



City of Ann Arbor

Meeting Minutes - Final

City Planning Commission

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

Tuesday, July 7, 2020

7:00 PM

Electronic Meeting

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Meeting ID: 976 0979 8997

1 **CALL TO ORDER**

Chair Milshteyn called the meeting to order at 7:02 p.m.

2 **ROLL CALL**

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

Present 9 - Woods, Briggs, Mills, Milshteyn, Gibb-Randall, Ackerman, Sauve, Abrons, and Hammerschmidt

3 **INTRODUCTIONS**

None.

4 **APPROVAL OF AGENDA**

Moved by Mills, seconded by Woods, approved unanimously as presented.

5 **MINUTES OF PREVIOUS MEETING**

5-a **20-1001** June 16, 2020 City Planning Commission Meeting Minutes

Moved by Sauve, seconded by Briggs, that the June 16, 2020 City Planning Commission meeting minutes be approved. The minutes were unanimously approved as presented and forwarded to the City Council.

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

6-a City Council

Councilmember Zach Ackerman reported that the City is partnering with Washtenaw County to purchase land to add to the Greenbelt; City Council approved the procurement of technology to aid in prioritizing Capital Improvements; the cosmetic changes to the Unified Development Code (UDC) were approved; City Council passed a resolution to explore reducing the site plan review burden for small projects. He provided an update on the City's Healthy Streets Initiative. He also explained a moratorium on Campus Business Zonings while the City explores removing that zoning district. He also explained the pre-entitlement process for 415 W. Washington Street.

Commissioner Gibb-Randall inquired about the Planning Commission's role with 415 W. Washington.

Lenart explained that the City is initiating a pre-entitlement process, which would begin the entitlement of the property, from a public perspective, with community engagement focus, with the goal of providing an Area Plan or concept plan to City Council, prior to developing the site. He explained that this process will provide clear communication to the development community what the City's expectations are as well as add value to the process.

6-b Planning Manager

Lenart reported that there are changes to the Planning Commission Work Plan, based on City Council action, and that he will provide more information on those changes at the future working session meeting in the following week.

6-c Planning Commission Officers and Committees

Commissioner Sarah Mills reported that the Ordinance Revisions Committee reviewed staff work on the "Planned Project" list to modify the benefits, limits, changes to be made, and reported that great discussion took place.

6-d Written Communications and Petitions

Approved as presented

20-1003 Various Communication 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.)**

Seeing no speakers, Chair Milshteyn closed Audience participation.

8 **PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING**

8-a **20-1004** Public Hearings Scheduled for the July 21, 2020 Planning Commission Meeting

Received and Filed

9 **UNFINISHED BUSINESS - Project Presentation, Staff Report, Public Hearing and Commission Discussion on Each Item**

9-a **20-1005** Liberty Townhomes Site Plan for City Council Approval - A proposed plan to develop nine 3-story buildings of townhouse apartments on this 4.60-acre site located at 2658 West Liberty Street. Access is proposed from a driveway to West Liberty Street. Each townhouse is proposed to have a two-car garage, some additional guest parking spaces are also proposed. Zoned R4B (Multiple-Family Dwelling District). Staff Recommendation: Approval

City of Ann Arbor City Planner Alexis DiLeo provided an overview of the proposed project.

Jon Curry, representing the developer Bill Jarratt, Architect, were present to answer any questions.

PUBLIC HEARING

Seeing no speakers, Chair Milshteyn closed the Public Hearing.

Moved by Mills, seconded by Woods that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City

Council approve the Liberty Townhomes Site Plan and Development Agreement.

COMMISSION DISCUSSION

Commissioner Briggs inquired about traffic at the site, expressing concern with exiting the site and traveling east.

Curry responded that some cars exiting may need to travel east from the site, but there are alternate routes to travel that direction other than turn east from the site.

DiLeo explained that the City's Traffic Engineer is acknowledging that although the traffic situation is not ideal, the project does meet the standards. DiLeo also discussed alternative transit options at the site.

Commissioner Gibb Randall inquired about what would happen if a car turned left out of the site.

Curry answered that due to the design, a low wheel base car could potentially bottom out. He explained that there are rumble strips, an island, and is graded in a way that would discourage turning in that direction. It is designed to be as uninviting as possible.

Commissioner Wendy Woods inquired about turning right out of the development, and travels across the bridge towards Scio Township.

DiLeo answered that the northern side is City of Ann Arbor until Wagner Rd, but the southern side, Liberty Glen is Ann Arbor.

Commissioner Sarah Mills discussed traffic at the site, explaining that other forms of transit are available at the site. Mills also inquired about parking at the site, and if any proposed parking could be deferred.

Curry answered that deferred parking can be discussed with the developer.

Commissioner Erica Briggs inquired further about traffic at the site, and inquired about traffic at the site as it compares to a marijuana provisioning center.

Cynthia Redinger, City of Ann Arbor Traffic Engineer, explained that the proposed development meets basic standards. Redinger further

explained that due to the proposed project being multi-family, fewer trips are generated than if it were a single-family development. Redinger explained that a provisioning center would generate significantly more traffic than the proposed project.

Chair Milshteyn inquired when the traffic study was completed.

Redinger explained that the traffic study was completed prior to any COVID-19 related traffic changes. Redinger explained that any project before the Planning Commission in the near future, will have counts that occurred pre-COVID-19. She explained the process for completing traffic studies in a COVID-19 impacted circumstance, explaining that there is a lot of existing data that can be used to aid in calculating accurate projections.

On a roll call vote, the vote was as follows with the Chair declaring the motion passed. VOTE: 9-0

Yeas: 9 - Wendy Woods, Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

- 9-b** [20-1007](#) Valhalla Ann Arbor Site Plan, Annexation, and Rezoning for City Council Approval - Proposed multiple-family residential project containing 454 units and townhomes with parking located under the buildings and along the private drives. Project includes annexation of parcels from Pittsfield Township and petitioner is requesting a conditional R4E multiple-family zoning designation of this 9.8-acre site, located at 31-163 Valhalla Drive and 2065, 2099 South Main Street.

Brad Strader, representing the developer, summarized the project process to this point, listed the project benefits, and gave an overview of the project.

Eric Doyle, representing the developer, discussed sustainability and complete electrification of the building.

Brad Moore, representing the developer, discussed the building height, and affordable units.

Brad McFarlane further explained that it is not financially viable to offer more affordable units than are being proposed.

City of Ann Arbor Planner, Matt Kowalski, further summarized the proposed project.

PUBLIC HEARING

Ken Garber, 28 Haber Hill Court, Arbor, expressed appreciation for complete electrification of the project. Garber also inquired about any additional solar.

Taylor Bond, owner of 2100 S Main, Ann Arbor, explained that this property is adjacent to the proposed project. Bond expressed support for the proposed project and also expressed concern with traffic generated by the proposed project at the site. Bond explained that the amount of traffic generated by the proposed by the project cannot be supported by existing infrastructure.

Kirsten (last name unknown) 2531 Maid Court, Ann Arbor, expressed appreciation for the housing diversity proposed, the affordable housing units being proposed, and walkability of the proposed project.

Moved by Woods, seconded by Sauve, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Annexation and the Valhalla Ann Arbor Rezoning Petition to R4E (Multiple-Family District) based on the proposed zoning and accept these conditions:

The density not to exceed 50 units per acre.

The maximum height of any building will be 79 feet.

The inclusion of nine affordable housing units as described in Statement of Conditions.

The approval is subject to executing a Conditional Zoning Statement of Conditions.

and that,

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

Ackerman inquired about the green roof, and height reduction.

Moore answered that the green roof is located where there is habitable

space one story above the roof. Explaining that the lower rooftops that are overlooked are the green roofs. Moore explained that the height reduction was proposed to the Planning Commission at a prior meeting.

Doyle explained that the green roof view is valuable to tenant's quality of life.

Commissioner Sara Hammerschmidt inquired about the developer's parking restrictions, and discussed developing language for deferring parking. Hammerschmidt expressed support for the proposed project.

Moore explained that he is in favor of reducing the parking as long as it does not impact the developer's ability to finance the project. Moore explained that the financing underwriter has the parking requirements.

Commissioner Sarah Mills expressed support for the project. Mills also inquired why complete electrification is not a more common proposal from developers. Mills also inquired about the possibility of solar powered electric vehicle chargers.

Moore explained that he cannot speak for others, but infrastructure and cost can be deciding factors for developers. Moore further reviewed the solar configurations at the site.

Doyle explained that communities that incentivize electrification along with code requirements influence developer's proposals. Doyle further explained that he does not anticipate overproduction of solar electricity to allow for electric vehicle charging. Doyle added that no LEED certification points are awarded for the excess solar.

Commissioner Ellie Abrons inquired about use of natural gas for a backup generator, and providing a battery as an alternative.

Moore explained that a generator is required, and that would be sourced by natural gas.

Doyle explained that he is familiar with battery storage for this type of use, explaining that it is currently "cutting edge", and that a generator is more attainable for this project.

Gibb-Randall inquired if there are any proposed buildings with no solar. Gibb-Randall also inquired about cost of the green roof versus the cost of installing solar. Gibb-Randall inquiring about staff's recommendation.

Moore explained that the townhouse buildings do not have solar.

Doyle explained that he cannot comment on the cost of solar compared to the cost of the green roof. He explained that no area, than those identified, have been selected for solar.

Moore identified on the presentation the areas of proposed solar.

Kowalski explained that staff is satisfied with some aspects of the project.

Lenart added that staff works hard with petitions based on the plans proposed.

Woods inquired about the number of units with a view of the green roofs. Woods inquired about the type of solar panels proposed.

Moore explained that he cannot provide the exact number, and also explained that the units with the green roof views are expensive units, making the affordable units a possibility.

Doyle explained that the proposed solar panels are in a fixed position.

Gibb-Randall inquired about the actual view impacts of solar panels where the green roofs are proposed.

Briggs discussed traffic concerns with the shared road/driveway. Inquiring if traffic studies consider deliveries, and how the City looks at the shared road/driveway. Briggs also inquired about any recommended improvements to the street.

Redinger clarified that the "road/driveway" is a City street. Redinger explained that the street is 30 feet wide, which is a standard width for residential streets. There is no curb along most of it. She said the street is sufficient to support two-way traffic. Redinger explained that deliveries are incorporated into the study.

Strader explained that the traffic study provided by the developer is conservative, and that the traffic impact is expected to be less than what is provided in the study.

Moored said, more bike parking than is required by code is being provided.

Sauve inquired about lending approval if the City had parking maximums instead of parking minimums. Sauve also discussed electric vehicle parking, solar, and other electrification concerns. Sauve also inquired about energy savings being transferred to tenants,

Moore explained that lenders do not care about municipality restrictions.

Doyle answered that they cannot provide the energy savings calculations at this time. The prediction is that there will be a savings.

Milshiteyn also inquired about staff's recommendation.

Kowalski explained that staff's opinion was originally based on density, sustainability, and the affordable housing components.

Milshiteyn expressed concern with density at the site.

Mills discussed aspects of the site that would allow it to be approved. Mills also reviewed the proposed conditions, suggesting additional conditions that would make her more comfortable to recommend approving the project.

Moore explained that he would have to discuss any additional conditions with the developer.

Woods expressed appreciation for the changes made by the developer, but expressed support for postponing to allow time for several items to be resolved.

Moore clarified that the Planning Commission is requesting that the team evaluate if additional solar is a possibility, and analyze if Electric Vehicle (EV) charging stations can be installed in the outset of the project.

Mills added that those aspects and the current proposed conditions.

Moore explained that the developer is willing to review the project if the project can return to the Planning Commission quickly.

Lenart stated that the item can return to the Planning Commission on July 21, 2020.

Ackerman inquired about the developer's contribution to traffic

improvements.

Redinger explained that the developer is responsible for the traffic improvements.

Moved by Mills, seconded by Woods to postpone Planning Commission decision on item 9-b to the July 21, 2020 Planning Commission meeting.

DISCUSSION ON MOTION TO POSTPONE

None

On a roll call vote, the vote was as follows with the Chair declaring the motion passed. Item 9-b postponed to the July 21, 2020 City Planning Commission meeting.

Yeas: 8 - Wendy Woods, Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 1 - Zachary Ackerman

10 REGULAR BUSINESS - Project Presentation, Staff Report, Public Hearing and Commission Discussion on Each Item

- 10-a** **20-1008** Proposed Amendments to Chapter 55 - Unified Development Code to Amend the Parking Standards (Section 5.19) to require electric vehicle (EV) infrastructure for new development projects that require a Site Plan for City Council. Amendments would require installation of EV systems and infrastructure as a percentage of the overall parking requirement. The requirements will include three different types of EV charging station infrastructure: 1) EV Capable (capacity to install future EV systems), 2) EV Ready (partially installed system), and 3) EV Installed (fully installed system). Land uses affected by these proposed amendments include residential, commercial, office and research, transportation, industrial, and accessory uses. Staff Recommendation: Approval
- City of Ann Arbor Planner Jeff Kahan, Carlene Colvin-Garcia, John Mirsky, Simi Barr, and Charles Griffith presented the proposed amendments.*

PUBLIC HEARING

Milt Baker 2628 Green Road, Ann Arbor, encouraged the Planning Commission to mandate solar powered electric vehicle charging.

Rita Mitchell, 621 Fifth Street, Ann Arbor, expressed support for the proposed ordinance, and encouraged the Planning Commission to require solar powered electric vehicle charging.

Ken Garber, 28 Haber Hill Court, Ann Arbor, expressed support for the proposed ordinance, and inquired about requiring solar powered electric vehicle charging.

Seeing no further speakers, Chair Milshteyn closed the Public Hearing

Moved by Mills, seconded by Sauve, that The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code, Section 5.19 to require electric vehicle charging facilities as part of the City's Off-Street Parking requirements.

Moved by Mills, seconded by Gibb-Randall, to extend the meeting until 11:30 p.m.

Motion to extend the meeting approved Unanimously.

COMMISSION DISCUSSION OF ITEM 10-a

Commissioner Gibb-Randall inquired about the solar component as mentioned by callers during the Public Hearing.

John Mirsky explained that there are legal and regulatory issues with mandating buying energy for a particular use.

Charles Griffith further explained the issues revolving around mandating energy for a particular use.

Commissioner Sauve inquired about the requirement for new site plans, noting requirements of the American with Disabilities Act (ADA).

Commissioner Hammerschmidt inquired about legislation like this in other communities.

Colvin-Garcia explained that there is compliance in other communities.

City Planner Kahan explained the development community has voiced concern regarding cost implications.

Commissioner Mills reviewed the proposed amendment, expressing support for the proposed changes.

Abrons noted ADA requirements.

On a roll call vote, the vote was as follows with the Chair declaring the motion passed. VOTE: 9-0

Yeas: 9 - Wendy Woods, Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

Moved by Mills, seconded by Abrons, to extend the meeting to 11:45 p.m.

Approved unanimously.

11 ORGANIZATIONAL BUSINESS

11-a [20-1021](#) Election of Officers

Moved by Gibb Randall, seconded by Ackerman, to elect Commissioner Sarah Mills to Chairperson of the City Planning Commission. Approved Unanimously

Yeas: 9 - Wendy Woods, Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

Moved by Mills, seconded by Sauve to elect Commissioner Shannan Gibb-Randall to Vice Chairperson of the City Planning Commission. Approved Unanimously.

Yeas: 9 - Wendy Woods, Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

Moved by Mills, seconded by Sauve, to elect Commissioner Ellie Abrons to Secretary of the City Planning Commission. Approved Unanimously.

Yeas: 9 - Wendy Woods, Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

11-b [20-1023](#) Review of By-Laws

Moved by Hammerschmidt, seconded by Briggs, to postpone the Approval of Bylaws to the August 5, 2020 meeting. Approved Unanimously.

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

Seeing no callers, Chair Milshteyn closed Audience Participation.

13 **COMMISSION PROPOSED BUSINESS**

None.

14 **ADJOURNMENT**

Moved by Woods, seconded by Abrons, to adjourn the meeting at 11:35 p.m. The meeting was unanimously adjourned.

Alex Milshteyn, Chairperson
/kvl
rev/mg

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<http://a2gov.legistar.com/Calendar.aspx>

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

(Public Hearings: Individuals may speak for three minutes. Please state your name and address for the record.) Comments about a proposed project are most constructive when they relate to: (1) City Code requirements and land use regulations, (2) consistency with the City Master Plan, or (3) additional information about the area around the petitioner's property and the extent to which a proposed project may positively or negatively affect the area.)

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