Plan.

Master Plan: Land Use Element: Community-Oriented Design - The community-oriented design recommendations for neighborhoods recommend a variety of techniques to minimize negative impacts to natural systems, improve pedestrian access and promote a greater sense of community. Where applicable, the plan recommends design techniques such as incorporating safe, well lighted and convenient pedestrian and bicycle paths between neighborhoods; clustering development to concentrate development away from natural features; connecting residential streets to adjoining neighborhoods; limiting the use of cul-de-sacs; providing trees and landscaping around the perimeter of new developments; and encouraging street-facing entries and recessed garages.

### STAFF COMMENTS

Systems Planning – Sanitary sewer mitigation of 21 footing drain disconnects or equivalents will be required. The proposed sanitary sewer main connection is still under review. The proposed connection will run to the north under the proposed South Pond Way with a connection to a sanitary main along Huron River Drive. Adequate water service exists to service the site. The water main will be connected to the south to an existing water main running through the Arborland Shopping Center and to the west at Algebe Way.

<u>Floodplain Coordinator</u> - The proposed entrance road to E. Huron River Dr. is a major disturbance to the floodplain, and will negatively affect the surface and subsurface hydrologic regime of the floodplain. The floodplain disturbance associated with the entrance road to E. Huron River Dr. is in direct conflict with the NF Guidelines. Per the NF Guidelines this floodplain area, of highest concern, should be preserved as part of this development proposal.

Due to the multiple, high quality, natural feature impacts (floodplain, woodland, landmark trees, steep slopes, and wetlands) caused by taking the entrance drive to E. Huron River Dr., and the proximity of the natural features impact to Malletts Creek, staff does not support this proposal. Since staff found the previously proposed layout, that did not include the drive through the forested wetland/floodplain complex, to be in compliance with City Code, is a feasible and prudent alternative.

<u>Urban Forestry and Natural Resources Planning Coordinator</u> - Staff does not support the current plan, because more natural features are impacted through this plan, particularly related to woodlands, wetlands, open space (wetland) buffers, and floodplains; and there is a reasonable alternative (access off Chalmers/Clark Road) that would limit the disturbance to the

natural features on the site. This site contains all of the natural features regulated by the City of Ann Arbor: woodlands, landmark trees, wetlands, open space buffers, floodplain and steep slopes. The previous site plan, with access off Chalmers/Clark Road, limited natural features disturbance to the minimum necessary for the reasonable use of the property, while protecting the high quality natural features on the north side of the site.

The 100-year floodplain has been identified on the current plan and the construction of the road and detention basin will cause impacts to the floodplain. To mitigate for the impacts into the floodplain, the plan is proposing additional natural features impacts by cutting into the 25 foot open space buffer around the wetland, impacting 0.4 more acres; and removing an additional 700 DBH inches of woodland trees, increasing the amount of disturbance to these regulated natural features. Staff does not support the disturbance of natural features to mitigate for the disturbance/removal of other natural features.

Per Chapter 60, 5:212(3) (Use Permit Standards and Criteria), a City Wetland Use Permit shall not be issued unless the applicant can show either of the following:

- The proposed activity is primarily dependent upon being located in the wetland
- ii. A feasible and prudent alternative does not exist.

The wetland on the north side of the property that is proposed to be impacted by the construction of the road is part of larger wooded-wetland-floodplain complex that extends to the east into South Pond Nature Area. This wetland complex is of highest concern for protection per the City's Land Development Regulations because it is part of large wetland complex and is adjacent to Mallets Creek. Staff does not support the issuance of a City Wetland Use Permit because there is a viable plan to access the site through the Chalmers/Clark Road and a feasible alternative exists.

<u>Traffic</u> – Huron River Drive is under the jurisdiction of the WCRC. As such, the proposed plan requires approval from the WCRC, the plan is currently still under review. Any approval of the site plan should be contingent upon WCRC approval.

The City's Traffic Engineer has reviewed the revised traffic impact study as well. However, the study has not been approved and additional clarification has been requested from the petitioner. At this time, the applicants engineer has not proven an enhancement to area traffic operations over the previously submitted South Pond plan.

- Level of Service (LOS) Huron River Drive/Hogback intersection Additional traffic generated by this development is expected to increase delays at this intersection, therefore mitigation may be required. The LOS or vehicular delay must be maintained or improved. Additional data is needed to estimate delays and forecast if mitigation will be required.
- Level of Service (LOS) at the Washtenaw/Chalmers intersection The consultant performed
  a field study at the Washtenaw/Chalmers intersection to verify the model. Staff requested
  verification of the traffic model methodology used to calibrate the traffic model. The
  consultant provided a supplement detailing two methods used to verify the accuracy of the
  Sychro/SimTraffic model, including using the MDOT requirements for traffic modeling. This
  supplement was not updated for the recent proposal.

Non-motorized connection to Arborland shopping center – The petitioner has indicated a
willingness to establish a non-motorized connection to the Arborland Shopping Center. This
connection could allow residents of both the existing Woodcreek Subdivision and South
Pond Village to access the shopping center from the rear.

<u>Fire</u> – Fire hydrant coverage is being met with the additional hydrants being installed on the site. The Fire Marshall requires the connection to Algebe Way for secondary access to the site. The South Pond development requires two separate fire access roads because they have more than 30 dwelling units. A full connection without bollards with minimum 20 feet width on the Algebe Way connection is required. Snow plows may not be able to gain access to the area in-between the bollards, therefore blocking the secondary emergency access.

<u>Parks</u> – The dedication of the 1-acre neighborhood park and nature trails provided on site satisfy the requested park donation for this project. City Parks staff considers the dedicated neighborhood park area to be consistent with the <u>Parks Recreation and Open Space Plan</u> (PROS) recommendation and sufficient size given the population that will be served. Once the parkland is dedicated, City staff will hold a public meeting and work with the neighborhood residents to design a neighborhood park according the needs of the neighborhood.

Natural Areas Preservation (NAP) – In July of 2005 there were two observations of a threatened butterfly species, Duke's Skipper, in the wetland area to the north of the site. Shaded wetlands and small clearings in adjacent woodlands are the preferred habitat of the butterfly. The proposed access road will cut directly through this potential habitat area and the natural areas of highest priority for protection which contains numerous overlapping protected natural features. Staff opposes the current plan due to the significant impact to the regulated natural features.

<u>Planning</u> – Planning staff does not support the South Pond Village site plan for the reasons detailed in City staff reviews above. In addition, the proposed access road to the north is not supported by any City master plan elements. In particular, the 1995 <u>Woodcreek Area Traffic Circulation Study</u> recommended that the City obtain land for Right-of-Way (ROW) along the southern boundary of the then-proposed Woodcreek development. This ROW was subsequently acquired by the City for the purpose of accessing the South Pond site. The City also obtained a 90 foot wide strip of land along the west side of Arborland for direct access to Washtenaw Avenue for Woodcreek and South Pond Village. Both of these ROW areas remain vacant and unimproved. The <u>Master Plan: Land Use Element</u> also recommends preserving the high quality natural features in the north, while concentrating all development and access to the southern part of the site.

While the proposed land use, density and design of the development are appropriate, the proposed road to the north creates an unacceptable impact to the natural features when an alternative access to the south exists. Without the Huron Drive Connection, the proposed project is consistent with the Master Plan: Land Use Element – Northeast Area Site Specific Land Use Recommendation for Site 10. The proposed density of the project is 2 units per acre and the Master Plan recommends a maximum of four units per acre. The project will install a significant continuous vegetated buffer along the western boundary of the site with Woodcreek and also along the proposed public street extension to the boundary of the South Pond site.

The petitioner will dedicate a one acre active public park to the City for the use of all residents. The park will be designed by City Parks staff and be located at the terminus of Algebe Way near the Woodcreek neighborhood. The proposed Algebe Way vehicular connection will increase

usability of the park in all conditions as well as help assist Woodcreek residents that may be unable to walk/bike to the park. The vehicular connection will visually connect the neighborhoods which will help create a community bond between the existing neighborhood and South Pond Village as opposed to two distinct neighborhoods.

Planning staff supports the proposed non-motorized connection to Arborland, however it is noted that an access easement will be required from the owners of Arborland. At this time, the petitioner has not presented any evidence that Arborland will be willing to grant the required easement.

A Development Agreement is being drafted to address transportation, utility, storm water basin maintenance and on-site improvements.

Prepared by Matt Kowalski Reviewed by Ben Carlisle

Attachments: Citizen Participation Report

Parcel/Zoning Map

Aerial Photo Site Overview

Site Plan Northern Access Detail Site Plan with Natural Features

Landscape Plan

c: Petitioner: Michael Furnari

Ann Arbor Manchester LLC

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Troy, MI 48084

Petitioner's Representative: Tom Covert

Midwestern Consulting 3815 Plaza Drive Ann Arbor, MI 48108

City Attorney
Project Management
Systems Planning
File No. SP14-051

Civil, Environmental and Transportation Engineers Planners, Surveyors, Landscape Architects 3815 Plaza Drive Ann Arbor, Michigan 48108 734.995.0200 Phone 734.995.0599 Fax

# **MEMORANDUM**

**TO:** Matt Kowalski **FROM:** Tom Covert

RE: South Pond Village - Citizen Participation Meeting

**DATE: 9.29.14** 

# FINAL CITIZEN PARTICIPATION REPORT SOUTH POND VILLAGE

A Citizen Participation meeting was held for South Pond Village, a proposed single family residential development in the Southeast ¼ of Section 35, on August 28, 2014. Notice of the meeting was mailed to all persons on a mailing list obtained from the City's Planning Department of all persons within 1000 feet of the subject property. A copy of the Notice was provided to the Planning Department, and a copy is submitted as an attachment to this report.

The meeting was scheduled for 7 to 9 PM in a meeting room at Washtenaw Community College. Submitted as an attachment to this report is the attendance sheet; it shows that 44 persons signed in and we counted 54 persons in attendance. It appears that most of the participants were from Thornoaks Subdivision. The meeting convened at 7:08 PM. The Developer's representatives made a presentation which discussed the proposed development. A slide presentation presented at the meeting is attached to this report. Attendants asked questions and presented their views during the developer's presentation, and the meeting the opened for more questions and views from the participants. The discussion was lively and many participants spoke. The discussion ended at 9 pm sharp, at which time the meeting concluded. At the conclusion of the meeting. A resident of Thornoaks Subdivision presented to the developer an undated letter signed by residents of Thornoaks, expressing their opposition to the development. A copy of the letter is submitted as an attachment to this report. This letter covers most, if not all, of the subjects discussed at the meeting.

Traffic was the major topic discussed at the meeting. The traffic discussion primarily focused on difficulties with Washtenaw Avenue traffic and concern about the incremental impact of the South Pond Development on access to Washtenaw Avenue. The project consultant, Tom Covert, informed the participants that a traffic impact study was now being done and would be completed soon. Its purpose is to project the amount and incremental impact South Pond Village traffic would have on Washtenaw Avenue and other area roads and to recommend what, if any, measures might be appropriate to mitigate any such impact. A participant who had familiarity with traffic impact studies agreed with that description of the purpose of a traffic impact study. The study will be filed with the City and will be available to the public. The developer will determine what action to take after reviewing the study.

#### Memorandum

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Several participants questioned how storm drainage from the subject site will be handled. Mr. Covert explained how storm drainage will be handled so as to avoid adverse impact of storm drainage from the site.

One participant stated that she would prefer to see the property developed with a senior citizens' home.

One couple, residents of Woodcreek Condominium said that when they bought their home, they were led to believe that the subject property would become a park, and that Algebe Street, which stubs at the boundary with the subject site was only for the purpose of access to a park. The developer disagreed, and stated that Algebe was plainly intended to connect to future development at the subject property.

Several residents expressed concern about the 2 lots proposed on Huron River Drive. One resident said that area was a wetland years ago, which was filled in 25 years ago. Without knowledge of any such history, the developer observed that that area is not wetland at present. The Thornoaks letter expressed concern about possible adverse impact on wetlands on the site. Mr. Covert reported that the proposed site plan evolved with considerable care and concern for the natural features on the site after much care, study, and previous sketches, and with the analysis and assistance of one of Michigan's leading natural features/wetlands consultants, King and MacGregor Environmental. Mr. Covert stated that he was not aware at present that a wetlands permit would be required, but that the developer would present plans to the State and would comply with State requirements.

The participants were interested in the review process and approval process. The slide presentation outlined in considerable detail the regulatory process and requirements the development would be subjected to. The participants were told that the next step in the process would be a submission of plans to the City, followed by review by the Planning Commission, and that the public would have the opportunity to be heard by the Planning Commission.

#### Michael Furnari

Fairview Companies 1700 W Big Beaver Rd. Suite 120 Troy, MI 48084 248.602.2220

### **Proposed Site Plan Review**

In accordance with the City of Ann Arbor's Citizen Participation Ordinance, you are being notified that a Proposal for South Pond Village will be submitted to the City of Ann Arbor Planning Department. Details about a citizen participation meeting for you to learn about this project are described on the opposite side of this card.



Persons with disabilities are encouraged to participate. Accommodations may be arranged by contacting Sender. Requests need to be received at least 24 hours in advance of the meeting.

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Permit 525

# NOTICE OF CITIZEN PARTICIPATION MEETING: SOUTH POND VILLAGE

PLEASE ATTEND A CITIZEN PARTICIPATION MEETING TO REVIEW OUR APPLICATION TO THE CITY OF ANN ARBOR FOR APPROVAL OF A DEVELOPMENT OF 78 SINGLE FAMILY RESIDENTIAL LOTS ON THE APPROXIMATELY 48 ACRES AT THE PARCEL OF LAND DEPICTED ON THE MAP ON THIS CARD, AND AS SHOWN ON THE DEVELOPMENT PLAN SHOWN ON THE FRONT OF THIS

CARD. COMMENTS AT THIS MEETING WILL BE CONSIDERED IN FINALIZING THE PROPOSED SITE PLAN, WHICH IS TARGETED FOR SUBMISSION TO THE CITY WITHIN 30 DAYS OF THE DATE OF THIS MEETING.

### **MEETING DATE:**

AUGUST 28, 2014, 7 PM-9PM

### LOCATION:

Washtenaw Community College Morris Lawrence Building, Room ML 101

Questions? Call Michael Furnari - 248.602.2220



	Name	Address and Telephone Number	
1.	Eller Vouchan	4038Thotaaks 734.846.6903	
2.	Heather Accurso	4028 Thornoaks Dr. 734-929-2512	•
3.	Kristine Bolhis	4099 E. Heron River Service Dr. 248	-464-
4.	MOHN HOLKEBUER	4099 E. HUREW " 11 11 248.0	70.03
5.	JIM MURBAT	1877 MEMPOUSIPUL PRINT	9
6.	Michael Home!	3473 Wooddale of 369-2499	<b>,</b>
7.	David Purceu	4041 Thornoaks 734(216-0214)	
8.	Laurence fractsings	- 3520 E. Huron River Dr. 734-20	SS- 9541
9.		1710 wardenek Blvd. 734-9	75-1723
10.	221C	1870 MEMOON 81 DC 7740	57-5476
11.	Jennie Allan	1485 Chalmers Drive 646 32508	205
12.	Lisa Slattery	3625 E Hurch Proof D1332	પુલુભ્ય
13.	Al Franzblau	3625 E. Huron River Dr., 369-3	
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	Name	Address and Telephone Number
21.	Anne Bannister	4161 Thornoaks, A MI 48104
22.	A. Tamkus	4161 Thornoaks, A Mi 48104 1453 Creekberd Ch HA, MURKUS
23.	Amir	
24.	pora Schobertz	1710 Woodcrook Blvd.
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	Name	Address and Telephone Number
41.	Use Luram	1300 Chalmers Dr.
42.	Tocka Brenda Cronin	3612 E. Huron River Dr.
43.	Toseph Wana	1859 Meadowside Dr
44.	Shing While Blue	3595 E Huron Freen &
45.	Mina Homel	3473 Wooddale Ct., A2
46.	Lisa Cronin	4021 Thornoaks, AZ
47.	Carolyn Schuff	3510 Woodland DRAR OF
48.	ALAN CORDEIRO	1513 CHAINERS DRIVE
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# Attendance Sheet for Meeting on August 28, 2014

	Name	Address and Telephone Number
81.	zona Schliner	4131 Thornoaks DR.
82.	Rosela Bannester	4161 Thornools 734-255-8626 1595 Meadowside Brive 1545 Chalmers VII.
83. (	Sean a Maria Tan	1595 Meadowside Brive
84.	Glevorah Sieing	
85.	Christine Kim	1391 Creelibert Ct.
86.	Noreen Aziz	1829 Meadowsicle Dr. 30314-497-2274
87.	ARIEL NICOLACI	400 thorwall DV 586-859-8401
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# Attendance Sheet for Meeting on August 28, 2014

	Name	Address and Telephone Number
61.	Mellssa James	1380 Creekbend Ct. AA 734.369.2038
62.	Larraine Cordeino	1575 Cholmers DAZ
63.	Manularia	357 - C-1/ex 11: 00
64. ′	Villa CONTINA	1839 Meadows, L. Dr 3419
65.	Elizabeth (e) mod	4061 Thornoaks DRIVE 734-971-619
66.	Mares Fitts,	4061 Thorwoaks Drive
67.	be Richard (camp	367/ Riverside Dr.
68.	PANGANATHENS	1635 ME ADOWSIDE DRIVE
69. <sup>(</sup>	JaneHeineken	1755 Brian a 734 975 2340
70. △	Bennet Wolper	4131 Thornooks D- 973-1508
71.	Berbara Smuts	4011. Thornoaks Dr. 6596
72.	Michael Abner	4011 Thornoaks Dr.
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This letter is written in response to the request for public comments on the preliminary plans of the proposed development of South Pond Village. On behalf of the Thornoaks Neighborhood Association, we want to voice our strong and uniform opposition to this proposed development. Our objections include the adverse effects on the existing neighborhoods and the natural wetlands, the increase in traffic to an already congested area, and the lack of infrastructure in the area to support an increase in population.

- 1. Adverse effects on the existing neighborhoods. While earlier plans did not call for the development of the land facing East Huron River Drive, the new proposal would likely harm a natural wetland that we in the area treasure for its great beauty and bio-diversity. Putting several houses at E. Huron River Drive and Chalmers would adversely affect the special natural scenery in place on that stretch of winding road between Huron Parkway and Hogback Road. What houses that currently exist along East Huron River Drive generally conform to a low-profile unobtrusive aesthetic. If the prevailing trends in construction (multi-story, massive and upright) were to be utilized, they would not co-exist harmoniously with the existing homes in the area. Ironically, they would appear directly across from the newly moved headquarters of the Natural Area Preservation division of Ann Arbor Parks.
- 2. Adverse effects on the existing wetlands. The area that would be impacted by the proposed development contains sensitive wetlands that are home to many native species including the critically imperiled (highest degree of endangerment) Dukes' Skipper butterfly. The lots planned on East Huron River Drive, for instance, are about 100 feet from a well-documented sighting of this imperiled species. It is inconceivable that the proposed development could be made without adversely impacting this habitat. In addition, the wet shrubland south of Huron River Drive directly adjacent to the proposed South Pond development is the only area in the Ann Arbor Parks system where the high-bush cranberry (one of 215 native plant species that have been recorded in the park) has been found. Ann Arbor prides itself on being a green town, and negatively impacting the habitats of these at-risk and native species is contrary to what many residents of Ann Arbor stand for.

The development, as currently proposed, plans to build on sensitive slopes

<sup>\*</sup> Along the Huron The Natural Communites of the Huron River Corridor in Ann Arbor, Michigan pp. 122-123, a publication of Natural Area Preservation Division, City of Ann Arbor

above the wetland. We in this neighborhood greatly treasure these slopes and the wetland itself for their beauty, the ecological services they provide to the natural and human community, and for the protection they afford to endangered species. We are saddened when we think of that wetland and the slope above it being permanently destroyed. We respectfully request that the development be moved back from these slopes so that it not be visible from East Huron River Drive. This would simultaneously protect these slopes that drain directly into the wetland and protect the natural feel of the neighborhood. The fragile land along East Huron River Drive is of major ecological and visual value, now and for future generations. Let us consider the years ahead!

A much better plan that would consider the environment in all its forms would be to incorporate these sensitive wetlands, the steeply sloping areas surrounding them, and the property adjacent to East Huron River Drive with the existing South Pond Nature Area, and to limit your development to the southern half of the property (the flat plateau on the Arborland side of the property). While it may be appealing to potential homeowners on these three plots to be virtually surrounded by protected wetlands, the pleasure of a very few would be at the expense of many.

3. Increase in traffic and lack of appropriate infrastructure. From the point of view of the community of people living in the area encompassed by Hogback Road on the east, Washtenaw Avenue to the south, Huron Parkway to the west and E. Huron River Drive to the north, the significant increase in the local population that would result from the proposed development would turn an already difficult, stop-and-go traffic situation at rush hour into a far worse situation. For a road that sees heavy and rapid traffic morning and night, East Huron River Drive is currently in such bad shape that it destroys tire rims. At least two serious accidents, one resulting in a death, happened near the intersection of E. Huron River Dr and Chalmers last winter alone. Every year. one or more cars veers into the ditch at the bottom of the hill on East Huron River Drive where it meets Thornoaks Drive. Despite the slow-down warning signs at this curve, traffic shoots rapidly down the hill, making it difficult for drivers on Thornoaks to turn left onto East Huron River Drive. East Huron River Drive is also dangerously narrow without room for a bike path, sidewalk or even a shoulder in some areas.

Furthermore, the corridor along Washtenaw leading from Ann Arbor into Ypsilanti and along Hogback and Carpenter leading south from Washtenaw has been overcrowded for many years. The stop light at the corner of Hogback/Carpenter and Washtenaw has the longest wait of any intersection

in the county. This intersection also has the highest accident rate with the most crashes (135) of any intersection in the county recorded in the last study period (2009-2011). Traffic on Washtenaw has increased dramatically since the development of the Whole Foods shopping complex and the Arbor Hills complex, so such statistics can only climb higher. Making the turn from Chalmers onto Washtenaw is very difficult and dangerous. Adding significantly to that traffic would thus be unacceptable for both convenience and safety reasons. Developing this area would affect not just the people in the immediate area but everyone who travels from Ypsilanti and the east side of Ann Arbor to the University and the downtown area. For all of these reasons, it is clear that the infrastructure is simply not in place to support additional houses whose residents would, of necessity use either Washtenaw or E. Huron River Drive to get to and from their homes.

Finally, we request that the developers improve communication with all neighbors adjacent to the proposed South Pond development. We learned about this public input meeting not from direct mail to the residents but from a single postcard sent to the former president of the neighborhood association and word of mouth via our Woodcreek neighbors. Many misunderstandings can arise from a lack of communication.

Other site plans concerning the South Pond area have failed because these important issues aforementioned have not been adequately addressed. Is there a belief that continuing to do the wrong thing will eventually result in a right outcome? We urge you to seriously consider the concerns stated, and if they cannot be adequately addressed to abandon or at the very least revise this proposed development. As it stands now, we oppose the plan unanimously.

Yours truly,
The Thornoaks Neighborhood Association
Kristine Bolhuis, President
Mohamed Redissi, Treasurer
John Holkeboer
DeeAnna Redissi
Cameron & Diane Innes
Heather Accurso

<sup>\*</sup> http://www.annarbor.com/2012WashtenawCounty\_IntersectionCrashes.pdf

Michael & Natalia Challis

James Bardwell

Ursula Jakob

Bennet Wolper

Zona Scheiner

Ellen & Patrick Vaughan

Harris & Margaret McClamroch

Elizabeth Wood

Irwin & Marcille Pollack

Jane Lichtenauer

Jean Chorazyczewski

Lisa Cronin

John & Susan Wacksmuth

Barbara Smuts

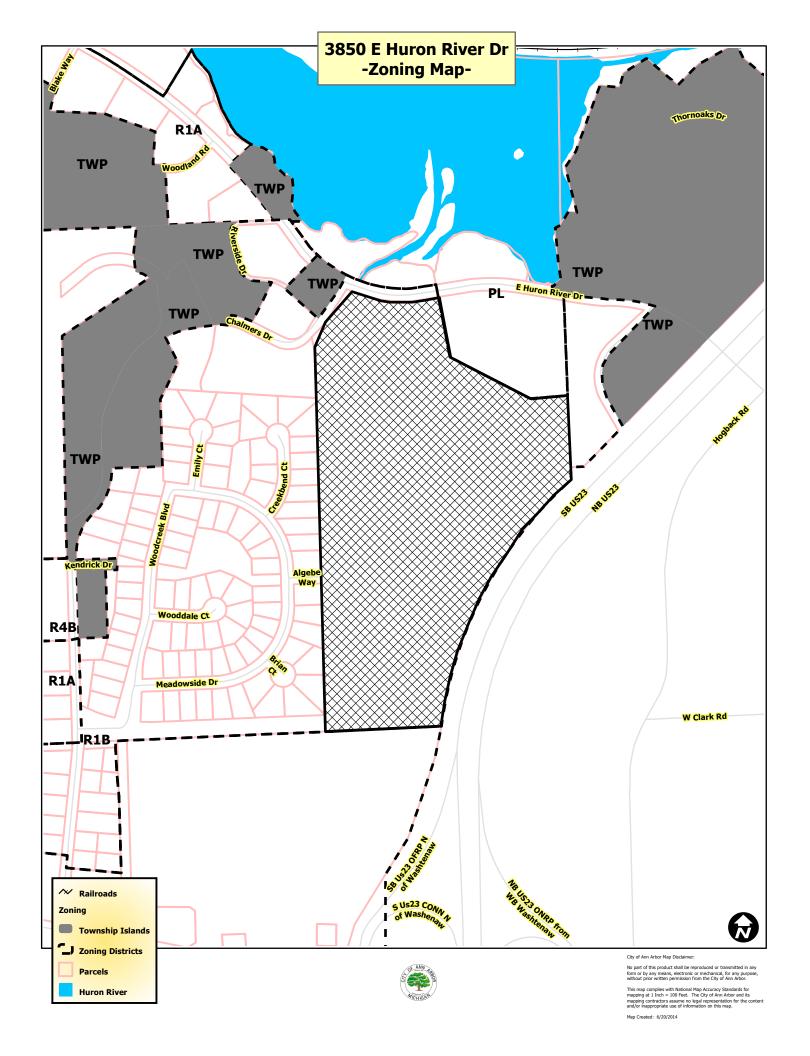
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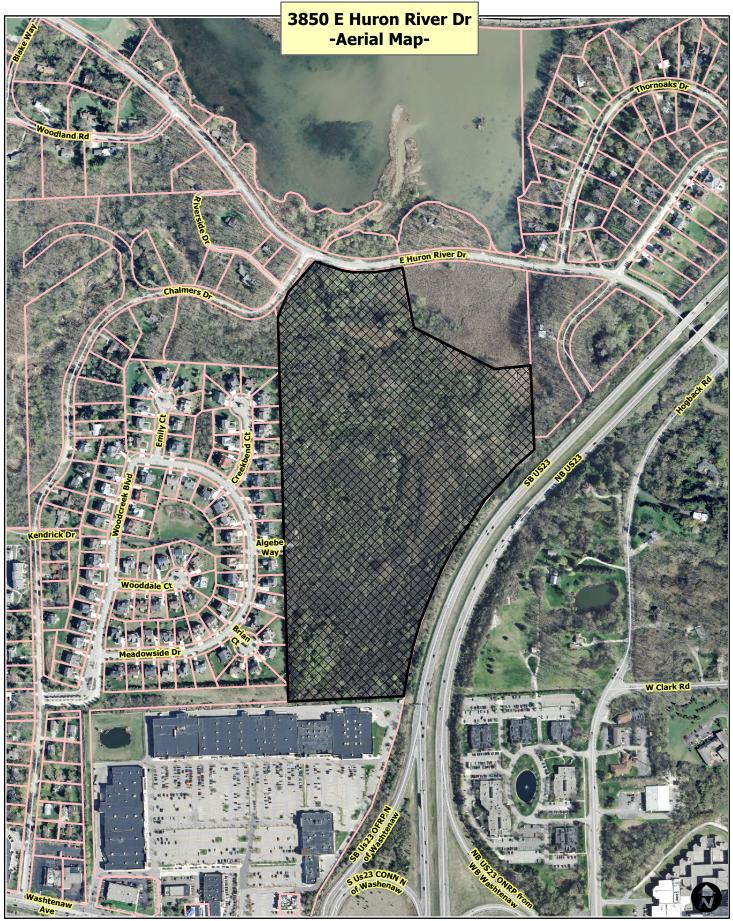
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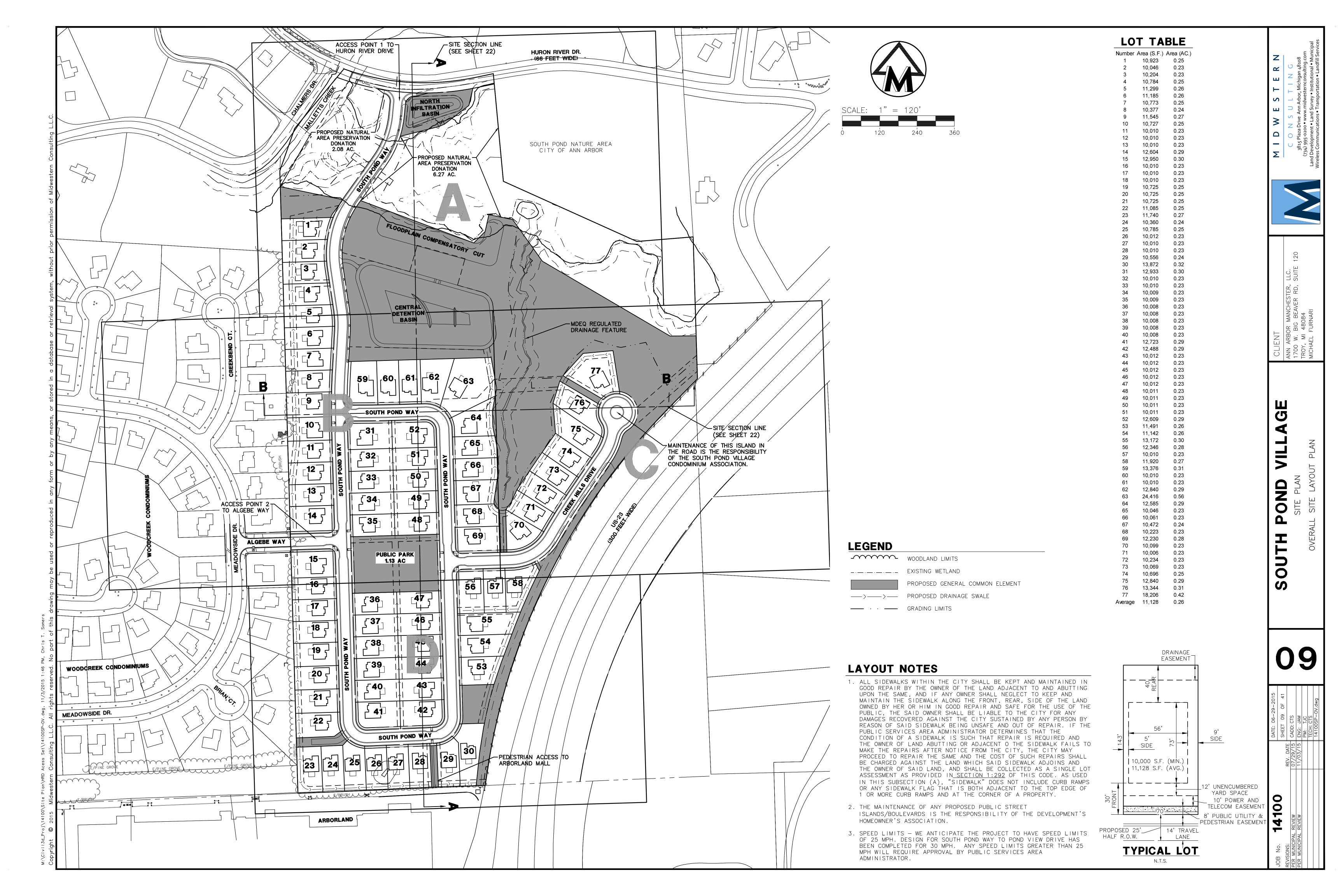


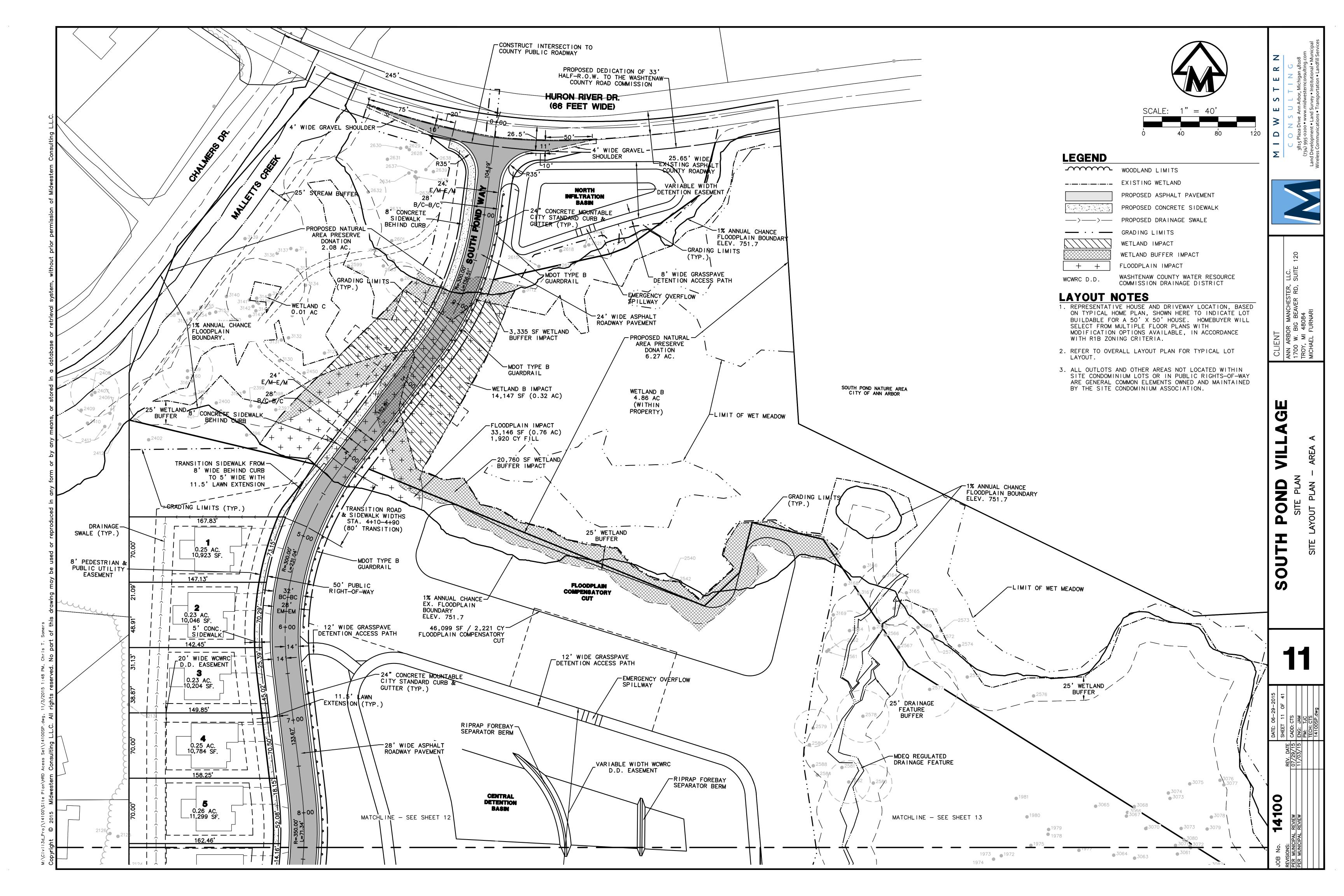


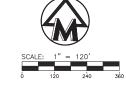
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### **LEGEND**



EXISTING STEEP SLOPES (> 1:3)

MIDWESTERN

120 LLC. SUITE

CLIENT
ANN ARBOR MANCHESTER, LL
1700 W. BIG BEAVER RD, SI
TROY, MI 48084
MICHAEL FURNARI

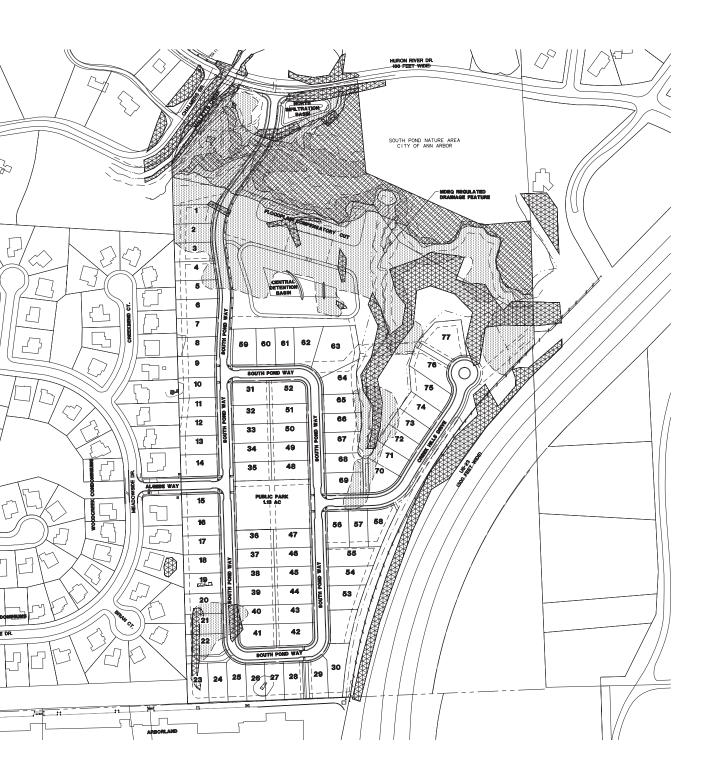
SITE PLAN OVERALL SITE LAYOUT PLAN WITH NATURAL FEATURES OVERLAY

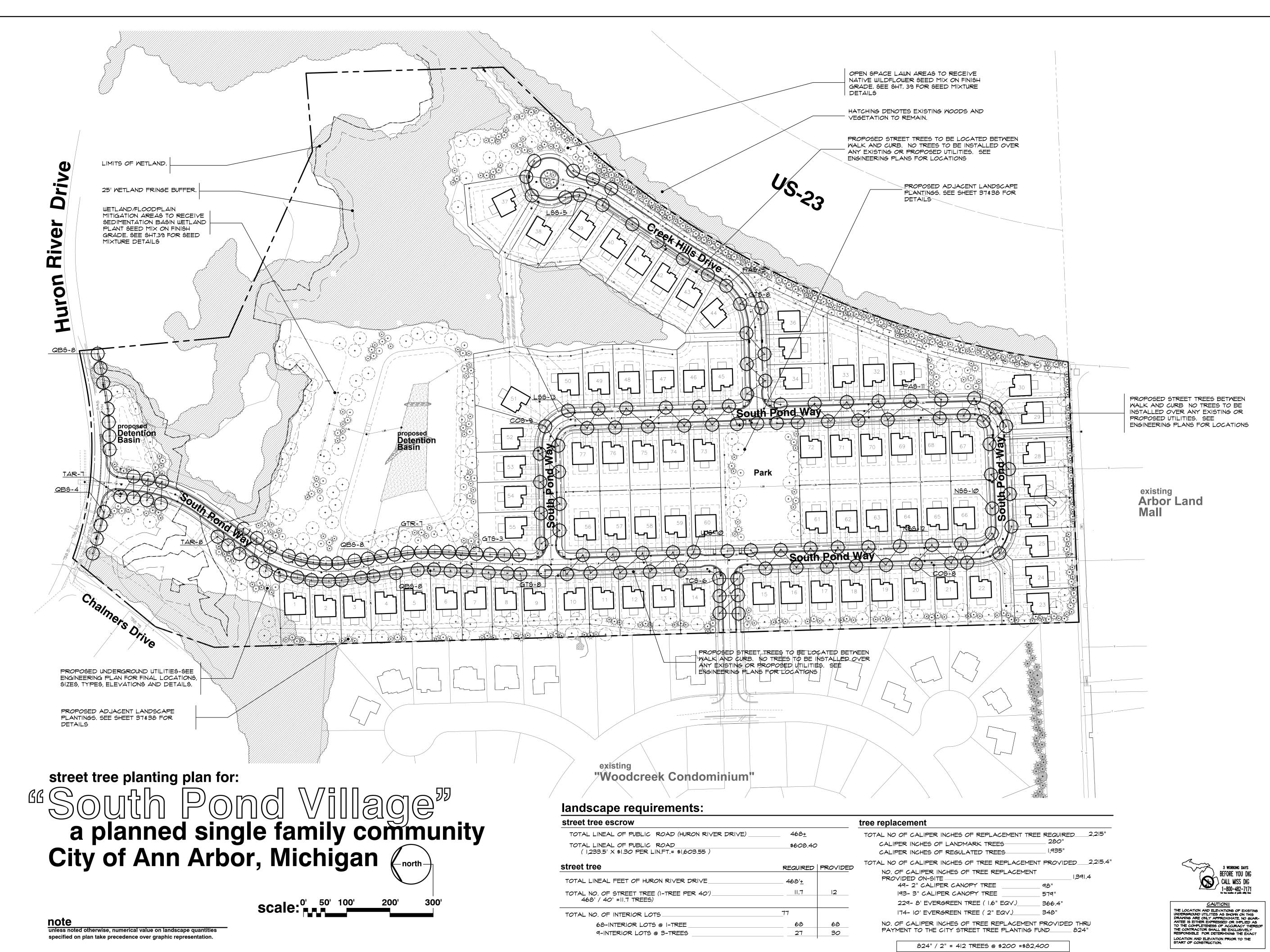
SOUTH POND VILLAGE

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Community Land Planner and registered Landscape Architect 24333 Orchard Lake Rd, Suite G Farmington Hills, MI 48336 ph. (248) 557-5588 fax. (248) 557-5416

seal:



client:

# MANCHESTER ANN ARBOR LLC

1700 W.BIG BEAVER ROAD, SUITE 120 TROY, MICHIGAN 48084 ph: (248) 602-2220

project:

SOUTH POND VILLAGE

project location:

Ann Arbor, Michigan

US-23

sheet title:

street tree planting
plan

job no. / issue / revision date:

LS13.050.09 \* SPA \* 9-26-2014

LS14.050.11 \* SPA \* 11-11-2014

LS14.050.12 \* SPA \* 12-31-2014

LS14.050.12 \* SPA \* 12-31-2014 LS15.002.01 \* SPA \* 01-09-2015 LS15.002.01 \* SPA \* 02-09-2015 LS15.002.06 \* SPA \* 06-29-2015 LS15.002.07 \* SPA \* 07-29-2015 LS15.002.10 \* SPA \* 10-30-2015

\* SPA \* 11-3-2015

drawn by: CZ, JP, AP, KM, KH

checked by: **FP** 

7-29-2015

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