

MINUTES

ANN ARBOR CITY PLANNING COMMISSION

REGULAR MEETING

7:00 p.m. – January 6, 2009

Time: Chair Bona 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, Borum, Carlberg, Mahler, Pratt, Westphal, Woods

Members Absent: None

Members Arriving: Derezinski, Potts

Staff Present: Bartha, Cheng, DiLeo, Pulcipher

INTRODUCTIONS

None.

Enter Potts.

MINUTES OF PREVIOUS MEETING

a. Minutes of November 18, 2008.

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

Bona requested that the word "park" be placed in front of "designation" on the first line of the seventh paragraph on page four, and that the word "properties" be replaced by "projects" on the fourth line of the fifth paragraph on page thirteen.

Enter Derezinski.

A vote on the minutes as amended showed:

YEAS: Bona, Borum, Carlberg, Derezinski, Mahler, Potts, Pratt, Westphal, Woods
NAYS: None

Motion carried unanimously.

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

Derezinski said that the City Place Proposal was discussed at length at the January 5, 2009 City Council meeting. He described the issue as controversial and said that this project had come through the Planning Commission, in various forms, three times, and was rejected each time. He said that the Ann Arbor News had written an article stating that the Council had agreed with the Planning Commission and City staff that the project had not met the Planned Unit Development Ordinance. He said the main reason this project had been rejected was the absence of sufficient public benefit within the proposal. Specifically, he said that was a lack of certainty regarding low-cost housing. He noted that there was a positive environmental aspect of the project. He also noted that a proposal to table the project for several weeks had been turned down by Council. When the proposal to table was rejected, the City Place proposal was rejected unanimously. He said he was glad to see that lots of the concerns raised at the meeting were similar to those of City staff and the Planning Commission. He said that the developer mentioned that something might be proposed again, after looking for an alternative public benefit. He said that there were about two hours of public hearing and that points were well-made. He also noted that the other item on the Council agenda was the dissemination of the new master plan, which was approved very quickly and is on its way to the local units of government. Returning to the City Place proposal, he said that the Council mentioned several times the need to review zoning in the area where the project was proposed, specifically R4, and that this was a clear indication that there would be work to do.

Pulcifer announced that the Council adopted Citizen Participation Ordinance went into effect on January 1, 2009. She said that to help petitioners who are submitting plans, staff had created a user friendly guide that would be made available. She said that the guide would help petitioners understand the Ordinance requirements. She noted that the Ordinance is for any project that requires a public hearing. She said there will be two different guidebooks: the first covering the four-step process that requires a public hearing prior to petition submittal; and the second covering the three-step process that is primarily a notification and information dissemination process. She said that the guides would be available on the sixth floor of City Hall, and she passed copies out to the Commission

Potts said that the Ordinance Revisions Committee meets the last Tuesday of the month.

Carlberg said that the Zoning Board of Appeals (ZBA) took up the three campus properties on Hill, Tappan, and East University. She said the ZBA was asked for permission to alter nonconforming buildings, but not for variances. She said all three properties were granted permission, and that the ZBA asked whether the Planning Commission had discussed the parking concern. She said no, that the Planning Commission goes by the code, and so while they had some concerns, the projects did meet parking requirements. She said that the ZBA has two standards it considers when reviewing these types of projects: first, that the project complies as closely as possible to existing zoning chapters; and second, that the project does not negatively impact neighboring properties. The ZBA approved all three, she said.

Bona gave an update on A2D2. She said that the rezoning component is coming back to the Planning Commission, and that the Executive Committee would be meeting next Thursday at 3:30 to review public comments from the last few months. Then, she said it would go to the February 10, 2009 Planning Commission Working Session. After that, she said it would go on the public meeting agenda at the February 19, 2009 Planning Commission Business Meeting.

Potts asked if the Thursday meeting was an action session.

Bona said yes, the meeting had been moved from Tuesday to Thursday on account of President's Day. She also noted that the annual Planning Commission retreat would be held in place of the regular Planning Commission working session on Tuesday, January 13, from 5:00 p.m. to 10:00 p.m. in the DDA conference room at 150 North Fifth Avenue. She noted that agendas would go out to Commissioners on Wednesday, January 7.

AUDIENCE PARTICIPATION

None.

PUBLIC HEARINGS SCHEDULED FOR NEXT MEETING

Bona announced the public hearings scheduled for the January 22, 2009 Planning Commission meeting.

REGULAR BUSINESS

(a) Public Hearing and Action on Gas Station/Tim Hortons Site Plan, 1.32 acres, 3240 Washtenaw Avenue. A proposal to demolish the existing building and to construct a 4,507-square foot gasoline filling station, restaurant and retail building with 18 parking spaces – Staff Recommendation: Approval

Cheng explained the proposal and showed photographs of the property.

Leo Gonzales, of 550 Forest Avenue, Plymouth, Michigan, said that in 2005, Safeway Oil purchased 45 Shell stations in the Detroit area, with the intention of going through the inventory on a case-by-case basis, looking for opportunities to better serve communities by renovating stations. He stated that this would be a station with raised and rebuilt pumps, tanks, landscaping, a new building, and a co-brand with Tim Hortons. He noted that Safeway, as owner and operator of the station, is fully vested in its success. He noted that the president of Safeway Oil and Mr. Gonzales, the future operator of the station, were both in attendance.

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

Moved by Derezinski, seconded by Carlberg, that the City of Ann Arbor Planning Commission hereby recommends that the Mayor and City Council approve the Gas Station/Tim Hortons Site Plan, subject to payment of street escrow of \$631.65 and subject to the disconnection of one footing drain prior to issuance of certificate of occupancy.

Carlberg said she noticed a wide, green setback on Washtenaw from Platt almost to this site. This project does not continue that pattern of a nice, wide swath between the road and sidewalk, she said. She said that there appeared to be room for a wider setback and that the proposed setback would be harder on pedestrians. She said that it was aesthetically and functionally better for pedestrians to walk on sidewalks farther from the street. She said there appeared to be a 20-foot swath between the pavement and the sidewalk, and she asked whether that might enable trees to be nearer the street, instead of sidewalk? She also asked what the

sign would look like and where it would be located? She said she appreciated the redesigned parking away from the pumps and from the front setback, and she said she assumed that the pump aisles were wide enough for cars to pull around cars parked at pumps. She asked whether the driveway on Huron Parkway needed to be left wide.

Cheng said that with regard to changing the location of the sidewalk, the petitioner's current proposal exceeded (satisfied) the code requirement by two feet. He said it could, theoretically, be moved and that it might be possible to reconfigure landscaping, but that it would have to be discussed with Engineering to see if the setback could be moved five more feet. He noted that signage is not addressed at this stage of planning, and that the City had a sign enforcement officer who would eventually ensure that the site conformed to code. He said the petitioner might be able to describe the sign. He said he was unsure about the decision to keep the driveway its current width.

Derezinski said that knowing the corner, he believed this proposed project was an improvement. He asked a question with regard to the trees on the site. He asked whether the setback might be extended to improve sight at the corner and to remove blind spots. He also asked whether the site would operate 24 hours per day, and whether there would be interior seating for the restaurant.

Gonzales stated that there would be between 20-30 seats in restaurant. He noted that seating varies from operation to operation. He said that many Tim Hortons are 24 hour operations, and that this one very well could be. They took the stance with some of the co-brands to run the facilities 24 hours, he said. He said that one in Inkster ran 24 hours, and one in Southgate began as a 24 hour operation, but then elected to cut back its hours. He said it varies from site to site.

Derezinski asked, with regard to the installation of new tanks, if there were any known problems with the old tanks.

Gonzales said he was unaware of any confirmed releases. He noted that whatever contamination was found in the ground would be removed. He said that certain systems within the station would monitor fuel, and that any problem would be immediately reported to the state.

Woods, asked the petitioner to talk about lighting at the station. Also, she noted that another nearby project was supposed to begin soon, and asked the petitioner to discuss the building timeline. She said that there was a pretty devastated area to the west of this site, and that she hoped the proposed project would not run into financing issues.

Gonzales said that all of the lighting would be contained onsite, and adhere to code. He said that this station would probably have a little softer lighting on the building because of all new lighting inside. He said there would be continuity between the inside and outside, given the new construction. He also noted that the current Capitol Improvement Plan showed a 12" water main being installed on Washtenaw Avenue, and that the proposed project would try to coincide with that project. He said he would need more information from the Engineering Department before setting a kick-off date. He said the goal was to maximize coordination.

Woods asked whether the construction of buildings would put traffic lanes out of commission for any period of time, and whether it would impact the blind spots. She asked the petitioner or staff to talk about traffic.

Gonzales said that generally when curb cuts are moved, adjusted or replaced, there can be a traffic interruption. He said they would try to minimize the impact, noting that no improvements were proposed on Huron Parkway, and only slight improvements on Washtenaw Avenue. He said he was cognizant that it would be good to coordinate the project with the water main project, so that the site could tie into the main during that construction.

Woods said she was surprised that the proposed project indicated minimal traffic impact, and wanted to look for the specific language in the proposal.

Potts said she did not look at the site as closely as Commissioner Carlberg, but said that this project should continue whatever is already happening along Washtenaw with regarding street frontage, trees, location of sidewalks and pedestrian traffic. She said that although few pedestrians do walk there, as stores move in, there may be more pedestrians. She said it is always recommended for pedestrians to be as far from a street with no parking on it as possible. And she said that trees should be between pedestrians and cars, whenever possible. She noted her other concern was right-in/right-out turns on the site. She said she understood why MDOT requires right-in/right-out turn driveways, but she said they were hard on users and assume users want to continue in that direction, rather than turning around to go home. She said right-in/right-out turns are safer, but inconvenient, forcing users to do u-turns in others' parking lots. She said that the petitioner should be prepared for customer problems, and wanted to go on record as saying this.

Borum said that with regard to sidewalks, the Planning Commission had approved a site plan to the west where the sidewalk was pushed all the way to the road.

Pratt asked whether he meant east or west. He asked if he meant Arlington Shops.

Borum said yes, stating that we the Planning Commission should base a decision now on the prior decision. He said he just wanted to point that out to staff. He said he had one other minor thing to note. In regard to the floor plans, he said the footprint drawing and site plan show different layouts; both corners were clipped along back of building in one drawing, but not the other. He said this should be fixed before moving forward. He also asked staff for clarification regarding the definition of a drive-thru and whether it required a special exception. He asked if Council had ever approved this.

Cheng said that drive-thrus were permitted without special exception. With regard to the width of the driveway, he said that it was 30 feet and that code allowed between 20 and 30 feet. He also noted that Arlington Shops had a 10-foot wide sidewalk extension along Washtenaw Avenue.

Pratt asked to comment on several issues. First, he said he respectfully disagreed with Commissioner Potts regarding right-in/right-out turns. He said he was unsure whether the petitioner needed to fully restrict left turns onto Huron Parkway, and that they may want to consider restricting left turns between 3:00 p.m. and 6:00 p.m. He said he had a safety concern with Huron Parkway, noting that he'd like to see signage discouraging left turns onto Huron Parkway. He said that with regard to Commissioner Woods's concern about the traffic impact, 50 trips per hour sounded about right for this type of facility. He said it meant 50 trips through the pumps at peak time pumps, and that a lot of traffic was out on that road anyway. Either way, he believed that the right-in/right-out turns were a step in the right direction. With regard to the trees, he said he agreed with the idea, so long as the trees did not block vision. He said that ornamental trees, like crab trees, allow drivers and pedestrians to see underneath. He concurred with Commissioner Carlberg that moving a sidewalk farther from the road was better. He suggested adding an easement to back people away from the street and asked whether the knee wall was proposed to be removed.

Gonzales said yes, the wall was to be removed.

Potts said she saw no impediment to moving the sidewalk.

Mahler said he preferred to leave the Huron Parkway curb-cut wide for people entering and exiting on that street. He said he did not anticipate much foot traffic and that his main concern was pedestrians traversing the area. He said he didn't anticipate enough foot traffic to justify a worse log jam in cars. He said the bike parking requirement was for two Class B and a minimum of three Class C spots, and commented that the site

plan showed five Class B and no Class C spots. He asked whether the petitioner planned to put any Class C in or whether that had been covered with staff.

Gonzales asked staff to explain the difference between Class B and Class C bike spaces.

Cheng said that Class B was higher, and that upgrades were allowed.

Westphal said he wanted to reiterate the importance of matching the lawn extension to what was there to the west. He said he thought the five-foot extension was narrower than what the City liked for trees.

Cheng said that the City requires three feet, and the petitioner was asked to, and did, provide five feet.

Westphal said that in residential areas, six feet is considered better for the health of trees. He also said he agreed with other Commissioners that maintaining the existing tree setbacks on Washtenaw was a good idea.

Potts asked whether there needed to be an amendment made to the plan for the changes to the sidewalks or trees.

Bona said the Commission should ask the petitioner if they have any comments relative to the request. She also asked whether the berm identified in the landscaping plan between the sidewalk and the paving was a requirement.

Cheng said yes, that a 30-inch wall, a berm or a hedge was required.

Bona said that without a well-defined solution to the sidewalk issue, and given that so many Commissioners have raised issues regarding the location of the sidewalk, she believed that between the minutes and a follow-up meeting with Mark Lloyd and Commissioner Derezhinski, the Commission's position would be communicated.

Potts said it may be difficult to ask Council to consider the sidewalk issue without input from the Commission.

Bona said that based on the Commissioners comments, she was hopeful that the petitioner could work with staff to make accommodations. She then asked if the petitioner had a response.

Gonzales asked that they be allowed to work with staff to look at options. He said that if the sidewalk were moved to line up with the existing property to the west, the site would still need a 30 inch berm. He said there might be a liability issue because the sidewalk would be five feet onto the property, noting that two feet were already on the property. He said he looked forward to seeing if he and staff could find a solution.

Bona said she agreed with other Commissioners that it would be nice to line up the sidewalks. She said to Cheng that she did not see anything relative to street trees, and asked whether the trees on the property side of the sidewalk were meant to be street trees.

Cheng said yes, that the petitioner would be contributing \$630.

Bona asked whether trees can fit in the five-foot space between the road and the sidewalk. She said she remembered a seven to eight foot requirement, and that she would like to see this requirement met at a minimum. To be pedestrian friendly, she said trees were needed between the sidewalk and the traffic. She also noted that the entrance on Huron Parkway looked narrower, which she preferred. She said Commissioners probably had varying opinions on this. She asked the petitioner and staff how pedestrian traffic would flow from the sidewalk to the main building. She noted that the proposed project was a far more efficient use of land than the current site configuration, but that it was still not pedestrian friendly. She said

there ought to be a connection from the sidewalk to the building, or pedestrians won't use it. She asked how to pedestrians would get to the front door.

Gonzales said they had considered this, and that he had spoken to staff and his engineer that day. He said that from a practical standpoint, he operates gas stations for the utility of cars and the circulation around the building and canopy is for cars. He said it becomes difficult to create a pedestrian path, but that on other sites, as well as this site, five to six foot ramps have been installed on the front of the building. He said it is difficult to predict where the critical mass of pedestrians will be, and that customers in cars are as important as customers on foot. He said they could create a cross-hatched section from the pumps to the building, but that would not help someone get from Washtenaw Avenue to the station. He said that pedestrians from the street are much less frequent than people walking from the pumps to the store, and that the cross-hatched path might be a solution. He said that the site in Inkster near I-96, which is similar in size and circulation, has good circulation and has had no negative impacts. He said that in tight spots, people overcompensate. Pedestrians will still have to cross paths on thoroughfares to get to the station, he said. He said their goal was to accommodate local people.

Bona said she respectfully disagreed with the petitioner, and that she was not as concerned about pedestrians getting from the cars to the entry of the building. Typically, she said, pedestrians cross driveways on all sites. She said she was more concerned about pedestrians getting from the bus stop to the gas station. She noted that a pedestrian coming from the bus stop on Huron Parkway has to walk through the driveway entrance on Huron Parkway; there is no sidewalk that gets them part of the way. She continued by saying that this was also the case on Washtenaw Avenue. She said she was not sure how to resolve the issue on Huron Parkway. She said that as the site plan existed without a way to get pedestrians from the driveways to the front entrance, she could not support the plan.

Gonzales said that he read the email and misunderstood the question. He suggested that the site plan could be simply revised, and the issue addressed, by creating a sidewalk from the corner of the site, where pedestrian traffic was likely to be highest, diagonally to the station. He said he would shift the berm and taper the sidewalk to allow for wheelchairs and pedestrians to move into the driveway and on to the convenience store.

Bona said that the Commission would not discuss that modification at this point. She recommended that the petitioner come up with something before going to the City Council, but that she probably would not support this plan at tonight's meeting.

Gonzales said he would like the Chair's support, and that the project has already been open for twelve months. He asked if the Chair was looking for an access point from the sidewalk to the asphalt.

Bona said she was looking for a path to the building. She then asked if anyone would like to table the project so that the petitioner could revise.

Pratt said he thought the question was straightforward, and that staff and the petitioner could handle this with the other sidewalk issue.

Derezinski said that there was a CIP hearing or meeting on Thursday that could potentially delay the project to install the 12-inch water main on Washtenaw Avenue, due to citizen concern about the impact on businesses.

Carlberg asked Bona if she was interested in a pedestrian path to front door in terms of a raised sidewalk or other paving material.

Bona stated that, to clarify, there is no path from the sidewalk to the parking area, and yes, some other type of walkway.

Carlberg noted that in other projects, some other type of paving, such as brick, was required to make clear that it was a path from the sidewalk to a front door. She asked the petitioner what their storm water retention system would do to help Malletts Creek.

Gonzales stated that there was currently no drain on site, and that the new system would collect water on site and run it through a cleaning system, to chambers, and then outlet to a sewer at the agriculture rate. He said this would reduce the amount of water making its way to Malletts Creek. He said the goal was to reduce volume and improve the cleanliness of water making its way to the Creek.

Carlberg clarified, asking if the water then went through a cleaning system.

Gonzales said yes, it was called a vortex system, cleaning anything that comes off of the asphalt of impurities and then returning it to the river system.

Carlberg asked whether the soil on site allowed for any infiltration, and whether the site could use perforated pipes, allowing some water to return to the soil.

Cheng said it was his understanding that the soil allowed for some infiltration, and that overflow would go into the existing storm pipe. He said he had spoken to the land development coordinator that day, but that he wanted to double check.

Mahler asked to go on record to say that he could not imagine not supporting this project over a sidewalk the sidewalk issue. He stated that the plan met all of the C3 zoning requirements, and that it was a vast improvement over the existing site. He said he couldn't deny support to this project due to the absence of a design feature that was not required by the code. He read the Code's intent language for C3-zoned parcels, noting that the zoning was designed for the types of businesses that cater to customers who come directly by automobile, making a separate stop for each errand, that pedestrians were less frequent in these districts than in the central business district, and that good automobile circulation was essential to these districts. He said he would be supporting the project regardless of whether the sidewalk was moved farther from the street or whether an extra sidewalk was added to the site unless he heard a compelling legal reason to oppose the project.

Bona said her opposition was based on public safety and the Non-motorized Transportation Plan, and that all sites should be pedestrian friendly. She said she thought this plan increased the potential for pedestrian/car conflict, and that that was the basis for her opposition.

A vote on the motion showed:

YEAS:	Borum, Carlberg, Derezinski, Mahler, Potts, Pratt, Westphal, Woods
NAYS:	Bona

Motion carried.

(b) Public Hearing and Action on Amendment to Chapter 55 (Zoning Ordinance), Section 5:110 (Citizens Participation). Proposal to add a new paragraph to allow the citizens participation requirements to be waived for petitions to zone land to PL (Public Land District) and petitions to zone annexed land for single-family residential use if less than 2 acres – Staff Recommendation: Approval

DiLeo explained the proposed amendment.

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

Moved by Westphal, seconded by Pratt, that the City of Ann Arbor Planning Commission hereby recommends that the Mayor and City Council approve the amendment to Chapter 55, Section 5:110, to allow certain zoning petitions to be waived from the citizens participation requirements.

Derezinski asked for an example of a category three petition; one that proposes neither a change of land use or development.

DiLeo said the change has been proposed for when rezoning something to public land when there has been an error located on the map. She said map changes would really be about the only one thing – no development, no change of use, just to correct a map error.

Potts said that the Commission often gets annexations that, at the time, have no proposed development, but that does not mean that development is not possible. She said she had a little problem with that. She said in some cases, neighbors knew a property was being annexed and zoned in order for the owner to divide and develop the property. She asked how they might distinguish between cases.

DiLeo said it was up to the Development Services Manager, but that the intent is only for pro forma cases. She said that anything remotely controversial should have citizen participation. She said that what someone later does may be controversial, but the intention is to waive the requirement for simple cases.

Potts said that someone may not share their intent to develop. She said they may not even know it. She asked how anyone can make a judgment regarding less than two acres, when no development is proposed at that time. She said that categories 2 and 3 require a crystal ball as to what intentions are. She said the amendment seemed good at the Planning Commission working session, but that now she was having second thoughts.

Carlberg said she understood the concern, but the purpose of citizen participation is to get the public to participate. She said that if no development or change in use was proposed, then people could only comment on fears or suspicions. She said she could not base a decision on potential fears or what ifs. She said she did not see this kind of participation as valuable.

Potts asked whether a later development proposal on the type of parcel being discussed would trigger public hearings.

DiLeo said yes.

Pratt asked whether the adjacent property owners and those within 300 feet would still be notified of the public hearing regarding the proposed annexation.

DiLeo said yes, that the City would continue to hold public hearings, as it has done, and that this amendment would release the property owner from scheduling their own public hearing, as required by the citizens participation ordinance.

Pratt said he was confirming that those people most directly affected by annexations would still be getting notified, even with this amendment.

DiLeo said yes.

Mahler asked to speak to Commissioner Potts' concern. He said that if no development is proposed, then the waiver would apply. He said that if a development is proposed, then the waiver would not apply. He said he

was not concerned about bait and switch, because safeguards were in place. He said he believed the Citizens Participation Ordinance would address the very concerns she expressed.

Westphal asked whether there were many township parcels greater than two acres in the annexation pipeline.

DiLeo said no. She said she believed the only parcels would be the three Nixon properties on Nixon, north of Dhu Varren, which were 80 or so acres, and a few properties in the Geddes Road area. She said most properties were closer to half an acre, and would be exempt. She said properties like Nixon would not be exempt.

Westphal suggested that maybe three acres would be a less burdensome threshold. He said that two acres might be burdensome for some property owners.

Alexis said that this number could change.

Bona said that staff was very attuned to what might be controversial, and that the flexibility in the amendment gave staff room to require meetings. She said she was very comfortable with the amendment.

A vote on the motion showed:

YEAS: Bona, Borum, Carlberg, Derezhinski, Mahler, Potts, Pratt, Westphal, Woods
NAYS: None

Motion carried unanimously.

(c) Public Hearing and Action on Wintermeyer Office Development Phase II Planned Project Site Plan, 1.87 acres, 2144 and 2178 South State Street. A proposal to demolish two existing residential structures and to construct a 10,370-square foot, two-story office building to the east of the existing 17,288-square foot office building – Staff Recommendation: Approval

DiLeo explained the proposal and showed photographs of the property.

David Diephuis, 209 South State, said that he and his wife support the development. He said that Wintermeyer had been a good neighbor, that he found the current building attractive, and that he expected that the new building would be the same. He noted that the new water retention would be underground, which he liked. He said they viewed the proposed project as a suitable and worthy State Street development.

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

Moved by Derezhinski, seconded by Carlberg, that the City of Ann Arbor Planning Commission hereby recommends that the Mayor and City Council approve the Wintermeyer Office Building Phase 2 Planned Project Site Plan, subject to combination of parcels and payment of street escrow of \$306.80 prior to issuance of any permit.

Carlberg said that looking at the site plan, she saw a 15-foot setback, but that it looked like the building sat several feet beyond that. She also said she saw no sidewalk in the site plan, and asked if there were an existing sidewalk.

DiLeo said that there was an existing sidewalk along State Street. She said the building had a significant overhang, and that the 15-foot measurement was from the edge of the roof overhang. She said it was a 21.2-foot setback to the indented portion of the building.

Carlberg also asked if the petitioner could speak about the storm water detention system.

Tracy Wintermeyer, petitioner, thanked the staff for all their help. He said that the Phase II storm water detention system would be under the parking lot, and flow to the existing pond before eventually entering the storm sewer under State Street.

Derezinski said it was nice to hear neighbors come out in favor of a project. He said he recalled the two residential buildings as being unoccupied.

Wintermeyer said that there were tenants on month-to-month leases. He also said that because he was a fan of recycling, much of the interior furnishings and appliances would be removed and reused. He said that the building to the south was not worth much, but that much of the barn shaped house would be reused.

Potts commented that there was a large retention pond on the large site. She asked whether adding impervious surface raised any concerns over pond infiltration. She said that there was a problem with the capacity of old storm water pipes.

Wintermeyer said that the underground system would have an impervious surface, as did the bottom of the pond. He said that rarely did the pond swell enough to reach the drainpipe to the storm water system.

Mahler asked to have planned project language explained. Specifically, he asked what the term 'traffic shall not be hazardous to neighbors' meant.

DiLeo said that in her opinion, it meant a life-threatening situation. With regard to a left turn on to State Street, she said the hazard would be more to the site, as cars would back up in the lot, but that would not be a hazard to neighbors.

Mahler asked the petitioner whether doubling size of the buildings and parking on site could create the potential for conflicts on State Street.

Wintermeyer said the only traffic issues he had seen on his site were on football Saturdays.

Pratt said that in the past, there had been concerns about rezoning on State Street and talk of having a study done. He said he had missed the beginning of the CIP presentation, but that he had specifically asked staff if the discussed study from Eisenhower to Stimson was in the CIP, and staff confirmed that it was. He said that typically office buildings of this size do not result in a noticeable impact on traffic, and that he was not concerned. He said that he was glad that the State Street study had made it into the CIP. He also said that at the next meeting, he would provide Commissioners with a handy traffic impact calculation chart to help gauge a project's potential daily or hourly impact on traffic.

Westphal asked if staff could provide a summary of the development's impact to trees.

DiLeo said that existing trees would be removed, but that no landmark trees were among those. She said the only landmark-sized tree to be removed, to make way for a water main and hydrant, was not a landmark variety (Norway maple).

Westphal asked whether the tree escrow fund would be used to plant trees on the strip near the road.

DiLeo said yes, and if the trees were unable to fit in the strip, that the escrow would be refunded.

Westphal asked whether there was an east entrance on the proposed building.

DiLeo said yes, and that there would be south facing windows on State Street that wrapped around from the east. She also said the building would have an east and west entrance.

Westphal asked whether the door to the east would be useful or just a service door.

Wintermeyer said it would depend on the tenant's use.

Bona thanked petitioner for going through planned project process after getting caught in middle of an ordinance change. She said the proposal was an improvement to area, and an improvement to what the original ordinance had required. She said that the building's office use designation was the reason she was not worried about traffic. She said she was very comfortable with the amount of increased traffic that would result from the project.

Pratt said that it was a nice looking project and that it was nice to hear positive comments from neighbors. He said he was comfortable with the planned project primarily because it met the ordinance goal, even though Council had yet to act on the revisions. He said he appreciated the storm water detention system and agreed with Commissioner Potts.

Bona asked Commissioner Potts if she was comfortable with the planned project standards as stated by staff.

Potts said she was, and that the requirement for a public benefit was low for this project, because the changes were small and because the proposed changes to the ordinance would mirror this project.

Woods asked the petitioner what kind of tenants the building would house.

Wintermeyer said that several tenants had expressed interest, and that the prospective tenants were similar to current tenants, that is to say, professional services.

A vote on the motion showed

YEAS:	Bona, Borum, Carlberg, Derezinski, Mahler, Potts, Pratt, Westphal, Woods
NAYS:	None

Motion carried unanimously.

(d) Public Hearing and Action on Walgreens Site Plan, 1.71 acres, 2355 Jackson Avenue. A proposal to construct a 13,650-square foot pharmacy building with a drive-through and 45 parking spaces – Staff Recommendation: Approval

DiLeo explained the proposal and showed photographs of the property.

David Prueter, 31850 Northwestern Highway, Farmington Hills, said it was nice to be before the Commission again. He said he first came before the Commission for the alley vacation, and then he went before the Council when they approved the vacation. He said that the area west of the proposed store, and along Maple Road was all commercial; to the north, Veterans Park. He said that Jackson and Maple Road were busy, and that Jackson Avenue was four lanes in front of the store, becoming six lanes. He said Maple Road was five lanes, and that there was no street front parking. He said they looked at improvements further south along Stadium Boulevard and saw no bike lanes or streetscape lighting. He said it was residential to the south and east of the site, and that the site has been challenging to say the least. First, he said there was a 12% grade change across site, which was not a very wide site. Second, he said that despite the alley vacation, which had no access requirements, they did what they could to continue access to the vacated alley. He said they

incorporated that into this site plan. He said that because both Abbott Avenue and Maple Road were street fronts, they both had 40-foot wide setbacks. He said that because this building was a pharmacy, two sides of the building were unused. He said after many months, all of these things led to the site plan before the Commission tonight. He said that the site plan conformed to code, and met many of the requirements looked for by the Commission. He said the proposed project accommodated residents in terms of pedestrian access, and that most pedestrians came from Abbott Avenue. He said the site met all ADA requirements. He said that the plan was to create a more pedestrian friendly and aesthetically pleasing building on Jackson Avenue.

John Lagos, 2550 West Stadium Boulevard, said that during an earlier process regarding the vacation of the alleyway, the petitioner promised that adjoining property owners concerns regarding adequate access to the alleyway would be addressed and satisfied, and that an easement attached to access to the alleyway would be available for review and comment by the adjoining property owners. He said the petitioner did not do these things, and that the petitioner refused to consider further pedestrian friendly changes, despite Planning staff recommendations. He said the only reason the petitioner was able to join the lots and develop the site plan was because of the alley vacation. He said that once the alley vacation was granted, the petitioner took a by-rights attitude toward access to the alley and the associated public land that was granted. He was concerned about this because the public land was granted under a 75-year ground lease, rather than a typical 10, 12 or 15-year building lease. He said the length of this lease would reduce the incentive for the petitioner to be a good local citizen. He said that given the length of time being discussed, now was the time to get it right, particularly in light of the volume of vehicular and, surprisingly, pedestrian traffic near the site. He recommended that the Commission table the project until the concerns he expressed were addressed in a new site plan.

Harry Cross, managing member of Cross Family, LLC, said his family owned property on the affected streets, some of which would be sold to Walgreens. He said he was in favor of the project, had been kept informed of the project by Walgreens, and approved of the site plan as submitted. He said that pedestrian friendliness was a concern, and that he believed that, though hard to predict, this project would improve pedestrian traffic.

Mark Levy, 1419 Coler Road, said his family had been in Ann Arbor for 100 years. He said that if Mr. Lagos had questions, he could have asked them directly. He said this project was being developed by Ann Arbor families, and that five of the six affected property owners were in favor. He said he would be happy to answer questions with regard to the other property owners. He said he had reached out to Mr. Lagos, but had received no reply. He said he would argue that Jackson Avenue is not pedestrian friendly, due to the strip centers, muffler shops, and gas stations, but that for the two nearby drug stores – CVS, on Stadium, and Rite Aid, on Packard – certain things had been done with staff and the Commission to work out problems, and he was sure Walgreens could do the same.

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

Moved by Mahler, seconded by Pratt, that the City of Ann Arbor Planning Commission hereby recommends that the Mayor and City Council approve the Walgreens Site Plan, subject to combination of parcels prior to issuance of permits.

Pratt had several comments. First, he said that an effort had made to maintain access through the alleys, and that he would be interested in a public egress and ingress motion to maintain access. He said a situation could be created where only other businesses would be granted access on Stadium Boulevard. He said he did not know what type of traffic would use the access, but that an ingress/egress easement would maintain that. He said the turn radius in the alley looked tight, but that he was sure staff could check that. With regard to the petitioner's comments, he said he liked the landscaping proposals. He said it was tough to make Jackson Avenue pedestrian friendly, but that the Commission was concerned with what is proposed to be developed, not what is currently there. He said that a 12% grade in the parking lot was okay, and that he was sure Walgreens would aggressively salt it in the winter. He said that a grade variance would not be a problem.

He said the petitioner also mentioned lighting on Stadium Boulevard, and that where projects have gone in, lighting had been improved. He said it was true that no recent projects had come through, and that there was no decorative lighting. He also asked staff if it were true that there were no bike lanes in the area, and if the City installed bike lanes during City projects.

Pulcipher confirmed both questions.

Pratt said he appreciated the storm water detention system, which was not a requirement, and that the landscaping was nice, but that he wanted to see an ingress/egress easement.

Mahler said he agreed with Commissioner Pratt, and that he liked the reduction in curb cuts on Jackson Avenue from three to one, which he said would improve pedestrian traffic. He said he agreed with Mr. Lagos that there was a surprising amount of foot traffic in the area. He said that CVS was a planned project, did not provide an apples-to-apples comparison to the Walgreens project, and should be left out of the discussion. He said he understood the petitioner's dilemma regarding the parking in front and back of the store. He said that given the drive-thru pharmacy on the south of the building, lots of drivers would make a tight turn off of Stadium Boulevard, rather than contend with delivery trucks. He said he was not second guessing staff or the petitioner, but that perhaps a way to shift parking from the front would improve the site. He said much of the side parking would be rendered obsolete or underused, given the location of the drive thru. He said the drive-thru turn was very tight, and he asked if there were any way to shift spaces from side.

Prueter said he didn't believe that many drivers would use the 16-foot wide alley to access the building.

Mahler disagreed. He said people would take the quick right to avoid three extra turns.

Prueter said the alley was only 16 feet wide, which was narrower than a required alley, and that along with the 12% grade, he was concerned about liability in the alley. Therefore, he said they created a drive that bent around in order to reduce the slope to 6%. He said there was no requirement to keep access to the alley open, and that their concern was access on/off Jackson and Abbott. He said there were parking spaces striped in the 16-foot alley, and that property owners could do what they wanted on their property. He said they would allow access from both ends of the alley. He said those who drove to the store would still want to park as close as possible to the entrance. He said that their proposal to put to entrances on Abbott Avenue had been rejected.

Mahler asked whether there was an opportunity to shift the building.

Prueter said that the problem was that the building pinched at the corners, which made deliveries nearly impossible. He said you want trucks behind the building, far away from customers.

Mahler said the petitioner had mentioned a sidewalk along Abbott Avenue, and asked if there were any plans to extend a sidewalk to the building.

Prueter said that a seven-foot wide sidewalk on the west and north were ADA compliant walkways.

Mahler said that most pedestrians were near Abbott Avenue, noting that a convenient access point was there. He asked whether there had been any thought given to a pedestrian walkway near the curb cut.

Prueter said the reason they put the sidewalk where they did was to move customers away from the delivery area and drive-thru, taking them to the entrance on the west side of the store.

Mahler said he agreed with the plan, but that he was not sure if customers would do that.

Potts said she was concerned about how deliveries were made. She said this was a big store and would have big trucks. She asked where trucks would access the site.

Prueter said the curb cut on Abbott Avenue was to keep trucks from customers. He said customers would enter from the northwest corner.

Potts asked whether trucks would access from Abbott or Jackson.

Prueter said they could access from either, and that trucks would exit from the opposite side they enter. He said truck traffic would not use the alleys.

Potts asked if trucks would use Collingwood.

Prueter said he was not sure why they would, because it was not the shortest route. He said drug stores were unique in that their busiest day is Monday. He said that the traffic generation was different from most retailers. He also said that Walgreens was unique, because it did not carry beer, wine or liquor. He also said that the store would receive only one tractor trailer and one trash compacter per week.

Pratt said that from the perspective of a truck driver, Collingwood would be avoided. He said the truck would come from the freeway and would want to make right turns only.

Prueter agreed.

Potts said her other question was the water retention.

DiLeo said that there was currently no detention, and that the plan was to install an underground detention system.

Potts asked about infiltration

Prueter said there would be infiltration, and that they were using big pipes.

Potts said that the less water entering the pipes, the better.

Prueter said that there was a storm pipe under Jackson Avenue, and that they would be paying for the installation of additional piping to help the other property owners.

Borum said he wanted to talk about elevation on the site. He said that the south elevation was a brick wall and that the east elevation was a dumpster and loading dock, and that he found it hard to believe that this was a pedestrian friendly site. He said most of the blank walls faced public streets, and that this was the most appalling part of an appalling project. He said some windows along those elevations would begin to help.

Prueter said that in defense, they were focused on 40-feet of landscaping rather than the wall. He said they could add spando windows to spruce up the south elevation.

Borum said he could not support the project unless something happened to improve the elevations. He said he drove by the site twice a day, and that he sees pedestrians on Jackson Avenue, using the Roadhouse, Plum Market, Veterans Park, and he was bothered by the thought of a pedestrian unfriendly site. He said that he wanted to see something done to the south and east elevations, but that pedestrian friendliness on Jackson was also important.

Bona asked Borum if he wanted to see a motion along those lines.

Borum said that if staff saw to it that the south and east elevations were addressed, that he would be okay with that.

Potts said the landscaping looked dense, and that it may hide the building.

Derezinski agreed and wondered if the landscaping would limit visibility, which is important to retail. He said the project met code and that staff had recommended approval, despite having reservations. He was concerned about the visibility issue. He was also concerned about parking, stating that he noticed lots of parking and wondered if these spots be available to others in the areas. Also he asked about alley access.

Prueter said that the alleys were available to property owners adjacent to the property. He said that parking spaces were provided in conformance with code. He said that employees were asked to park as far as possible from the door.

Carlberg asked whether the change in elevation on the site would require much leveling or grading.

Prueter said yes, that elevation had to be level. He said the alley grade and ADA compliance dictated that a site be at 5% grade or less. He said that this impacted the location of the building and parking. He said it would probably be one of the most expensive sites they developed. He said that when all was said and done, the site would be balanced and in compliance with code.

Carlberg said she did not see grading in the site plan. She said she thought the muffler shop was pretty self reliant.

Prueter said that the Midas shop was concerned only with access to dumpsters.

Carlberg said the building to the south used to park cars in the rear, which would be removed under the proposal.

Prueter said that those people were parking illegally, that Schlotzky's lot was where they were parking.

Carlberg asked what use Mr. Lagos had for the alley.

Prueter said she would have to ask Mr. Lagos. He said they had tried to communicate with him on several occasions, and that all owners but Mr. Lagos supported the project.

Carlberg asked the petitioner if he knew why Mr. Lagos needed the alley.

Prueter said he shouldn't speak for Mr. Lagos.

Carlberg asked if Mr. Lagos would be allowed access.

Prueter said yes.

Carlberg said that this was a bad site. She said vegetation hid the building and that having the building far from Jackson Avenue was a bad business plan. She said that pedestrians would not walk to the new sidewalk, because it was located at the farthest point from the door. She said that the plan might meet code, but not very well for the sake of customers and business viability given the vegetation and setback. She said she found the plan very disappointing.

Prueter said that they would like to be closer to Jackson Avenue. He said the three things any retailer considers in a site were accessibility, visibility, and adequate parking for customers. He said the 40-foot setback dictated the building location.

Carlberg said that having one lane of parking along the front the building, instead of two, would bring the building closer to Jackson.

Prueter agreed that eliminating one row of parking would move the building 16 to 18 feet closer.

Mahler asked the petitioner whether he thought pedestrians on the ADA footpath from Abbott Avenue would feel safe, given the appearance of inadequate lighting.

Prueter said that was a good observation, and that he would make sure that it was addressed.

Woods said she was concerned about lighting. She said that there had been a few other drug stores built over the last few years, and that people shared a concern about how they looked on the outside. She said the Commission gets a lot of complaints about things looking like big boxes. She asked the petitioner to talk about the hours, asking if the site would be a 24-hour operation.

Prueter said that initially it would not be a 24-hour operation. He said it would start with 8:00 a.m. to 10:00 p.m. Monday through Saturday, and 10:00 a.m. to 6:00 p.m. on Sundays. He said that Walgreens usually operated one 24-hour store per municipality. He said that Ypsilanti had one 24-hour Walgreen, and that a store would typically convert to 24 hours if traffic demanded.

Woods said that what she was about to say was not within the Commission's purview, but that they had seen a number of drugstores in this area – CVS, Rite Aid, Village Pharmacy – and that it is great if they are needed, but that she hoped they could all do well.

Prueter said that based on demographics, there was a growing need. He said that people 55 and over and families with children were their customers. He said the fastest growing retail sector in the America was drugs.

Westphal asked for clarification, stating it was his understanding that staff had encouraged the building to be moved closer to Jackson Avenue, but that the petitioner chose not to do so because it would violate code.

DiLeo said that Matt Kowalski was the planner who reviewed the project, and that she felt confident in assuming that Mr. Kowalski had discussed either moving the building closer to the road with a single aisle of parking or filing for a planned project. She said a lot of petitioners were nervous about planned projects, given he unknowns and the level of discretion associated with them.

Westphal stated that there were recommended changes to the setback requirements before Council, and he asked the petitioner which options he found least attractive. He said knowing this would help them to understand general petitioner concerns.

Prueter said that in terms of planned projects, he wanted the Commission know that they had been at this for two years. He said that because of Ann Arbor requirements, a petitioner could not come in with a conceptual site plan, all the planning had to be done up front. He said that after spending tens of thousands of dollars, they could not scrap a site plan that complied with code and just start over. He said he was told not to go after a variance regarding the 40-foot setback, so they went for a compromise. He said they already had \$50,000 invested in the project without ever hearing from the Commission or Council. He said he wanted to hear what the Commission recommendations would be, and that he heard them saying to eliminate parking to the north. He said they could not predict what the Commission would say at the meeting, and that he was thankful to have had the chance to address the Commission.

Westphal said he strongly echoed Borum's façade enhancement recommendations. He thanked the petitioner for his willingness to address the question as posed and said he would support the project, as it meets code, but that he thought they were seeing more suburban-style development at the gateways to our city. He addressed the audience by saying that anyone viewing the meeting either in person or on television with strong feelings on the subject was encouraged to speak to their City Council members. He finished by saying that the proposed project was certainly an improvement and that it met code.

Bona asked why there was a triple lane driveway off of Abbott.

Prueter said that was as wide as required by code, and that that was a truck entrance.

Bona asked staff if the City required 20 feet on Abbott Avenue.

DiLeo said the requirement was between 24 and 30 feet.

Pratt said that they could increase the turn radius and skinny up the driveway.

Bona said that if this could be addressed, that would be great. She also asked a question about the sidewalk on Jackson Avenue, asking what the extension across the lawn was for.

Prueter said he thought it was for a bus stop. He said the AATA had asked them to add a bus stop. He said the extension north of Jackson was for that

Bona said she took issue with the oddly shaped pedestrian path. She said it looked kind of silly and that it could be improved by using an island. She said she was glad that the petitioner wanted the Commission's comments, but that staff had already given the strongest comments yet – move the building forward. She said her comment was on the easement. She said the reason she had not supported the alley vacation was because she wanted the muffler shop and Lagos to be able to use Walgreens access as their main access. Because it is only 16 feet wide and oddly kinked, she said she was disappointed. She said she was not concerned about traffic on Collingwood, as it was zoned office. She said that traffic was fair game. She said for the properties to the west, the 16-foot wide alley was not going to provide proper access, particularly when properties are planning to be developed in the future. She said it would be okay with her if other Commissioners wanted to table the proposal. She said she could not support it.

Potts said she would support an amendment to the main motion.

Moved by Pratt, seconded by Potts, to amend the main motion by adding the following language, "and subject to recording at a minimum an easement for ingress and egress across the parcel for adjacent property owners."

Derezinski asked whether a motion is required by code.

DiLeo recommended that Walgreens be given an easement to east and west.

Derezinski asked whether the developer opposed this as an added requirement.

Prueter said it depended on the wording.

Pratt said there would be flexibility.

Prueter said there would be access. He said the Commission mentioned ingress/egress, but that there would be one-way ingress.

Pratt said that this would not address the Commission's earlier intent. He said he voted for denial to the alley vacation, given the planning problem posed by a one-way ingress. He said he saw no benefit in people being able to drive only to Walgreens.

Woods said she was a little confused, because the Council resolution and memorandum stated that Walgreens need not to provide access. She asked what the Commission was trying to say.

Pratt said they were recommending that Council reconsider requiring access.

Woods asked whether they would need an attorney's opinion to do so.

Bona said she believed this was different, because what Commissioner Woods referred to was the alley vacation. She said they were now considering a site plan, and that the Commission could recommend easements on any site plan that came before them.

Pratt said his basis for recommending reconsideration was on health, safety and welfare at the intersection.

Woods said it still seemed like the same thing, but that each person would make their own decision.

Potts said she liked the staff wording, which spoke of use of the alley to the west and east, but nothing about ingress or egress. She said one reason we do what we do is based on custom, like using an alley for a short cut here or there. She said that because they had a specific proposal in front of them, she would like to have the intent recorded with a specific site plan.

Pratt said he was speaking specifically to the applicant granting ingress and egress access on the part of the alley on their property. He said that staff comments addressed people being able to get to the Walgreens, and that the petitioner could not be held responsible for the parts of the alley on property they did not own.

Bona said she supported the amendment, but that she did not support staff recommendations. She said Walgreens already had two access points, and there was no need for four.

Woods asked to have the language of the amendment re-read.

A vote on the amendment showed:

YEAS:	Bona, Borum, Carlberg, Mahler, Potts, Pratt, Westphal, Woods
NAYS:	Derezinski

Motion carried.

Carlberg said she felt strongly that the building should be moved. She said she would either recommend tabling or add an amendment.

Mahler asked whether Commissioner Carlberg was making a motion to or a motion to amend. Mahler said that he supported tabling.

Carlberg said she would move to table.

Bona said it was important to table to a date certain, and asked staff if two weeks would be enough time.

DiLeo suggested either two or four weeks.

Pulcifer recommended asking the petitioner, given the level of changes being discussed.

Prueter said he was not supportive of tabling. He said he assumed the Commission would either support this or add an amendment to remove a row of parking. He said he was unsure what the Commission expected of him, and asked if all of the infrastructure on site would need to be redeveloped if the building were moved. He asked that the Commission either approve the proposal with an amendment or reject it.

Bona asked the petitioner if tabling for two weeks would be enough time.

Prueter had no comment.

Potts asked what would be expected in two weeks.

Carlberg said they would expect to see a drawing showing new parking and infrastructure changes.

Pratt asked whether it would be a problem for staff to see a conceptual layout without details.

DiLeo said staff could work with a conceptual map.

Pratt asked whether engineering work would be needed by the time it moved to Council.

Alexis said yes, engineering would have to be done prior to Council.

Bona asked if there were other comments before tabling.

Mahler said that if the project were tabled, that he would expect to see the other concerns, like lighting and the tight turn radius, addressed as well. He said the petitioner had asked what the point of tabling was, and he said that these were the points.

Westphal said he was thinking about the future of parcels near this site with regard to ingress/egress, and asked about the potential to finish the alley down to Abbott Avenue. He said if other concerns were being addressed, that perhaps this could be addressed, too.

Pratt said he was more in favor of giving clear direction than tabling.

Bona said that if access were really the goal, then the Z-shaped shaped alley did not accomplish that. She said it was too circuitous and narrow. She said she would not want to say to Council, "Here, you deal with this."

Moved by Carlberg, seconded by Mahler, to table action to the meeting of January 22, 2009.

A vote on the motion to table showed:

YEAS: Bona, Borum, Carlberg, Mahler, Woods
NAYS: Derezinski, Potts, Pratt, Westphal

Motion carried.

AUDIENCE PARTICIPATION

Jim Mogenson, 3780 Green Briar, said that he had attended the prior night's Council meeting and noted that the City Place PUD had been rejected. He said the City ought to consider ways to prepare for projects such as City Place, which are submitted numerous times. He also said the City should look more closely at densification of urbanized areas. He recommended innovative new zoning regulation that would allow, but not require, neighborhoods to design redevelopment projects and guidelines.

COMMISSION PROPOSED BUSINESS

Pratt said that there used to be a practice of providing specific feedback for tabled projects.

Bona said that she and Commissioner Derezsinski would be meeting with staff on Thursday to do that. She said she would share the results of the meeting with Commissioners that day for comment, and forward the comments to the petitioner on Friday.

Pratt asked whether the Commission could tell Walgreens that feedback would be provided date certain.

Bona said yes, by Friday.

Pratt asked whether this could be communicated to Walgreens tomorrow.

Pulcipher said Mr. Kowalski would call Walgreens tomorrow.

Carlberg said that the Commission had looked at R4C zoning a year ago, but because of anomalies had put it off. She said it would be brought up again, because this is where a number of problems existed.

Bona said that she and Commissioner Derezsinski had discussed that, and that given the sensitivity, she thought they should get Council's formal go ahead, first.

Potts said that the Commission should not commit staff time or tell the Council what to do, but they as commissioners could do something.

Derezsinski said the time was now to revisit this, and that he and Commissioner Bona had discussed this with Mark Lloyd, Planning and Development Services Manager. He said that particularly because of last night's meeting, both sides acknowledged that the zoning was out of date. He said that as a Council member, he would propose next month at Council to begin the rezoning effort. He said that last night was a telling evening, and that he would like to push this as a big project.

ADJOURNMENT

Bona declared the meeting adjourned at 11:01 p.m.

Mark Lloyd, Manager
Planning and Development Services

Kirk Westphal, Secretary

Prepared by Steve Bartha
Management Assistant
Planning and Development Services