

MINUTES
ANN ARBOR CITY PLANNING COMMISSION
REGULAR MEETING
7:00 p.m. – March 20, 2007

Time: Chair Pratt called the meeting to order at 7:05 p.m.

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

ROLL CALL

Members Present: Bona, Borum, Carlberg, Emaus, Potts, Pratt, Westphal, Woods

Members Absent: None

Members Arriving: Lipson

Staff Present: Foondle, Marcarello, Vaughn

INTRODUCTIONS

None.

MINUTES OF PREVIOUS MEETING

a. Minutes of February 22, 2007.

**Moved by Woods, seconded by Westphal, to approve the minutes
as presented.**

Westphal asked that the fourth line from the bottom of the first paragraph on page ten be changed to read: "...if deemed to be important, could be included in the City Code."

Pratt asked that the second line of the third paragraph on page 11 be changed to read: "One that did was whether...."

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Potts, Pratt, Woods, Westphal
NAYS: None
ABSENT: Lipson

Motion carried.

APPROVAL OF AGENDA

Moved by Emaus, seconded by Borum, to approve the agenda.

Pratt noted that additional information on the Burton Commons proposal was provided this evening.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Potts, Pratt, Woods, Westphal
NAYS: None
ABSENT: Lipson

Motion carried.

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

Woods reported that Council, at its meeting of March 19, passed ordinance changes to Chapter 103 regarding historical preservation. She also reported that Council approved revisions to the Ashley Mews PUD supplemental regulations.

Potts announced that the Ordinance Revisions Committee would be meeting on March 30 at 9:00 a.m. in the Council workroom. The next meeting of the committee was scheduled for April 13, she said.

Carlberg reported that the Greenway Task Force would be presenting information to City Council at the Council meeting of April 3.

Woods asked that the report from the Greenway Task Force be provided to Planning Commission members.

Pratt stated that a joint meeting between City Council, the Planning Commission and DDA would be held with the consultant hired to assist the City with phase two of the parking analysis and study, which was part of the downtown zoning implementation. This meeting was scheduled for March 28 at 6:30 p.m. at the Ann Arbor Public Library on Fifth Avenue, he said, adding that the consultant would then hold a public hearing on March 29. He stated that the public could visit the City's website at www.a2gov.org and then go to Discovering Downtown for a status report on the various committees of the Ann Arbor Discovering Downtown work effort.

Enter Lipson.

AUDIENCE PARTICIPATION

Jim Mogenson, 3780 Greenbrier, suggested a few things for the Planning Commission to consider in relation to redevelopment of the Pfizer property: 1) The PUD policy and situations that occur when future revisions are made to already approved PUDs. 2) The natural systems in the area. He stated that this area was in the headwaters of Millers Creek and any major changes made had to be coordinated to make sure that the natural areas did not end up with large amounts of flowing water. 3) Transportation. He stated that the City should be prepared to respond proactively to transportation issues to make sure the transportation system was not negatively impacted.

PUBLIC HEARINGS SCHEDULED FOR NEXT MEETING

Pratt announced the public hearings scheduled for the April 5, 2007 Planning Commission meeting.

REGULAR BUSINESS

a. Public Hearing and Action on Powell Annexation and Zoning, 0.14 acre, west side of Westover Avenue, north of Rhea Street. A request to annex this parcel into the City and zone it for single-family residential use – Staff Recommendation: Approval

Vaughn described the proposal.

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

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

Bona asked if there were City utilities available to serve this property.

Vaughn replied yes.

Woods stated that there were flooding problems in this area and asked if there were any plans to address these problems.

Vaughn was not aware of any plans to address flooding problems but stated that, since this was a vacant lot, the grading permit application would be reviewed by the City to make sure any new development would have no impact on adjacent parcels.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Lipson, Potts, Pratt,
Woods, Westphal
NAYS: None

Motion carried unanimously.

b. Public Hearing and Action on Barton Green Planned Project Site Plan, 31.93 acres, west side of Pontiac Trail, north of Skydale. A proposal to construct 253 residential units in 19 buildings, a community building, and 565 parking spaces (429 in garages) – Staff Recommendation: Table

Vaughn described the proposal and showed photographs of the property.

Scott Betzoldt, of Midwestern Consulting, representing the petitioner, stated that he was present with the petitioner this evening. He stated that this proposal was consistent with the master plan and surrounding uses. He described the property, its amenities, and the proposed development. He identified changes that were made since the area plan was approved.

David Kwan, petitioner, stated that they were waiting for comments from staff and that they were unable to proceed until these were provided, adding that these were costly delays.

Karen Johnson, 333 Skydale, presented a petition signed by 58 neighbors of the Huron Highlands Neighborhood (on file), requesting that the access road between their neighborhood and the Barton Green proposal not be used for anything other than emergency vehicles, pedestrians and bicyclists. She said it was their understanding from the Northeast Area Plan that there would be no vehicular access here, only pedestrian and bicycle access. She said this was a closed-circuit neighborhood with one way in and one way out, adding that the homes were small starter home and there were many small children.

David Howells, 549 Skydale, stated that every car that entered and exited the neighborhood drove by his house. He expressed concern about the new access between the two developments. Because it sounded as though it was a done deal, he discussed the proposed buffer between the rear of the existing homes and the new buildings. He questioned how wide this buffer area would be and said he would like to see the area populated with trees. He also suggested that it would be helpful if the taller buildings of the development were not along the property line adjacent to the existing homes.

Michael Earl, 432 Kellogg, stated that his concern with this proposal had to do with added traffic on Pontiac Trail. He said the stretch of Pontiac Trail from this property to the intersection of Dhu Varren Road was particularly narrow and tricky, making for dangerous driving. He said there also was a sharp drop-off, especially on the west side of the road, and the condition of the road was quite rundown and in need of repair. He wondered if there were any plans to widen the road to accommodate the additional traffic from this project and hoped the Planning Commission would take these concerns into consideration.

Dena Fazelheighton, 322 Skydale, suggested that an access to the property to the north be considered for Barton Green, rather than an access connection with the existing neighborhood. She thought this was appropriate since there was also a new development going in to the north, as well as a fire station in that direction.

Dennis Masden, owner of the property near the west end of the site, said he would not sign the neighborhood petition in opposition of the access connection. He understood their concerns about traffic from the access road, but said he needed access to his property and asked that the Planning Commission keep this in mind, noting that there could be legal issues involved if he were not able to have access to his property.

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

Moved by Lipson, seconded by Emaus, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City

Council approve the Barton Green Planned Project Site Plan and Development Agreement, with modification to the height requirement of Chapter 55 (Zoning Ordinance), Section 5:32A, subject to maintaining a minimum usable open space of 74 percent.

Pratt asked about access to the development to the north and about details of the buffer space between this development and the existing homes to the south.

Vaughn stated that this proposed development would connect with the new development to the north.

Brad Moore, of J. Bradley Moore Architects, representing the petitioner, stated that a 20-foot setback was required between this proposal and the existing neighborhood to the south. He said they were proposing a 38-foot setback which would be planted with additional trees to go with the existing hedgerow. When factoring in the rear yards of the existing homes, he said, there would be about 100 feet between buildings.

Carlberg did not see the Planning Commission going against staff's recommendation to table action, as fairly important comments from staff were still needed. She appreciated the proposed landscape buffer, stating that the evergreen trees would provide a nice barrier; however, she did not see much landscaping along the north side of the site. She asked that this be addressed when the site plan came back to Commission. She expressed appreciation for the walking paths for those wanting to get Pontiac Trail for public transportation. She noted that the design of the streets would provide a traffic calming method on its own, as well as provide different vantage points for the homes. She stated that the situation of the tallest buildings toward the north and lower buildings to the south was more consistent with the existing single-family homes to the south. She stated that a traffic engineer would need to decide if the roundabout were warranted by traffic. If it were not warranted, she would be concerned with the great deal of impervious surface it would create.

Potts said she would like to see a buffer along the north, as the buildings were quite close to the lot line. She stated that the Skydale connection has been controversial. Connections between neighborhoods were good in general, she said; however, she questioned whether this particular access would connect people because of the different housing styles. She thought it would be good to have a connection for pedestrians and for emergency vehicles, stating that this was her preference. She thought the circuitous route of the streets within the development might cause people living at the west end to use the connection.

Lipson asked how many units there were at the northwest end of the development that may be likely to use the Skydale access.

Betzoldt replied 66 units.

Lipson stated that the development agreement contained a provision about the petitioner conveying nine acres to the City for public parkland. He heard a comment this evening about the petitioner selling the nine acres to the City and said this would make a difference to him in his consideration of this proposal.

Kwan stated that the City recently purchased a four-acre parcel of land to the southwest for use as parkland. He said that he had a seven to nine-acre parcel of land for which he paid handsomely. He stated that everything was still on the table at this point, adding that there were ways to make this a good situation for all parties involved.

Lipson stated that one of the planned project standards was increased open space. He would be more inclined to support this planned project proposal if the land were conveyed, not sold, to the City for parkland, as this would be a public benefit. He asked about restoration of the trees that were inadvertently removed in the area that had the highest quality natural features, noting that he did not see it addressed in the development agreement.

Betzoldt stated that the restoration plan was a component of the site plan and that it would be implemented as part of the site plan. The plan was drafted by City staff, he said, as well as forestry specialists hired by the petitioner at the City's recommendation. He noted that the only element of the site plan for which they were requesting planned project modification was the building height variation because of the underground parking. If they were not providing underground parking, he said, there would be no need for a planned project modification.

Lipson asked if a study had been done on the cumulative effect of traffic from the new developments that have been approved along Pontiac Trail.

Vaughn replied yes, adding that no significant impacts on traffic were determined.

Lipson stated that the most difficult issue with this proposal was the connection to Skydale. He said an emergency vehicle connection was necessary at a minimum, but said one of the problems with these types of connection was that they became impassable. He stated that there was only one way in and one way out of this neighborhood, which was not good planning, adding that the City has been trying to encourage the inter-connection of neighborhoods to avoid problems of neighborhoods being cut off from each other. The inter-connections also eased the burden on heavily traveled roads, he said. He thought the design of this proposal would not create an excessive traffic burden on the Skydale neighborhood and that the connection would be a benefit. He was in favor of the connection for full vehicular use.

Woods said she was very sensitive to the neighbors who were concerned about the possibility of increased traffic on Skydale, but said she also was concerned about adequate access for vehicles other than emergency vehicles, such as school buses. She believed the connection to Skydale would provide the most efficient means of access for both the existing neighborhood and the new development, allowing children to be picked up and dropped off without having to use Pontiac Trail. She also thought the connection would be most efficient for delivery vehicles and refuse trucks.

Carlberg stated that of the 66 units in this new development that were closest to the Skydale connection, the City's traffic engineers would say this might result in about 30 to 35 cars using the connection during peak hours. Throughout the rest of the day during non-peak hours, she said, the neighborhood streets were virtually empty. She stated that sidewalks existed in this neighborhood and that parents did not teach their children to play in the streets.

Emaus said he followed a school bus along Pontiac Trail today, before coming to the meeting, stating that it stopped on Pontiac Trail at Skydale. The bus probably did not turn into the neighborhood to drop children off because there was no way to get out. He stated that the inter-connection of neighborhoods was very important from a planning point of view, as well as for health, safety and welfare. He pointed out that the roads within the neighborhood were public roads and belonged to everyone in Ann Arbor, not just the people who lived in the neighborhood. He supported the connection. He asked what staff comments were outstanding.

Vaughn said there were significant issues with some of the utilities that needed to be completely reviewed by the engineers.

Bona said she agreed with the comments made about the Skydale access, stating that she was a strong supporter of interconnected neighborhoods. She stated that she would support a T-intersection rather than the proposed roundabout near the entrance at Pontiac Trail. She did not imagine that the few residents coming from the North Sky development to the north would need a roundabout's traffic calming at that location. She did not see a benefit to the roundabout from a traffic standpoint. With regard to sidewalks, she had previously asked that they be provided on both sides of the street. She acknowledged that this had been done with the exception of a sidewalk on the west side of the connection to Skydale, which would provide access to the future trail system for the residents to the south. She suggested that it would be nice if these residents had more of a direct access to the trail system. She also noted one other location where the sidewalk was missing and asked the petitioner to add it to the plan. She called attention to paragraph P-8 in the development agreement that called for the petitioner maintaining the streets if certificates of occupancy were issued before the street improvements were accepted for maintenance by the City. She questioned why the City would be doing any maintenance if these were private streets.

Marcarello stated that staff would check to see if this language needed to be modified.

Pratt asked that staff make sure that the development agreement contained language about an easement being granted on the portions of the roads that would be private.

Westphal said he appreciated the consistency with the Northeast Area Plan recommendations regarding the north and south connections, stating that this was a smart, long-term strategy and that it was good to implement these connections now. He also appreciated the contiguous open space of the design and liked staff's suggestion that the intersection near the entrance be configured as a T-intersection, not a roundabout. Without a roundabout and because the density of this proposal was a little low, he suggested that the petitioner give some thought to adding units south of where the roundabout would have been.

Borum said he supported the connection with Skydale for all of the reasons mentioned this evening regarding the importance of connectivity. With regard to the roundabout, he thought it made more sense to provide a T-intersection, especially given the lower density of the project to the north. He stated that rear access to garages typically resulted in a higher amount of impervious surface and eliminated any rear yard for those units.

Lipson stated that he did not have an opinion about the roundabout versus a T-intersection. He said it was likely that action would be tabled this evening and asked that it be tabled for no longer than one month, as he would like to see this project move forward.

Pratt echoed the comments made on the compact design of this proposal, which was a benefit. He calculated that there would still be 64 percent open space remaining if the nine acres were sold to the City for parkland, which he believed would still meet the open space requirements. He noted that the original goal was to have some kind of natural corridor here. He did not have a strong opinion about the roundabout, but said it appeared as though most Planning Commission members agreed with staff's recommendation for a T-intersection. With regard to the access connection with Skydale, he agreed with the comments made about these being public roads, noting that the one of the recommendations in the Northeast Area Plan was to connect neighborhoods for both pedestrian and vehicular use. He said the Planning Commission did its best to accommodate as many of the recommendations of adopted master plans as possible.

Lipson stated that when this came back to Planning Commission, he would be asking about ambient lighting and the energy efficiency of lighting, noting that Commission tried to encourage as much energy efficiency as possible both within and outside of buildings.

Pratt asked if the petitioner had verified the sight distance at the entrance and that it met the criteria.

Betzoldt replied yes, stating that it met the criteria. He said there was a steep embankment on the west side of Pontiac Trail, but said that would be altered because it was close to the main entrance.

Bona asked that the open space be clarified, as it might be possible that more open space would need to be provided if the nine acres were sold to the City.

Emaus stated that, if possible, he would like to see the sidewalk extended across the neighbor's property along Pontiac Trail.

Betzoldt did not believe this would be possible because the existing right-of-way of the neighboring property was 27 feet closer to the centerline of Pontiac Trail.

Emaus reinforced Commissioner Borum's comments about the impervious surface of drives for the rear-loaded garages.

Betzoldt stated that they could look into this, although he noted the steep grade which might preclude them from making this modification.

Emaus stated that eliminating the roundabout and providing another set of townhouses along the south would be a benefit to the petitioner and a reasonable exchange for conveying the parkland to the City rather than selling it.

Pratt stated that during the Northeast Area Plan process the Planning Commission did not recommend the use of the Huron Parkway right-of-way for vehicular use and he wanted to clarify that this Planning Commission was not considering in any way a direct connection to the expressway or to Barton Drive. He said what the Planning Commission was recommending was circulation between neighborhoods only.

Moved by Potts, seconded by Lipson, to table action for one month or less.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Lipson, Potts, Pratt,
Woods, Westphal
NAYS: None

Motion carried unanimously.

c. Public Hearing and Action on Burton Commons Rezoning and Planned Project Site Plan, 8.06 acres, 2559-2805 Burton Road. A request to rezone this site from R1C (Single-Family Dwelling District) to R4B (Multiple-Family Dwelling District), and a proposal to construct 120 units in five three-story buildings with 185 parking spaces – Staff Recommendation: Approval

Marcarello described the changes made to the proposal and showed photographs of the property.

Angela Smith, 2803 Lillian, stated that Ann Arbor was the Paris of the Midwest and that it should live up to that reputation. She did not think this proposal added to the character and value seen in Ann Arbor. This area was a secret gem in Ann Arbor, she said, consisting of affordable homes. She believed that adding 120 units to this neighborhood with a much different density would not be a benefit to the City and would become a nuisance to the public. She stated that one of the nuisances would be traffic, noting that this area was full of young families and seniors who did a lot of walking. She was very concerned about the proposed connection with Eli and the traffic that would be generated. She thought this new connection would be the only thoroughfare to use for access to Washtenaw. She said she lived near the wetland and was concerned about flooding, stating that the flooding problems had been fixed a couple of years ago. She was concerned that this new development and the improvements made to enhance the quality of the wetland would recreate the flooding problems previously experienced.

Paula Gardner, 2615 Lillian, stated that she just learned this evening that the staff recommendation had been changed from table to approval, adding that it did not make sense to her to make a recommendation that would forever alter the land based on some notes that arrived a couple of hours ago. She did not think staff had even had a chance to read all of the information that had been provided. She said there seemed to be an air of urgency because of funding deadlines, but she believed if this were truly important, the developer could have followed the clear direction provided by the City over two months ago. She believed this was a disregard of process and was inappropriate. She expressed concern about the market viability of this project, stating that she did not agree that the only option with the existing R1C zoning was building \$600,000 homes. She expressed concern about the connection to Eli and about the proposal adequately addressing natural features mitigation requirements. She said the neighbors have not had any communication with the petitioner in a couple of months, noting that the neighbors were promised fencing but none was shown on the plan. She also expressed concern about traffic calming and location of the sidewalks and said the neighbors have not had a chance to see the latest revisions because of the last-minute change in the staff recommendation.

Rita Paye, 3653 Eli, said she understood many of the reasons for wanting to connect this development with the adjacent neighborhood; however, in this case, she believed the reasons were wrong. She liked the idea of opening Eli for pedestrians and bicyclists, but not for cars. She had a personal problem with the creek behind her house, stating that it was full during storms and caused some flooding. She questioned how much additional water, as a result of this new proposal, would be drained into the creek. She said it needed to be addressed because of the huge amount of impervious surface being added to this area. She also expressed concern about the impacts on the wetland. She believed this property should be developed with small single-family homes, stating that she did not think placing lower income people near the highway was appropriate. She stated that the City has been spending a great deal of money on green space, yet here was a situation where all of the green space would be removed.

Melitha Helvig, 3640 Eli, stated that she has lived here happily for the past 45 years. She believed this project was problematic for many reasons. Not the least of the problems was the loss of the small but effective green space between Ann Arbor and Ypsilanti that helped buffer noise and pollution from US-23. She also noted that this green space was home to deer and other animals, stating that they were doomed for death if this development were approved. She questioned why the City would want to make that sacrifice for an out-of-town developer. She found the connection with Eli extremely troubling, stating that it would create traffic hazards for the residents of this neighborhood. She said Eli was a narrow, curved street with blind corners, and the streets feeding into it were hilly and also had blind corners. She said there was a neighborhood pool here, as well as a park and school crossings. The potential for serious accidents was very real, she said. She also expressed concern about drainage, stating that the removal of trees and underbrush at the end of Eli would turn that area into a river and residents' yards into swamps. She said Ann Arbor has long prided itself on being a progressive community concerned about

the quality of life for its residents. She said the people who lived in this area and their concerns should be considered. She asked that Eli Road not be extended and that this proposal be denied.

Gerald Leckrone, 3616 Eli, did not think roads connected neighborhoods; rather, bicycle paths, pedestrian connections and pedestrians themselves connected neighborhoods. He believed roads tended to divide neighborhoods. He agreed with the concerns already expressed about safety for children who walk and ride bicycles in the neighborhood. He called attention to the Turnberry neighborhood across Packard to the south, in that it was a very large neighborhood with only one access point and it seemed to work fine. He did not see the necessity for opening Burton Road to the north for vehicles, although he supported a connection for pedestrians and bicyclists.

Pat Fritts, 3665 Eli, expressed concern for the children in the neighborhood, stating that she has had several frightening experiences. She said the majority of children coming to the neighborhood pool had to cross the street and often did so in front of cars. She thought the connection of Eli with Burton Road would become a death trap for children. She said there were two very sharp curves within a short distance of each other, which also created a hazardous situation. She stated that this would also be dangerous in the winter with cars sliding on slippery roads while children were walking to school. Her children were grown, she said, but she has had over four experiences where she had to stop her car and speak to the children about thinking before crossing the street. She said the kids' minds were on getting to the pool and how fast they could ride their bikes down the hill without realizing the bottom of the hill fed into a street. If Eli were opened and 100 more cars per day traveled these streets, she questioned who would take responsibility for what could happen. She said the children of this neighborhood needed the Planning Commission to carefully review this situation.

Earl Ophoff, of Midwestern Consulting, representing the petitioner, stated that he was present with the petitioner, the architect and the traffic consultant to answer questions.

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

Moved by Carlberg, seconded by Potts, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Burton Commons Rezoning from R1C (Single-Family Dwelling District) to R4B (Multiple-Family Dwelling District), Planned Project Site Plan and Development Agreement, subject to 1) Washtenaw County Drain Commissioner approval, and 2) addressing all outstanding comments from land development and systems planning reviews prior to City Council consideration.

Moved by Carlberg, seconded by Potts, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Burton Commons wetland use permit to remove up to 8,011 square feet of wetland area and mitigation plan, including replacement of at least 7,334 square feet, and restoration and monitoring of the remaining wetland area.

Moved by Carlberg, seconded by Potts, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council authorize disturbance to the 25-foot natural features open space adjacent to a wetland to accommodate a storm water

detention pond, wetland restoration area and improvements to a public road.

Carlberg asked about the timing of traffic on Packard in relation to there being sufficient gaps to allow cars to turn left from Burton onto Packard.

Jim Valenta, of Midwestern Consulting, representing the petitioner, stated that a traffic gap of about eight seconds existed, which allowed a safe exit for cars turning left from Burton onto Packard, as well as cars turning left from Packard onto Burton. In both situations, he said, cars making left turns would have to cross two lanes of traffic.

Carlberg stated that the traffic study identified 13 cars from this new development using the Eli Road connection in the morning. She asked the engineer how they arrived at this number.

Valenta stated that they took into consideration three different routes someone could travel leaving the development and ultimately ending up on Washtenaw. He said they did not believe that people wanting to get to Washtenaw would use the new Eli Road connection because they would have to go north on Yost and from there traffic could then go only east on Washtenaw. He said using Pittsfield was the most logical choice, with using Carpenter Road then another choice. He said people tended to choose the route that took the shortest amount of time. In reviewing the traffic data from this development, he said, they envisioned a small number of vehicles using the new Eli Road connection to go either direction on Yost.

Carlberg asked why it was anticipated that only ten percent of the units would use Eli Road.

Valenta replied because most of the drivers would have a desire to go eastbound on Washtenaw, which would limit the number of drivers using Eli Road, as well as the traffic calming devices that existed on Yost, which proved to be an effective deterrent. He said most people desiring to go westbound on Washtenaw would use either Pittsfield or Carpenter.

Carlberg stated that her main concern was what would happen to the wetland and whether its capacity and functionality would be improved. It appeared from the drawings that the most degraded part of the wetland was where the water runoff from the highway occurred, she said, which would be changed to be receptive to water. She asked what currently existed in this area.

Marcarello stated that it was vegetated with low quality shrubs and trees. She said the vegetation was proposed to be removed and a wetland recreated in that space.

Carlberg asked if the capacity of the southern portion of the wetland was going to be improved by removing invasive species and planting appropriate species.

Marcarello replied yes. She said the capacity would be enhanced by the addition of wetland plants and removal of the invasive species.

Carlberg stated that this southern portion, which was in terrible condition, was close to the road and changing it would be beneficial to both the wetland and the road.

Marcarello agreed, adding that the City's Natural Resources & Environmental Coordinator supported this.

Carlberg was pleased to see this change because there had been many unanswered questions. She said changing the wetland was appropriate and could be fully mitigated. She did not have any problems

with changing a low quality wetland, noting that it has been done at a number of sites to accommodate housing, which actually would enhance the capacity. She was not troubled with the changes to this particular wetland. She asked what would happen to water that entered the storm water system along Burton Road as far as its impact on properties across street that currently were open space at varying levels and topography.

Marcarello stated that the drainage course ran along the south and water would make its way from the highway across the site and flow over the road, working its way into the Swift Run drain. At the north end of Burton Road, she said, there was evidence of sheet flow that caused problems at the backs of homes. She stated that the addition of curb and gutter would end the overland flow of water. Catch basins and gutters would be installed, she said, and water coming from the road would now enter the catch basins, then flow north and south at different points to connections to existing storm sewers. She said the storm water detention has been designed to eliminate flooding across the road.

Pratt confirmed that all water from this site would be intercepted and would be piped underground as it exited.

Marcarello replied yes.

Pratt stated that he talked with the Natural Resources & Environmental Coordinator because he was concerned about whether downstream pipes were appropriately sized. He said he learned that the pipes would be the same size as the receiving pipe. He said there would be some water that would fall off-site and he wanted to make sure that that water would be able to get into the conveyance site.

Carlberg questioned how this would impact Swift Run Creek? Detention water released at slower rate, storm sewer water flows free.

Marcarello stated that the on-site storm water management system would be accommodating some public water from a portion of the right-of-way. She said staff was reviewing how much more storm water control could be added within the right-of-way given the constraints of the road.

Pratt said it was his understanding that about 25 percent of the water from the public road could be detained. He stated that every effort to achieve full storm water detention would be desirable.

Carlberg said she was generally supportive of this proposal. She thought it was appropriate housing for families and individuals. She said there was a great shortage of three-bedroom housing in community, adding that there was an unending demand for affordable housing. With regard to the Eli Road issue, she stated that it was consistent with the Barton Green proposal Commission just reviewed, noting that there was value in connecting neighborhoods and making it possible for people to travel from one neighborhood to another without having to drive out onto a major road. Given the traffic engineer's projection that a small number of cars would chose to use the Eli Road connection for access to Washtenaw during peak hours, this would seem to have a small impact on the existing neighborhood, she said.

Potts expressed concern about the technical details being put on the table this evening and not having enough time to review them before making a recommendation. She said there was a existing neighborhood here with real concerns and they needed answers. She thought a good deal of what was causing a lot of concern had to do with a development being proposed that was more dense than anything else in the neighborhood. She questioned whether this was an appropriate location for a development that caused traffic, environmental and community concerns. She said the report provided to Commission was almost the opposite of what was provided to Commission four days earlier. Because

there was no development agreement, no detailed site plan or grading plan, she did not believe the project was ready for a recommendation.

Emaus said he was in favor of the planned project modifications to increase height near the expressway, which would increase density and make the project financially feasible and allow the improvements. In terms of the total number of vehicle trips in and out of the development, he pointed out that many of the residents would likely use the bus system. He found this proposal to have many benefits, such as a higher quality wetland than what currently existed and the interconnection between neighborhoods. He stated that the route to Arborland from this area was very circuitous and thought it would be a benefit to have some type of path or easement to Sylvan Park. He said there was no direct route for pedestrians or drivers to get to Arborland.

Bona said she supported connecting neighborhoods but was opposed to creating direct connections. She did not see this proposed connection as a major cut-through. She pointed out that the stubbed road has existed for years and that the adjacent neighborhood was planned for a connection. She clarified that the petitioner would provide 50 percent tree mitigation for the removed trees.

Marcarello replied that this was correct. She said the code required 50 percent replacement of the total caliper inches of trees removed. A total of 1249 caliper inches were removed, she said, requiring mitigation of 625 caliper inches. She noted that the petitioner was proposing 632.5 inches in replacement trees.

Bona said there was a comment in the staff report about the southern section of sidewalk jogging, which she assumed was due to the wetland. She asked if staff thought the sidewalk could be straightened.

Marcarello stated that normally there was a lawn extension between the sidewalk and curb, but there was a compressed area in which to accommodate the sidewalk because of the wetland and detention pond. She said the engineers believed the sidewalk could be moved five feet from the curb, but said an easement would be necessary for certain sections because it would be located on private property.

Ophoff said the sidewalk was located at the back of the curb near the wetland area and then onto the site after the driveway, then to the curb, and then back onto the site where there were no trees.

Bona stated that the wetland and woodland were priorities and, given the low amount of traffic, the sidewalk configuration seemed reasonable.

Pratt asked the petitioner if there were anything within the list of items to be done that the petitioner did not intend to comply with.

Ophoff replied that they intended to comply with everything.

Borum asked if maintenance of the mitigated wetland would be addressed in the development agreement. He wanted to be sure that the invasive species did not return.

Marcarello replied that the development agreement would include a wetland monitoring plan, adding that maintenance would be required in perpetuity.

Pratt asked about streetlights on Burton Road.

Ophoff stated that no streetlights were proposed. He said there would be lighting throughout the site, as shown on the photometric plan. There would be no spillover from on-site lighting, he said.

Westphal reinforced his support for neighborhood connectivity, stating that he thought the adjacent neighborhood currently has light traffic because of similar connections in the area. He said it would spread traffic, thereby resulting in lighter traffic. He asked if it were typical to show the mitigated trees on the site plan.

Marcarello said the trees were shown on the landscape plan. She stated that almost every space not covered by building, parking lot or pond would be covered with trees.

Lipson stated that the end of Eli Road was clearly a stub, not a cul-de-sac, giving the expectation that at some point in the future it would be opened. He said residents would have had an expectation of development and traffic based on the existing zoning, which would allow 48 units, and that they should be able to expect some continuity. He said the South Area Plan indicated there might be some increase in density, but it did not say how much. He said the homes adjacent to this site were buffered a little more heavily because of the residents purchasing the extra strip of land. The question, he said, was how much traffic would exit through the connection at Eli Road. He believed a significant amount of drivers would choose the path of least resistance, which was Packard Road, adding that even if the projected amount of cars to use the Eli Road connection were incorrect, the number of cars using Eli Road would still not be excessive. He said the traffic study put his mind at ease about this development burdening the neighborhood with traffic.

Potts said it was true that residents had expectations based on how a piece of property was zoned and that it was difficult to then understand what would happen with a completely different zoning and development. It was a challenging issue, she said. She said this proposal was asking an R1C-zoned neighborhood to adjust to a higher density R4B zoning that would also result in a means of access that the residents had not previously experienced. She said the connection at Eli likely would not have been a concern had this site been proposed for lower density development under the R1C zoning. She did not think Commission was in a position to make a recommendation on this proposal without a development agreement and other site plan details.

Moved by Potts, seconded by Lipson, to table action.

A vote on the motion to table showed:

YEAS: Borum, Lipson, Potts, Woods
NAYS: Bona, Carlberg, Emaus, Pratt, Westphal

Motion failed.

Pratt said he had not expected to find that there would be so few vehicles using the Eli Road connection. He said what swayed him was how adamant the Fire Department was about the 1,000-foot length of Burton Road and that there could not be more than 100 dwelling units on a dead-end road without a second means of access.

Emaus stated that the area in which this site was located was platted in the 1930's, long before the adjacent neighborhood was platted and developed, which was 1960. He said the area was in the township and did not have a City zoning classification when the adjacent neighborhood was developed. He said people purchasing the new homes likely knew at that time that the adjacent property was in the township. In the 1950's, he said, US-23 was located to the east and in the 1970's the property was annexed and zoned. He did not think the property was planned at the time of the zoning; rather, it most likely was zoned based on how the adjacent property was zoned. Because of this, he said, it was difficult to identify what the homeowner's expectations were.

Lipson asked about energy efficiency and if the petitioner intended to exceed the requirements.

Brad Moore, of J. Bradley Moore and Associates, architect representing the petitioner, said the buildings were designed with two-by-six exterior walls, which would provide greater energy efficiency. They also intended to provide additional attic insulation, he said.

Carlberg stated that the Planning Commission has seen numerous development agreements, all containing the same language. She had every confidence that staff and the City Attorney's Office would end up with a satisfactory agreement. She said the contents of development agreements were mostly boilerplate language and she was comfortable having staff take care of this. She said the issue of how natural features would be handled was important and staff believed this would be addressed satisfactorily. More mitigation than what was required was provided, she said, and she was comfortable leaving the other technical details to staff to resolve before this was considered by Council.

Pratt said he would be comfortable with moving this forward if Commission member Woods would inform Council that the Planning Commission did not do a detailed review of the development agreement.

A vote on the main motions showed:

YEAS: Bona, Borum, Carlberg, Emaus, Pratt, Westphal, Woods
NAYS: Lipson, Potts

Motion carried.

AUDIENCE PARTICIPATION

Jim Mogenson, 3780 Greenbrier, stated that the City of Ypsilanti has had many budgetary problems and, as a result, AATA was deciding whether to continue public transportation to Ypsilanti. He said AATA decided not to cut rates or routes and hired a firm to evaluate whether there might be public support for a County transit millage. Following the evaluation, he said, which reported that there did not seem to be the needed support, it was decided that a County millage not be pursued. He said Ypsilanti could not afford to pay for the bus service agreement and AATA staff now needed to decide what to do about that problem. He said this was an emerging issue on which the Ann Arbor News has not been reporting, so he was bringing it to people's attention.

COMMISSION PROPOSED BUSINESS

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

WHEREAS, Coy Vaughn has been an employee of the Ann Arbor Planning and Development Services Unit since August 2000;

WHEREAS, The Ann Arbor City Planning Commission has a wide range of policy and process responsibilities which require not only a significant and consistent amount of commitment by volunteers, but also a much greater demand on City staff and, in particular, the City Planning Commission’s primary point of contact;

WHEREAS, Coy Vaughn, as the City Planning Commission liaison, has been as consistent, dependable and patient as a City Planning Commission could expect; and

WHEREAS, Coy Vaughn has stayed late at more City Planning Commission meetings than all but one of the current Commission members;

NOW BE IT RESOLVED, That the Ann Arbor City Planning Commission wishes to express its most sincere and heartfelt gratitude and appreciation to Coy Vaughn for his years of service, leadership and commitment to public service, and wishes him nothing but success in his career.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Emaus, Lipson, Potts, Pratt, Woods, Westphal
NAYS: None

Motion carried unanimously.

Carlberg thanked Mr. Vaughn for his patience and diplomacy exhibited in every venue. She said Mr. Vaughn has always been very considerate and respectful, a real pleasure to work with, with a good sense of humor. She wished him great success.

Woods thanked Mr. Vaughn for attending City Council meetings, stating that it was always comforting to have him there. She expressed appreciation for his years of service and wished him the best of luck.

ADJOURNMENT

Pratt declared the meeting adjourned at 11:07 p.m.

Mark Lloyd, Manager
Planning and Development Services

Bonnie Bona, Secretary

