

MINUTES

ANN ARBOR CITY PLANNING COMMISSION

REGULAR MEETING

7:00 p.m. – June 20, 2006

Time: Vice Chair Pratt called the meeting to order at 7:02 p.m.

Place: Council Chamber, Second Floor, 100 North Fifth Avenue, Ann Arbor, Michigan.

ROLL CALL

Members Present: Bona, Carlberg, D'Amour, Emaus, Potts, Pratt

Members Absent: Hall, Lipson

Members Arriving: Kunselman

Staff Present: Foondle, Vaughn

INTRODUCTIONS

None.

MINUTES OF PREVIOUS MEETING

a. Minutes of May 16, 2006.

Moved by D'Amour, seconded by Bona, to approve the minutes as presented.

Bona asked that on page 11, the second sentence from the bottom be changed from "Bona declared the public hearing closed" to "Pratt declared the public hearing closed."

Potts asked that the last two words in the fourth paragraph on page 13 be changed from "vehicular connections" to "parking duplications."

D'Amour asked that in the second line of the second paragraph on page 9, the name "Peppin" be changed to "Pepin."

A vote to approve the minutes as revised showed:

YEAS: Bona, Carlberg, D'Amour, Emaus, Potts, Pratt
NAYS: None
ABSENT: Hall, Kunselman, Lipson

Motion carried.

Enter Kunselman.

APPROVAL OF AGENDA

Moved by D'Amour, seconded by Bona, to approve the agenda.

A vote on the motion showed:

YEAS: Bona, Carlberg, D'Amour, Emaus, Kunselman, Potts, Pratt
NAYS: None
ABSENT: Hall, Lipson

Motion carried.

REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL,
PLANNING AND DEVELOPMENT SERVICES, PLANNING COMMISSION
OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS

D'Amour announced that the next Allens Creek Greenway Task Force meeting was scheduled for June 21 at 7:00 p.m. in the Council Chamber. He stated that a public event was scheduled for August 2, with the location and format to be determined.

Bona reported that the DDA Partnership Committee has been meeting to discuss the Kline's Lot RFP. She said she suggested to the committee that members of the DDA attend a Planning Commission working session this fall to discuss the RFP. She also reported that the First and Washington RFP Selection Committee continued to meet and that she would keep the Planning Commission informed of progress made.

Potts announced that the next Ordinance Revisions Committee was scheduled for June 29 at 3:00 p.m. in the Fifth Floor Conference Room of City Hall, during which rezoning possibilities for the South University area would be discussed.

Pratt asked that Commission members begin thinking about what committees they would like to serve on, referring to the email sent out to Commission members about the five focus areas of the Calthorpe report. He said there would be Commission representation for the committees working on those focus areas.

AUDIENCE PARTICIPATION

Jim Mogenson, 3780 Greenbrier, stated that he has been following the footing drain disconnection program. He was concerned that he had not yet heard or seen anything on the program for this year. He expressed concern that not enough people would be willing to have their footing drains disconnected in concert with the amount of development that is proposed and said that the footing drain disconnection program needed to be managed properly to avoid any crisis.

PUBLIC HEARINGS SCHEDULED FOR NEXT MEETING

Pratt announced the public hearings scheduled for the Commission meeting of July 6, 2006.

REGULAR BUSINESS

a. Public Hearing and Action on Pfizer Global Research & Development PUD Site Plan, 144.13 acres, 1600 Huron Parkway. A proposal to demolish two structures and part of two other structures, construct a 44,000-square foot warehouse facility and a 518-square foot emergency generator building, and remove 45 parking spaces – Staff Recommendation: Approval

Vaughn described the proposal and showed photographs of the property.

Peter Pollack, of Pollack Design Associates, representing the petitioner, stated that he and representatives of Pfizer were present to answer any questions.

Jim Mogenson, 3780 Greenbrier, stated that he lived in the area, and his concern was to make sure that the entrance/exit from this site onto Plymouth Road made sense. He stated that left turns were prohibited from that drive onto Plymouth Road, but he was concerned that that was not being followed. He was not concerned about how many cars would be on the site, but this was considered a major exit and he wanted to make sure it had an appropriate traffic design, which was not normally addressed in a traffic study.

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

Moved by D'Amour, seconded by Carlberg, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Pfizer Global Research and Development PUD Site Plan, subject to preliminary approval from the Washtenaw County Drain Commissioner's Office before City Council approval.

D'Amour asked if this proposal would impact any natural features.

Pollack replied no. He said the new building essentially would occupy the spot where the current building and parking were situated.

D'Amour asked if employees exiting the site would be able to make left turns onto Plymouth Road.

Pollack stated that the existing curb cut currently operated for right turns only onto Plymouth Road. He stated that the existing curb cut on Huron Parkway was a fully functioning entrance/exit.

D'Amour stated that the petitioner had done a good job of working with City staff in addressing all concerns and said he was favorably disposed to this proposal.

Potts suggested that a traffic island be installed at the entrance that will allow only right turns onto Plymouth. She said left turns were tempting and this island would take away that temptation. She wondered if this type of solution were feasible.

Pollack stated that the curb cut was appropriately signed at the request of City staff. He said Pfizer does a good job of monitoring its employees' behavior and said there has not been a problem with misuse of the curb cut. If this were to become an issue, he said, neighbors would call Pfizer to inform them. He said this did not seem to be a problem at this time.

Carlberg asked if Pfizer was fully detaining storm water demands on its own property.

Pollack replied yes, adding that Pfizer might also be exceeding the detention requirements.

Carlberg said she had no concerns with this proposal. It met Pfizer's needs and fit in with the approved PUD, she said.

Emaus asked if there were a guardhouse at the Plymouth Road exit.

Pollack replied yes.

Emaus said the same problem occurred on Huron Parkway where left turns from the 2800 Plymouth Road site onto Huron Parkway were prohibited. When the guardhouse was there, he said, there were signs posted that said "no left turns," but people turned left regardless. He believed there now was a concrete island that forced right turns from the site onto Huron Parkway. He thought the existing guardhouse at the Plymouth Road entrance would monitor this and, if it became necessary, an island may eventually be installed to allow right turns only. He stated that the proposed reduction in impervious surface was good news for Millers Creek. He hoped on-site storm water detention would remain in excess throughout development of the Pfizer PUD.

Bona asked for explanation on how pedestrians and bicyclists would access the reconfigured site. She saw a walkway across the drive going west, but it didn't look as though it went anywhere.

Pollack stated that most pedestrians came from the neighborhoods to the north and entered the site at 2800 Plymouth Road and then used the tunnel under Huron Parkway to get to the 1600 Huron Parkway site. Bicyclists were more random, he said, with most using automobile entries to get to the bicycle racks within reasonable proximity to the building entrance. He said a shuttle bus was also used for employees and there were two bus shelters that were coordinated with AATA. He stated that everyone was required to go through the security kiosk.

Bona asked if there would be a walkway for pedestrians to this new building.

Pollack replied yes, at the southern part of the building, as most everyone used the tunnel.

Bona thought this seemed to be a good plan. There seemed to be a vast improvement to the parking, she said, and there was a great deal of extra landscaping. She saw this as a positive improvement and said she would recommend approval.

Kunselman asked how many parking spaces currently existed and how many spaces were proposed as part of this proposal.

Pollack replied that there currently were 830 spaces. This site plan proposed a reduction of 45 spaces, he said, resulting in a total of 785 spaces.

Kunselman stated that this was a great plan and he intended to support it. He asked where future parking structures would be located in order to achieve 75 percent of covered parking.

Pollack stated that in order to get a model of future parking structures, one could look at what existed today. He also stated that parking lots were expected to someday be replaced with parking decks.

Kunselman stated that the opportunity existed here to provide a double entrance on Plymouth Road, as was done on Huron Parkway, and asked if this had been a consideration.

Pollack stated that the entry on Plymouth Road would be removed as part of the overall master plan. In the future, he said, a traffic signal would be installed at Commonwealth Boulevard and a new entrance to Pfizer provided at that location.

D'Amour stated that he generally was uncomfortable voting for a motion that contained a contingency for Drain Commissioner approval; however, he knew that Pfizer had an excellent track record and he would recommend approval.

A vote on the motion showed:

YEAS: Bona, Carlberg, D'Amour, Emaus, Kunselman, Potts, Pratt
NAYS: None
ABSENT: Hall, Lipson

Motion carried.

b. Public Hearing and Action on 322-334 East Washington Street Rezoning, 0.40 acre. A request to rezone this site from C2A/R (Commercial/Residential District) to C2B/R (Business Service/Residential District) – Staff Recommendation: Denial

Vaughn described the proposal and showed photographs of the property.

Commission recessed for ten minutes.

Kunselman stated that he was in a social situation where he met the petitioner, but said he would participate in discussion and voting given his responsibilities.

Pratt stated that the only reason for abstaining from discussion and voting on a proposal was because of a financial interest or another type of benefit or gain from a project.

Jim Beauche, 603 Young Place, representing the petitioner, said the petitioner was not encouraged to move forward with this rezoning, but said the petitioner was committed to the historic nature of these buildings. He said the rezoning was requested based on the adjacent Metro 202 project, which the petitioner opposed, as the rezoning from C2A/R to C2B/R would permit a high-rise building that would shadow his buildings. He said the petitioner concluded that he did not want to have this happen to any other nearby properties. He recognized that there were ways he could deed restrict his property as far as future development of his property, but he said the petitioner wanted to make a statement about the importance of preserving the history of this area. He appreciated staff's thoughtful recommendation, although he disagreed with it, and hoped Commission would recommend approval of the rezoning request.

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

Moved by D'Amour, seconded by Emaus, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 322-334 East Washington Street Rezoning from C2A/R (Commercial/ Residential District) to C2B/R (Business Service/ Residential District) and the waiver of the area plan requirement.

Potts expressed her appreciation for the work done in preparing the staff report. She thought the intention of the petitioner was to maintain his historic property, which she supported, but she did not see how this rezoning would help in the property's preservation.

D'Amour was glad to see that staff was vigilant in interpreting the Downtown Plan and Central Area Plan and in citing recommendations of the Calthorpe study. He believed staff's report and iterations were compelling. He also agreed that it was difficult to support a zoning change without a tangible benefit of what could come from it when there were other methods to achieve the same result. He said he voted in favor of the Metro 202 project, as he believed this area was appropriate for taller structures. However, he was sympathetic to the petitioner's point of view and said he would be willing to go out on a limb and support the rezoning. He asked if there were any precedence for this type of rezoning.

Beauche stated that the Metro 202 project had to obtain two variances and the petitioner was concerned that other adjacent properties could do the same. He said if C2A zoning allowed someone to develop a property in this manner, the petitioner did not want his property or other properties to be zoned C2A.

Carlberg said she provided her point of view to the petitioner during a Council caucus meeting, noting that her point of view was not necessarily how Council would vote. She stated that changing the zoning did not provide any protection whatsoever for this property. She pointed out that the Downtown Plan recommended that properties in the downtown zoned C2B/R be rezoned, as that zoning was inappropriate, noting that it required a 40-foot setback for commercial buildings and a 25-foot front setback for residential buildings. This was not appropriate for the downtown, she said. She said the C2B/R zoning would not fit goals for the downtown, such as developing mixed-use buildings and supporting residential and retail activities. She appreciated the charm of the petitioner's buildings and what the petitioner wanted to do, but this rezoning would not achieve that.

Bona said she also supported the petitioner's intent, but she did not see the rezoning as a way to achieve what he wanted to do. She encouraged the petitioner to continue pursuing an historic district. While she believed deed restrictions were a good idea, she did not completely understand why someone would give up a significant financial gain that could come from a property being developed in the future. She thought there were some opportunities to consider selling air rights over the buildings, which might discourage

someone from wanting to tear the buildings down, and suggested that this might be a consideration at some point. She was not sure the Planning Commission should be deciding which buildings were or were not historic and said she would prefer that the Historic District Commission provide advice on that. She said she would not support this rezoning.

Kunselman stated that he was supportive of this proposal in the sense that he supported property rights and it was actually persuasive when talking about devaluing property. Although the request to rezone this property may not be the appropriate method, he believed the intent to devalue one's property was honorable. He noted that if this property were rezoned, it would not take much for a future owner to come back before the City and request the property be zoned back to what it originally was. He concurred with the staff recommendation of denial.

Pratt asked if there were a trust or endowment for future maintenance of this property.

Beauche replied no.

Pratt stated that this rezoning would not comply with the Zoning Ordinance, as it would create deficiencies, and said it was important to avoid creating nonconforming uses. He noted that it was the City ordinances that must be applied when making decisions and he did not support this rezoning. He did, however, support property owners who were willing to use their own property for less than the highest and best use.

Potts did not believe it was the zoning of the Metro 202 property but the planned project site plan that permitted the impact on the neighborhood. With regard to deed restrictions, she said, as long as they did not discriminate, they were enforceable. She stated that this rezoning request would create more non-conformities on the property, which she did not support.

D'Amour believed that the Planning Commission was responsible for considering the historic aspects of a building in terms of a public benefit. He stated that master plans were a guiding force in terms of decisions that were made by the Planning Commission, but it was the City ordinances which were the driving force and which had the legal foundation for Commission's decisions. He stated that a maximum 30-foot tall building was allowed in the C2B/R zoning district and he could understand what the petitioner was trying to achieve with the rezoning. He would be willing to support the rezoning in terms of the maximum height and would also recommend that the area plan requirement be waived.

A vote on the motion showed:

YEAS: D'Amour, Potts
NAYS: Bona, Carlberg, Emaus, Kunselman, Pratt
ABSENT: Hall, Lipson

Motion failed.

c. Public Hearing and Action on Arlington Shops Planned Project Site Plan, 7.43 acres, southeast corner of Washtenaw Avenue and Platt Road. A proposal to construct a shopping center (totaling 105,773 square feet) that includes a mix of one and two-story retail buildings and restaurants (five buildings total) with above and below-grade parking totaling 378 spaces – Staff Recommendation: Approval

Vaughn described the proposal and showed photographs of the property.

Mark Heaby, attorney representing the Gift of Life, neighbor adjacent to this project, expressed concern about the easement to the south. He said Gift of Life granted this easement to the former Oldsmobile dealer, not to the other properties that were a part of this project, and it was their concern that the access would benefit a much larger parcel than described in the easement. He also noted that the easement was limited to passenger vehicles only, meaning no delivery vehicles. While he asked that this be indicated on the site plan, he expressed concern about the difficulty in monitoring it. He said the Gift of Life had a fairly self-contained use on its site and there was a concern that patrons of the shopping center would use it for parking. He asked that the Planning Commission take these concerns into consideration.

Jim Mogenson, 3780 Greenbrier, stated that he has been a pedestrian in this area traveling to the County recreation center. He said it was a good thing that there would now be a sidewalk along Washtenaw all the way to Platt Road, but said the reality was that no one would use it. He could not imagine anyone entering the new buildings off of Washtenaw. He wanted to make sure that this project had enough parking, stating that there would be comments about parking as related to the parking situation in the Whole Foods shopping center across Washtenaw.

Robert Kerr, of Metro Group Architects, representing the petitioner, said they planned on being a good neighbor to the Gift of Life site, stating that they would restrict service vehicles from using the easement and that they would provide signage to indicate the restriction. He also said they were planning a shuttle between this property and the Whole Foods shopping center across Washtenaw and were excited about the retail tenants that would be coming to this area. He was available to answer any questions.

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

Moved by Carlberg, seconded by Kunselman, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Arlington Shops Planned Project Site Plan and Development Agreement, with proposed modifications to the north and east setback requirements of Chapter 55 (Zoning Ordinance), Section 5:46, subject to maintaining a minimum usable open space of 27 percent; with the conditions that revised plans are received before the proposal is forwarded to City Council, and that all lots are combined, and that MDOT has approved installation of a traffic signal at the Washtenaw/Platt intersection before the issuance of any permits.

Moved by Carlberg, seconded by Kunselman, that the Ann Arbor City Planning Commission hereby authorizes disturbance of the 25-foot natural features open space, per Chapter 55, Section 5:51(5) and (6).

Bona asked for an explanation about the comment in the staff report about the vehicular use area and right-of-way screening being deficient.

Vaughn explained that the previous proposal included an additional site and when the proposal was revised to remove that site, it required the addition of interior landscape islands in the parking lot, which was being addressed.

Bona asked if a buffer was required adjacent to the Ann Arbor Rehabilitation Center because it was a residential use.

Kerr stated that throughout the planning process, they were unaware that this was a residential use. He said there was a small encroachment into the buffer area, but that this had been resolved with the large amount of green space that was provided to the south. With regard to interior landscaping, he said, there was a very small amount of deficiency. They would be providing the required interior landscaping, he said, but would not lose any parking spaces, as they would change some to compact car spaces.

Bona said this was an important issue to her, as she was concerned about the layout of the site. She was not sure the City's Land Development Coordinator had approved the landscape buffering yet and said she was not sure she was ready to do so either.

Kunselman asked about the retaining walls proposed along Washtenaw and Platt. He believed the use of the retaining walls to fit in with the site was counter intuitive to working into the hillside. He would have liked to see more of a pleasant view from the Platt Road side. He asked if all retaining walls along Washtenaw were three feet and if the top of any of the dumpsters would be visible above the walls.

Kerr replied that the height of the walls varied and that, no, none of the dumpsters would be visible above the retaining walls.

Kunselman said he was not convinced that the use of retaining and block walls along Washtenaw and Platt were the most aesthetic.

Potts stated that this was a difficult site with all of the grade changes and the wetland. There were still some issues pending, such as capacity for the sewer system, approval from the Michigan Department of Transportation (MDOT), and all screening and buffering shown on the site plan. She expressed concern about the building being situated in the corner of the wetland buffer and said it should not be too difficult to remove the corner of that building.

Kerr said they could cut a notch out of the building.

Potts stated that a site plan was a legal and enforceable document and she would prefer a greater level of completeness before making a recommendation. She would prefer tabling action until the site plan was more complete.

D'Amour said it would be good to see the redevelopment of this corner of Washtenaw and Platt and said he was pleased to see that the petitioner had moved the buildings closer to the street. He agreed that there were some issues yet to be resolved and said he would not be comfortable moving forward, particularly with regard to the wetland at the southwest corner of the site. He believed Building 6 should be redesigned so it was moved away from the wetland buffer area, saying this would need to be redone in order for him to support the proposal. He also thought it would be helpful if there were better buffering between this site and the rehabilitation center.

Carlberg asked how the wetland functioned.

Kerr stated that storm water from three properties to the north currently drained into the wetland and the quality was very poor. He said the paving caused the water to become trapped, which turned this into a wetland. He said this proposal would clean the water before it went into the wetland and that some of the water would stay to keep it wet. He said they would turn the wetland into an amenity and use it as a feature of the shopping center.

Carlberg stated that using the wetland to filter storm water was much better than using the City's system. She said the buffer around a wetland normally was used to strain out pollutants, but that may not be such

an important function on this edge. However, she said, while some intrusion into the wetland buffer could be tolerated, it was important to know where the intrusion would occur and to what extent. With regard to pedestrian access, she said, there were many more people walking along Washtenaw and she envisioned Buildings 1, 2 and 3 having easy access from Washtenaw. It did not appear to her that the buildings were placed in such a way to make pedestrians feel an easy transition from the sidewalk to the buildings.

Kerr stated that pedestrian interaction would be invited, indicating pedestrian access from Washtenaw into the buildings. He said they would not object to adding more stairs or wider steps to make it more inviting. They wanted people to come in and shop at the stores, he said. He added that the traffic signal at Washtenaw and Platt would make a big difference in increasing pedestrian and bicycle traffic.

Carlberg noted that stairs were not ADA accessible, saying that this would need to be addressed. She said the site plan mentioned that infiltration would be possible somewhere on the site and said she was interested in how this would be coordinated with the landscaping and parking arrangement.

Kerr said there would be an underground pipe system that would direct water into the pond for infiltration prior to going into the storm sewer.

Carlberg said it would be good if the landscape islands were used more efficiently for parking lot water going into the infiltration system and asked that the petitioner take this into consideration. She appreciated the location of the buildings up against Washtenaw Avenue, but said there still was a great deal of parking between Washtenaw and Building 6. She did not know if it would be possible to put more of the parking behind Building 6 and move the building closer to the street.

Kerr stated that they considered this design, but said retailers do not favor both a front and rear access. He said safety issues were of concern, as was mixing customer and service traffic.

Carlberg stated that the east elevation of Building 6 appeared to be blank. It did not appear as though the petitioner was taking advantage of the greenery on that side of the building, she said.

Kerr said this elevation was right up against the woods, but said they could provide some building openings there.

Carlberg said it seemed that if any restaurants were being anticipated for Building 6, they would want to take advantage of looking out over a wooded area.

Emaus said he walked in this area quite a bit and was familiar with the site. He said residents from the neighborhoods to the south would not have a contiguous walkway up Platt Road, which was important for pedestrians to access the site. The residents to the west would have the walkway along the County Farm Park, he said. What he would like to see was how this development would provide access for pedestrians and bicyclists from the south and west, not just access within the site. He wondered what the non-motorized transportation goals were for the Platt Road area, as he believed Platt Road was wide enough to accept bike lanes on both sides. A problem he saw was that many people would use the Platt Road entrance to the shopping center and wondered how much distance there was between the entrance to the shops and the intersection of Platt and Washtenaw.

Kerr said the distance was approximately 240 feet.

Bill Conlin, petitioner, said they would see that the sidewalk along Platt Road was finished.

Emaus asked what the petitioner's intent was for the easement across the southwest corner of the site.

Kerr said they intended to allow patrons to use the easement for access, but not service vehicles. He said the easement was not intended for any heavy traffic.

Emaus said he would like to see the façade of the building at the corner of Washtenaw and Platt more like the façade of Building 3 to make it more inviting and accessible for those coming from the west. He also said he would like the building moved closer to Platt Road so there was not a 30-foot setback.

Kunselman said he agreed about bringing the building closer to Platt Road, which would open up the interior of the site. He said this was a prominent corner and he would like to see it as more of an urban space. He said the opportunity was there, with sidewalks, buildings and appropriate lighting.

Commission agreed that it was a reasonable goal to bring that building up to Platt Road.

Emaus stated that this would allow more space in the parking lot to do other things, such as more landscaping.

Potts asked what impact this development would have on the existing creek/pipe.

Kerr replied there would be no impact.

Pratt believed this development would have a positive impact on this corridor. He asked what kind of building materials would be used.

Kerr replied that brick mainly would be used.

Pratt asked if the petitioner had taken into consideration the criticisms of the parking at Whole Foods.

Conlin replied yes. He said they would not have a tenant in this shopping center like Whole Foods, plus they would provide a shuttle service between the two centers. They would make every attempt to solve that problem, he said.

Pratt said the commercial zoning district allowed up to a three-story building and asked what prevented the petitioner from proposing a three-story building in this development.

Conlin said they had considered three stories, but were concerned about parking and there being too much on the site.

Pratt said he did not want the easement to be used as a cut-through and suggested that perhaps signage and/or speed bumps would be appropriate for discouraging such use. He believed a traffic light at Washtenaw and Platt with pedestrian signals and ramps would be helpful. He asked if the petitioner intended on meeting all of the pending comments listed in the staff report.

Conlin replied yes.

Pratt said he would appreciate any work that could be done to modify the retaining walls to improve pedestrian access. With regard to wetland buffer encroachment, he asked how the petitioner intended on building this development without disturbing more than what was said would be disturbed.

Kerr said all of the digging would be done from one side. He said they have been asked to install strong enough fencing prior to beginning construction so all limits were clearly identified and protected.

Pratt assumed this would be specified in the development agreement.

D'Amour said he would be more comfortable if there were no disturbance in the buffer zone. He would like to see the building notched away from the buffer more. Habitat was important on this site, he said. He stated that the traffic signal would be great at Washtenaw and Platt, improving traffic flow at a minimum, and said signaling and ramps for pedestrians would be critical.

Bona asked if Building 6 would be one or two stories.

Kerr replied it would be one story.

Bona asked why windows were shown on the second level.

Kerr said this was to draw attention to the building since it was situated at the rear of the site.

Bona stated that quite often Commission asked for more articulation on elevations and she thought the petitioner had done a fair amount of that; however, she said she would like to see authentic articulation. She liked embellishment when it actually meant something, she said. She also stated that when a corner was embellished or something was made higher, it would be nice if it were actually an entrance. She said it would be preferable if the design did not pretend that there were 17 different stores, but made it more authentic without so many different things going on. She also suggested making the building actually two stories in height if it were being made to look that way. She would like to see condominiums on the second story.

Kerr showed an alternate elevation of a modified façade including 12 two-bedroom units with outdoor garden space on the second floor.

Bona thought that was very interesting. She said the petitioner was hearing comments from Commission members that were slightly contrary to what the Zoning Ordinance recommended. Much of the comments were based on the master plans, she said, such as keeping buildings as close as possible to the sidewalk. If the building at Platt were going to be moved closer to the street, she recommended that the open space be put along the wetland buffer space. She said the second means of access was required for Building 1 because of the depth of the building and suggested that the petitioner might consider making Building 1 more narrow so it did not have the travel distance issue. She also suggested that Building 2 might then be made deeper because that building had a rear door. She did not think the single row of parking in the middle of the large parking area was the most efficient use and said it would be nice if the parking aisles were double-loaded. While this was not a deal breaker, she said, it would be a great improvement. With regard to the easement on the neighboring property, she suggested that it be reconfigured so it was more difficult for a truck to maneuver, thereby discouraging that type of traffic. Speed bumps were also a good idea, she said. She said the City's non-motorized plan did not recommend a speed limit over 40 miles per hour, adding that pedestrians preferred a speed limit of 35 miles per hour. The speed limit on Washtenaw was 45 miles per hour, she said, and recommended that the City consider reducing the speed limit to make it more pedestrian friendly. She was glad to see the bus shelter identified on the site plan and said it would be nice if it were designed to be more integral to the development, reflecting the architecture, and that it be designed to be a shelter from the weather. She believed this would be a great plan if these suggestions were implemented.

Kunselman stated that pedestrians walking close to Building 2 would see the fake façade and suggested that this would not be much of an issue if the building were two stories in height.

Bona thought it would be helpful if, when this came back to Commission, all of the Washtenaw elevations were contained on one drawing.

D'Amour said he would also recommend a reduced speed limit on Washtenaw. He also noted that perhaps the petitioner might want to think about porous pavers and green roof technology.

Moved by Potts, seconded by D'Amour, to table action.

A vote on the motion to table showed:

YEAS: Bona, Carlberg, D'Amour, Emaus, Kunselman, Potts, Pratt
NAYS: None
ABSENT: Hall, Lipson

Motion carried.

d. Public Hearing and Action on South State Commons Phase III Site Plan for Planning Commission Approval, 3.49 acres, 2727 South State Street. A proposal to revise the existing parking lot layout and connect it to an adjacent parking lot – Staff Recommendation: Table

Vaughn described the proposal and showed photographs of the property.

Noting no further speakers, Pratt declared the public hearing continued.

Moved by Potts, seconded by D'Amour, that the Ann Arbor City Planning Commission hereby approves the South State Commons Phase III Site Plan for Planning Commission Approval, subject to the approval of an administrative amendment to the South State Commons Phase I Site Plan.

Moved by Potts, seconded by D'Amour, to table action.

A vote on the motion to table showed:

YEAS: Bona, Carlberg, D'Amour, Emaus, Kunselman, Potts, Pratt
NAYS: None
ABSENT: Hall, Lipson

Motion carried.

e. Action on Energy Resolution – Staff Recommendation: Approval

Moved by Emaus, seconded by D'Amour, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the recommendations contained in the June 30, 2006 memorandum from Ron Emaus to City Council regarding Construction Energy Efficiency Requirements and Certification, and

that City Council direct implementation to begin on said recommendations.

Emaus reiterated that one of issues for Commission was that local jurisdictions cannot require building codes that were stronger or different from State code. There had to be one uniform building code, he said. He stated that in order to achieve energy conservation in the City's codes, Commission needed to look at what kinds of premiums, PUD standards, planned project standards, or premiums for density could be given in exchange for increased energy efficiency. He said petitioners could then submit the techniques they used for energy efficiency to the Energy Commission, which would be developing a recognition program. This was proposed in the recommendation to City Council, he said.

Kunselman thought this was a great idea, but wondered where funds would come from to create and implement this. He wondered if it might make more sense to use existing certification programs, such as the LEED program.

Emaus stated that this was a suggestion and might be something that is recommended for the recognition program. What the ad hoc committee was recommending, he said, was that Council direct those people who were familiar with construction and energy efficiency to come up with an appropriate program.

Kunselman said he was supportive of this resolution, as it was moving in the right direction.

D'Amour thanked Commissioner Emaus for taking the initiative on this and said he supported moving this on to Council. He thought it was good for Commission to make policy recommendations that were germane to Commission's work, as it made a stronger commission.

Potts said she had a slight concern about this being tied into possible premiums and the Zoning Ordinance and giving special recognition for something that was expected of everyone. She wanted to make sure it was something a petitioner did because it was worthwhile for its own reasons. She supported this resolution, but wanted to express this reservation of hers.

Pratt noted that the City would not be able to expect compliance with these things because they exceeded Code requirements. It was his thought that the ordinance would be strengthened to include energy efficiency as a specific area that was explored in the incentives.

Bona thought this was a great idea, adding that she believed the concerns she heard this evening had been addressed. She said at some point the State may decide to take energy conservation to another level and include it as a standard requirement, thereby eliminating the need to include it in the ordinance as an incentive.

A vote on the motion showed:

YEAS: Bona, Carlberg, D'Amour, Emaus, Kunselman, Potts, Pratt
NAYS: None
ABSENT: Hall, Lipson

Motion carried.

f. Action on Communication Resolution.

Moved by Potts, seconded by Emaus, that the Ann Arbor City Planning Commission hereby approves the following resolution:

WHEREAS, The City Planning Commission facilitates public commentary regarding development and planning issues in the City;

WHEREAS, The City Planning Commission is always interested in improving the way it conducts business; and

WHEREAS, The City Planning Commission believes open dialogue with all members of the public is the best way to ensure good decisions regarding planning and development;

RESOLVED, That the City Planning Commission would like to improve its communication with the public by working through its own committees and with staff and City Council on the following items:

- 1. Conduct a review of the City's notice ordinance and the staff implementation of this ordinance and, if necessary, recommend changes that would improve the timeliness and effectiveness of notice to the public.**
- 2. Establish a policy to provide early review of development projects (not just limited to PUDs). This policy must ensure adequate public involvement.**
- 3. Establish a policy or ordinance to require early meetings between petitioners and public.**
- 4. Work with staff to improve website content and design to allow public greater and more timely access to staff reports and other planning documents.**
- 5. Create an email newsletter or listserv for those interested in development issues around the City.**
- 6. Continue to collect email addresses at public hearings to notify interested persons about future review schedule for tabled items.**
- 7. Improve communication with registered neighborhood groups. Invite all contact persons to a meeting to review development procedures, public notice, and role of Planning Commission. Register new neighborhood groups in areas of City where there are none.**

Potts supported this resolution, but said there may also be other suggestions to add over time to enhance communication.

Carlberg stated that with regarding to #7, there would need to be some sort of accountability for those who have met with representatives of neighborhoods. She also said that neighborhood groups would need to meet and be dynamic groups, informing the City of meetings and attendance at the meetings. She said it was important for the City to know they were hearing from the neighborhood and not just one person.

D'Amour expressed concern with suggestion #2. He was not certain it was the Commission's role to be unpaid consultants to petitioners and he did not necessarily want to make this a blanket requirement for

all proposals. He also questioned how “adequate public involvement” would be measured. He suggested that this suggestion be eliminated from the list.

Pratt stated that there were a number of communities that had pre-petition conferences for all proposals and thought there may be a way for this to work.

D’Amour moved to eliminate #2 from the list; however, there was no second.

Bona believed Commission offered a great deal of valid input on proposals and said she would like to see as many as possible come before Commission prior to formal submittal, giving Commission a greater chance to have an effect on developments.

D’Amour stated that if this were the case, he would hope a creative agenda format would be developed, as he thought this may involve quite a bit of work on the part of Commission.

A vote on the motion showed:

YEAS: Bona, Carlberg, D’Amour, Emaus, Kunselman, Potts, Pratt
NAYS: None
ABSENT: Hall, Lipson

Motion carried.

AUDIENCE PARTICIPATION

None.

COMMISSION PROPOSED BUSINESS

None.

ADJOURNMENT

Pratt declared the meeting adjourned at 11:05 p.m.

Mark Lloyd, Manager
Planning and Development Services

Bonnie Bona, Secretary

Prepared by Laurie Foondle
Management Assistant
Planning and Development Services