

MINUTES

**ANN ARBOR CITY PLANNING COMMISSION**

REGULAR MEETING

7:00 p.m. – September 19, 2006

Time: Chair Pratt called the meeting to order at 7:03 p.m.

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

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ROLL CALL

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Members Present: Borum, Carlberg, Emaus, Kunselman, Lipson, Potts, Pratt

Members Absent: Bona

Staff Present: Foondle, Lloyd

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INTRODUCTIONS

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None.

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MINUTES OF PREVIOUS MEETING

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a. Minutes of September 7, 2006.

**Moved by Kunselman, seconded by Lipson, to approve the minutes as presented.**

A vote on the motion showed:

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

**Motion carried.**

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APPROVAL OF AGENDA

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**Moved by Carlberg, seconded by Borum, to approve the agenda.**

A vote on the motion showed:

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

**Motion carried.**

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

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Lipson informed Commission that Sandra Arlinghaus has offered to make a presentation at the North Campus 3D animation theater, which had a capacity of ten people. He said he would try to coordinate this.

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AUDIENCE PARTICIPATION

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None.

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PUBLIC HEARINGS SCHEDULED FOR NEXT MEETING

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Pratt announced the public hearings scheduled for the Commission meeting of October 5, 2006.

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REGULAR BUSINESS

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a. Public Hearing and Action on Champley Annexation and Zoning, 3.52 acres, 788 Arlington Boulevard. A request to annex this site into the City and zone it for single-family residential use – Staff Recommendation: Approval

Vaughn described the proposal.

Teresa Daums, 2527 Devonshire, stated that her property abutted Parcel A. She stated that this area was one of the few remaining in Ann Arbor with natural woods and she was concerned that it would be developed with homes ten feet from her property line. She expressed concern regarding the notification neighbors received about this proposal, as it seemed to indicate a large setback along the southern end

of this site, which appeared to be misinformation. She noted that the setback requirement in the City was much less than the 35-foot required setback in the township.

Andrew Shephard, 725 Arlington, stated his opposition to this annexation and zoning. He expressed concern about the land divisions that were taking place on the large lots in this area, stating that the setback requirements in the City were less than what was required in the township, thereby allowing larger building footprints. He said he moved to this area because of its low density and he believed doubling the number of homes on these lots would adversely affect the character of the neighborhood and impact the natural features.

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

**Moved by Carlberg, seconded by Emaus, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Champley Annexation and R1A (Single-Family Dwelling District) Zoning.**

Emaus asked if the access easement shown on the drawing had already been granted.

Vaughn replied yes, stating that the easement was recorded when the property was divided in 2005.

Emaus confirmed that the seven-foot required side setback for Parcel A would be along the south.

Vaughn stated that this was correct.

Potts asked what the setbacks were for R1A zoning.

Vaughn replied that the front setback was 40 feet, the rear setback was 50 feet, and the side setbacks were at least one side 7 feet and the total of two 18 feet.

Kunselman expressed discomfort supporting backyard development without clear engineering standards and said he was reluctant to move forward with this annexation. He said the City was supposed to be contacting the State to find out if it were acceptable to install public service lines for lots being served by a private access easement, noting that a response to this issue had not yet been provided to Commission.

Carlberg stated that this property was in an area that was scheduled to be annexed into the City in 2007. Per the agreement between the City and Ann Arbor Township, she said, it was just a matter of time before the property was annexed. It appeared that the homeowner wanted to connect to City utilities, she said, and denying annexation was denying the opportunity to make that connection, which was a health and safety issue. She wondered if the issue of utilities might be more appropriately addressed when there was a proposal to construct a home on Parcel A or B.

Kunselman said he would like to see finality and said he could support the annexation if there were assurance that an answer to his concerns would be provided. He said the Land Division Act was amended some time ago, but the City's ordinance for private roads was not amended to appropriately address the land divisions that started occurring. He was willing to proceed if the private road ordinance were addressed and responses were obtained from the State building code inspector and the City Attorney.

Potts agreed with Commissioner Kunselman. She said there were several issues related to this, such as there would be no site plan for the construction of these homes, so Commission would not be seeing this

again. Also, she said, the Ordinance Revisions Committee had the issue of private access drives on its agenda and she would raise this at the next committee meeting so ordinance language could be proposed.

Lipson said he shared the discomfort with the issue of shared utility easements and he understood the frustration with the inability to obtain an answer. However, he said, that issue could be addressed in the future. There were no building permits being requested at this time, he said, and annexation of these lots was not a guarantee that they were buildable. He said the lots were previously divided by the township and the City could not reverse that action. He also noted that this property was within an area that has long been scheduled to be annexed into the City. He did not think the annexation of the property should be delayed as long as the property owner was aware that there may be issues with regard to access to the lots.

Kunselman stated that separation distances must be clearly defined to avoid potential problems in the future. He said agreements between property owners were not sufficient, as ownership could change. He stated that having well-defined engineering standards was necessary.

Carlberg stated that the City would have several months to determine an appropriate course of action while the annexation continued through the regular process. She stated that annexation and zoning were not the issue here; rather, it was access for Parcels A & B. She believed staff would be able to provide answers about how utilities would be brought to these sites.

Kunselman did not want to create a hardship for the property owner. He said his vote would be more of a protest vote because he has not yet received answers. He stated that this information was necessary, as more of these lot divisions would be occurring.

Emaus stated that the City's existing zoning classifications were premised on the fact that most parcels fronted along the street. There were a number of these backyard parcels that could occur, he said, as long as the divisions met state law, adding that people should be made aware of this. He said the only thing the City could do was look at it from the point of view of adequately servicing the properties and protecting property owners to the fullest extent possible. He said the answers to these questions were necessary to do this.

Pratt asked if the City had the ability to revise the Zoning Ordinance to require a higher standard where a side yard abutted a rear yard.

Vaughn replied yes, stating that the zoning standards could be written to define where yards should be.

Pratt stated that he, personally, was not a fan of dividing rear yards in established residential areas, stating that people purchased their properties under a certain premise or condition. Regardless of personal opinions, he said, the City was in a difficult legal position if it attempted to block someone from doing what they were legally entitled to do. He suggested that this issue be addressed through the ordinance revisions process and that the City Attorney's Office be consulted.

A vote on the motion showed:

YEAS: Borum, Carlberg, Emaus, Lipson, Pratt  
NAYS: Kunselman, Potts  
ABSENT: Bona

**Motion carried.**

b. Public Hearing and Action on Nissle Annexation and Zoning, 5.05 acres, 3165 Geddes Road. A request to annex this site into the City and zone it for single-family residential use – Staff Recommendation: Approval

Vaughn described the proposal.

Edward Powser, 485 Riverview Drive, stated that he has offered to buy part of this property to avoid having a house or other structure between his home and the view of the river, but said the owner has been reluctant to sell it. He was willing to purchase it with the understanding that it would not be built upon, he said. He called attention to a triangular piece of property to the west of this site and wondered what would happen to it if the property in question were developed with homes. He believed it would become landlocked, as the property in that area was too narrow and treacherous for vehicles.

Bill Davis, petitioner, stated that this property was released by Ann Arbor Township just yesterday. He said he mailed a letter to the adjoining property owners informing them of the purchase agreement for this property, adding that development of the property was premature at this time. Because the annexation process was a long process, he said, he intended to use that time to work on the development details and said he would then come back to discuss the development of the land. He understood there were concerns about access and natural features, stating that he intended to provide a 30-foot access easement, as well as a utility easement, per City engineering standards. He was available to answer questions.

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

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

Potts stated that this was the same situation as the previous annexation, only perhaps more extreme because just one of the lots had frontage on the main road. She questioned how other lots would be accessed, stating that the land abruptly dropped from Riverview Drive toward the river. She thought there were too many unsolved problems at this time.

Emaus stated that this property consisted of 132,000 square feet, resulting in a possible 13 lots if the land were zoned R1B. He questioned along which street the lots would have frontage, either Geddes or Riverview.

Vaughn stated that if the petitioner wanted to develop anything that exceeded what could legally be done through the land division act, a formal site plan would have to be submitted to the City. The way the parcel was currently situated, he said, the frontage would be along Geddes Road.

Kunselman thought there was an opportunity here for a great number of parcels if the land were zoned R1B, perhaps almost 20 new lots. He stated that the proposed zoning was the issue for him, as R1B allowed a minimum lot size of 10,000 square feet and R1A zoning allowed a minimum lot size of 20,000 square feet. He questioned the recommendation for R1B zoning, stating that R1A, with its larger lot size requirement, seemed to fit in with the surrounding land. He noted that the property along Riverview Drive was zoned R1A, as was the property to the east of this site.

Vaughn stated that R1A zoning did exist south of Geddes. He said the Geddes Road zoning study dealt with the area north of Geddes Road between Geddes and the river. Because of the mix of zoning in this

area, he said, Planning Commission directed staff to study the area between Geddes and the river to assist in consistent decision-making. In 2002, he said, staff studied the parcels zoned R1A and R1B and provided Commission with an analysis. He said the resulting recommendation was that the properties in this area, when annexed, be zoned R1B, with which Commission concurred.

Kunselman stated that this study was four years old now, adding that he did not understand why a smaller zoning classification would be recommended for a nicely wooded area next to one of the City's largest public parks. He could not support the R1B zoning.

Carlberg stated that in studying this area with its different-sized lots, Commission also looked at the desirable use of the remaining land. She said it was the sense of Commission that R1B zoning provided the greatest opportunity for reasonably sized lots. She said R1B zoning did not mean someone would have to build a home fitting that size lot, noting the limits on this property because of the topography. She stated that this property's proximity to Gallup Park was a reason to provide for the greatest number of people to enjoy the amenity, rather than developing an enclave of larger-sized lots. She said the sizes of the lots in this area were primarily R1B-sized lots.

Lipson stated that he generally was in favor of density, but at the same time he was concerned about natural features. He expressed concern about how dividing this property into individual lots would impact the natural features, stating that it could create problems with the steep slope and difficult terrain. He thought R1A zoning would be a better choice because it required larger lots, which meant there would be more space on which to build a house without causing too much disruption to the natural features. If this property were flat without a lot of changes in elevation, he would support R1B zoning; however, he thought R1B density was too dense for this particular site.

Carlberg stated that changes were recently made to the Natural Features Ordinance regarding steep slopes and asked if those changes applied to this property. She said the ordinance amendments contained strong provisions for what could be done and said she would like more information about that. She suggested that tabling action this evening to get more information on the ordinance provisions and the natural features and topography of the property might be appropriate.

Vaughn stated that the Natural Features Ordinance did not apply to single-family homes or duplex units. If the property were site planned, he said, the ordinance would then apply.

Pratt asked if the petitioner had reviewed the floodplain map.

Davis replied yes. He said the topography of this site was quite high, noting that the embankment was part of the railroad property. He said he also compared the overlay of steep slopes the City had on its topography map and stated that other than a small portion of the site that was sloped, the majority of it was relatively flat.

Pratt stated that sight distances were features and might be something that needed to be talked about in the future.

Kunselman stated that with regard to increasing density to provide more housing in the community, he did not support increasing the density in these fairly well-established neighborhoods. He stated that R1A zoning existed across the street and within the neighborhood, while R1B zoning seemed to be out of place. He stated that this was a corner property and if 10,000-square foot lots with a private road were developed, he believed it would be problematic in terms of sight distance.

**Moved by Kunselman, seconded by Lipson, to amend the main motion changing R1B zoning to R1A zoning.**

Emaus supported Commissioner Carlberg's rationale for R1B zoning north of Geddes. He believed the study done in 2002 looked at that area to the north and said he thought the area was more in keeping with R1B zoning. He believed the petitioner would be challenged to maximize the number of lots on this property, adding that if that happened, the petitioner would have to submit a site plan to the City for approval.

Lipson stated that density did not necessarily detract from quality of life; rather, it allowed a greater variety of services. He stated that density allowed an area to be supported by public transportation, food stores, pharmacies, etc.

Borum stated that if this area were zoned R1B when annexed, the City could experience more backyard splits, as the lots would be large enough to be divided under R1B zoning. Based on that observation, he said, he would support R1A zoning.

A vote on the motion to replace R1B zoning with R1A zoning showed:

YEAS: Borum, Kunselman, Lipson, Potts  
NAYS: Carlberg, Emaus, Pratt  
ABSENT: Bona

**Motion failed.**

**Moved by Potts, seconded by Kunselman, to table action on the main motion.**

Borum asked what the purpose would be to table action.

Potts said she would like additional information about utility and access easements, as well as about the number of lots that could be developed here.

Pratt said it may also be helpful to know how the natural features ordinance addressed the slopes on this property, stating that it would provide a better sense of how many lots could be developed. He also suggested that the floodplain maps be double-checked and that Commission be provided a copy of the Geddes Road zoning study.

Carlberg thought it would be helpful if Commission members visited the site, since they were hearing that the site was both relatively flat and extremely steep.

Davis said he had no objections to Commission members visiting the site.

A vote on the motion to table showed:

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

**Motion carried.**

c. Public Hearing and Action on Georgetown Commons Rezoning and Site Plan, 6.52 acres, 2502-2568 Packard Road. A request to rezone this site from C1 (Local Business District) to C1B (Community Convenience Center District), and a proposal to demolish the existing structures and construct a total of 91,700 square feet of retail space in five buildings with 296 parking spaces – Staff Recommendation: Approval

Vaughn described the proposal and showed photographs of the property.

Richard Dokas, 1243 Marlborough, representing the Kensington-Marlborough Homeowners Association, said the residents here realized that it was in their best interest that the new mall be successful. He said they also realized that the present mall was likely beyond repair, as it had been allowed to deteriorate. He identified the areas of concern discussed at the meeting with the neighbors: 1) The Page Avenue entrance – residents had a difficult time believing that traffic would not be impacted with the closure of the Page Avenue entrance to the mall, he said. He thought the Page entrance was probably used more than the Packard entrance. 2) Shift in location of AATA bus stop – if the bus stop were relocated to the front of the mall on Packard, he said, it could create a problem because traffic tended to back up quite a bit when the buses stopped. 3) All of the proposed perimeter parking raised a concern about line of sight and safety. He said this mall was used as a convenience center of sorts, as people would park in the front parking lot and run in to get groceries or something at the drugstore. The pedestrian mall would be less convenient, he said. 4) There currently were four reasons to come to this mall, he said: the full-service grocery, the drug store, the dry cleaner, and the card shop/post office. He said an area of concern was what could be done with this site if this mall did not succeed. He said residents were concerned that higher-priced/boutique shops would not be successful here. One of the alternatives the petitioner presented was a traditional mall with enough space to house a grocery store, he said. 5) Residents were concerned about the poor state of repair of the existing mall and wondered if the petitioner would be able to adequately maintain the new mall.

Jean Horvath, 2778 Page, stated that she was a pedestrian and bus rider and she thought the new layout would be a vast improvement over what currently existed. She thought it was a much friendlier design for pedestrians, stating that in the winter when getting off the bus on Packard, the route was dark and slippery. She supported this proposal.

Chuck Mancherian, 1485 King George Boulevard, reiterated the need for an access drive from Page Avenue. He stated that residents of Georgetown currently used the access from Page and, if it no longer existed, they would be forced to drive up to Packard and make a left turn where there was no traffic signal in order to then turn into the center. He said Packard was already heavily used and additional turning movements could create a horrendous problem. He did not see the need to provide a park in the location of where the Page Avenue access would be, noting that Esch Park was just a block away. It was his hope that the existing gravel along Packard would be removed and new grass and trees planted to improve the appearance. He stated that the existing fence along the King George Boulevard property line was in complete disrepair and suggested it be totally replaced. He also suggested that the service area for the dumpsters and recycling containers be screened from the residents with a masonry wall. With these suggested changes, he said, he supported the change to C1B zoning in order to attract the kind of tenants that would make this a successful development.

Barbara McCouch, a resident of Page Avenue since 1973, stated that the existing shopping center was a jewel in this neighborhood, calling attention to the density of the neighborhood with its single-family homes, apartments and townhouses. She stated that if the Page Avenue exit were eliminated, she would not use this shopping center, adding that it was ridiculous not to provide an entrance at the rear of the site. When looking at this proposal, she said, it appeared to be too dense and the parking did not appear to be very accessible. She questioned whether anyone would use the center aisle for parallel parking.

She expressed concern about maintenance, noting that the maintenance record for the owner of this site was deplorable. She felt resentful that the existing shopping center had been allowed to deteriorate, thereby requiring a new center. Finally, she expressed her appreciation to the Planning Commission for the work it did and for listening to the citizens.

Mark Yagerlener, 1391 Esch Court, expressed concern about how this property was allowed to disintegrate. It was unfortunate, he said, that the petitioner let this happen, and unfortunate that the City was not effective in its enforcement. However, he said, this was an opportunity to right the situation and develop a walkable, urban center. He supported this proposal with the caveat that there be a fairly tight timeline, stating that effective tools to make this a success were necessary.

Tom Fell, 1406 Marlborough, said he was opposed to this site plan because it did not contain space for a grocery store. He understood that Kroger did not intend to remain on this property, but the way the site plan was designed precluded another grocery store from locating here. He supported changing the design to enable a grocery store to occupy the site in the future.

Steve Towler, 211 East Davis, said he has frequented this Kroger store ever since it opened, stating that it was truly a neighborhood grocery store. Losing that size of a grocery store would eliminate a core store in this community, he said. He did not agree with closing the Page Avenue entrance and expressed concern with the impact on Packard Street as a result. He believed these concerns, as well as answers to important questions, should be addressed before a decision on this proposal was made.

Craig Schubiner, petitioner, provided a history of this project. He said it was their original goal to keep Kroger in the shopping center, but said Kroger determined that it could not make the store work in this location, no matter the size of the building. He said it was their goal to develop something new and fresh here. He said they had a study done on the different types of uses that could go here, such as housing, office and retail, and the result was the same as what the neighbors have said in both community meetings: post office, cleaners, drugstore. These were the types of uses they would like to see in the shopping center, he said, noting that the highest and best use for this site turned out to be a neighborhood convenience center. He said a mini main street in the center would add to the community by providing a walkable environment and a sense of place. He believed this development would serve the needs of the community much better than what was currently being done. They were not opposed to an entrance on Page Avenue, stating that they would be willing to include it on the plan at the request of the Planning Commission. He also said they could move the bus stop if necessary. With regard to lighting and safety, he said, this was a development with frontage on all sides. He said the glass on all sides of the building and the full lighting plan should provide a more safe environment than the current shopping center. He was available to answer questions.

Lori Wicks, 2107 Camelot, stated that her Georgetown Gifts shop was a current tenant in the mall. She expressed concern about the parking situation, saying that increasing the square footage and decreasing the parking was alarming. She believed decreasing parking was moving in the wrong direction.

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 Georgetown Commons Rezoning (2502-2568 Packard Road) from C1 (Local Business District) to C1B (Community Convenience Center District), Site Plan and Development Agreement.**

Lipson believed the rezoning was necessary for this site. He asked the size of the two largest buildings that were proposed.

Schubiner stated that Building A was 16,000 square feet and Building B was approximately 11,000 square feet.

Lipson stated that this was an interesting proposal and one he thought the existing density and public transportation in the area could support. He said it was an important anchor for the neighborhood and thought the question was whether it would be able to attract an anchor in either Building A or Building B, something on the scale of a Trader Joe's, which was smaller than a Kroger. A food store within walking distance would be helpful, he said, as he believed that was what the residents in this area desired. He agreed that there should be an entrance from Page Avenue, noting that it supported the policy of interconnecting neighborhoods, adding that he was not comfortable with the park area proposed in that location. He congratulated the petitioner for using pervious pavement and said the storm water detention would be an improvement here. With regard to reduced parking, his observation, after having lived in this area for 15 years, was that the existing parking lot fronting Packard was never more than half full. He thought the proposal to surround the center with parking was a better distribution, stating that he did not believe the parking would be inadequate. He said he was inclined to support this proposal with the addition of the Page Avenue entrance.

Carlberg stated that she frequently walked to this center, as it was located in her neighborhood. Many people liked it, she said, noting that the small stores made it easier for pedestrians carrying packages. She expressed concern about the four dumpster areas and the fact that they did not seem to be shielded from the public. This was important, she said, since people would be walking and driving on all sides of the center. She stated that truck deliveries would need to be handled carefully, since deliveries to Building C appeared to conflict with the park. She thought the Page Avenue entrance should remain and said the bus stop location should be reconsidered, noting that cars stopping behind the buses and blocking the driveway into the shopping center would be a frustration. She liked everything being done to trap and infiltrate storm water, but asked the petitioner if a green roof had been considered, noting that these have been found to be a great insulator and money-saver. She thought this proposed shopping center had the potential to be successful.

Kunselman stated that the permeable pavement was a good idea, but he questioned putting permeable concrete over the infiltration pipes. He said this was a large amount of storm water in one location.

Ann Stevens, of Atwell-Hicks, representing the petitioner, stated that the detention basin under the permeable pavement was designed to hold the entire site, regardless of whether or not the pavement was permeable. She stated that adding permeable pavement in this location increased detention capability and said there should be no overflow.

Kunselman stated that the underground pipe would hold the storm water in that location and relocating the permeable pavement elsewhere on the parking lot would result in greater infiltration.

Stevens stated that they looked at other areas on the site to place the permeable pavement, but those areas did not have as big of a surface area and were not as conducive to permeable pavement.

Kunselman stated that, in the end, only a small amount of water would infiltrate over the square footage as proposed. If the permeable pavement were moved to the northeast and the infiltrating storage pipe remained, he said, the size of the total infiltration area would be increased. He believed better infiltration capacity would be achieved if the two were not on top of each other. He stated that two of the proposed

trees were located within the storage pipe area and asked how they would grow when pipe and cobble existed on all four sides.

Stevens stated that the pipe was designed to break in that area.

Kunselman stated that the proposed landscape tree box was very small to support two trees, adding that honey locust trees liked to spread their roots across the surface. It was a nice detail, he said, but he suspected they would not last long in that location. With regard to the drive-through on the north side of Building A, he asked if people would be required to drive all the way around the site to get back out onto Packard, or if they would make a U-turn to go back to the east. It appeared to him that there would be a lot of cars driving on this site, which did not make it very pedestrian friendly, he said. He asked how the petitioner expected traffic to work.

Schubiner stated that people going through the drive-through could go west and make a loop to go back to the east toward Packard, they could drive around to the south side of the site, or they could drive through the center of the site on the main street.

Kunselman thought this design involved a lot of driving for people using the drive-through lane. With regard to deliveries, he stated that the success of off-hour loading zones located in the parking areas was dependent on drivers respecting the off hours. He did not have a lot of faith that delivery drivers would only visit the site during certain times and not tie up the parking spaces. He asked why the back end of Building C had a minimal architectural treatment when it faced Page Avenue and the neighborhood.

Maria Hook, of Hobbs and Black, representing the petitioner, showed an elevation of the building and said they designed this side of Building C as more of an open space area since it faced the neighborhood. She said they intended to landscape that side of the building.

Kunselman said this was understandable, but said it seemed that this would be a good opportunity to show off the building. He added that hiding the building behind trees and other landscaping was not a very good pedestrian amenity. He recalled when the Georgetown Mall was developed as a pedestrian mall to be more pedestrian friendly, just like Arborland. He liked the intent of this proposal and the creation of a pedestrian experience with the main street, but he was torn because he knew the car would still be dominant. He was hesitant about how all of the pieces would fit together. He said human behavior was to go to the closest building and there seemed to be a lot of stores without good visibility in this new center. He asked how people coming from Packard would be able to tell what stores were in the center without a sign.

Schubiner stated that this would be a well-known neighborhood center, not a center along a highway that needed a large sign for identify. He said this community was the type of place where residents would know about the stores that exist in a neighborhood center. He said the tenants would have options and the people in the area would know which stores were where.

Kunselman stated that retailers have said they only want access from one side of a building, as it was difficult to watch both sides.

Schubiner said the tenants of this center would have the option of access on one side or on both sides.

Kunselman said if retailers did not want an entrance on both sides, then one of the entrances would have to be closed, which would force people to park on one side of the building and then walk around to the other side. He was uncomfortable with this design and said he would like to have seen the alternatives for this proposal. He liked the idea of the proposal and thought it had great focal points, but he wanted to

make sure that everything was considered rather than finding out sometime in the future that something did not work.

Potts thought the Page Avenue entrance was essential, but she wondered if delivery trucks could be restricted from using it because she did not want the trucks driving through the neighborhood. She expressed concern about the drive-through and thought that part of the building would need to be removed in order to have room for a turnaround. She thought people traversing the whole site to exit the drive-through could cause safety problems. With regard to the architecture, she thought the backs of the buildings were being treated more like an alley, but they were not alleys, so she would like their facades to reflect the front of a building. She questioned why there was no entrance to the back of the building facing Page and said she thought more could be done to make the buildings more attractive. She said she would not vote favorably for this proposal without an entrance to the site from Page Avenue.

Emaus considered this shopping center to be a community amenity and he wanted to make sure it was designed so people would want to walk to it. He favored the bus stop in front of the site and did not object to cars having to stop behind the bus, as it would only be for a minute or so. He thought the bus stop in front of the site would make the shopping center more inviting and more accessible to customers. In order to provide an entrance to the center from Page, he suggested eliminating the playground. While he did not like drive-through lanes, he understood the need to provide this option to prospective tenants. He said he was in favor of this proposal and thought the center would do well if it had stores like the Merchant of Vino or Trader Joe's. He suggested that the Page Avenue entrance be made as inviting as possible to pedestrians and that the steps be kept to a minimum. He looked forward to the development of this center.

Borum said he agreed with many of the comments already made. He suggested that a break in the middle of the landscape island on the north side of the site be made to provide a turnaround space for cars leaving the drive-through. He believed everyone agreed that there should be an entrance from Page Avenue. He appreciated the attempt to move away from back doors and thought deliveries would work if there were a way to enforce loading to make sure deliveries occurred during off hours and did not interfere with parking. Given the size of the shops that would locate here, he did not think there would be many large delivery trucks. He suggested that there was a better way to use Building C in terms of access, noting that loading would be problematic due to its proximity to where the entrance to Page Avenue would go. He would support tabling action this evening so all of the comments could be taken into consideration.

Lipson stated that most drive-through lanes involved an inordinate amount of driving. He thought an alternative would be to take some of the compact car spaces on the north side of the site and mark them with "no parking" and directional arrows, so they could then be used by the drive-through traffic, eliminating the need to drive through the whole site. He understood the comment about moving Building C so the main street did not dead end at the tower, but he wanted to avoid micromanaging the architecture. If this were not going to be tabled this evening, he would suggest that the motion be amended to add the Page Avenue vehicle access. However, he said, he did not want delivery trucks using that entrance.

Pratt asked if there were any particular problems with the buildings being located closer to Packard.

Vaughn stated that the alternative reviewed by staff that had the buildings closer to Packard also proposed three curb cuts and a great deal of one-way circulation throughout the site. He said it was the access that was of concern to staff, not the buildings situated closer to Packard.

Pratt asked about the grade differential from Packard.

Stevens replied that there was about a ten-foot differential in grade between the sidewalk and the property line.

Pratt said it seemed to him that there was still a way to locate the buildings closer to Packard with parking underneath them. He believed there would be value to having pedestrian access with the buildings at the front of the site.

Schubiner said there was a combination of factors involved in the current building placement. He stated that this proposal would significantly improve the visibility for retailers, as well as the façade of the shopping center. He said he has read many books about great streets and he believed allowing the main street to continue through to Page without terminating would take away from the pedestrian environment they were trying to create. He strongly believed in keeping the terminated vista at the end of the street, as proposed.

Pratt stated that noise was occasionally an issue with rooftop mechanics and asked if this had been considered.

Hook replied yes. She said the rooftop mechanics would be entirely screened, adding that up-to-date equipment was less noisy.

Pratt asked about potential tenants for the shopping center.

Schubiner said they were hoping to retain some of the same tenants, such as Georgetown Gifts. However, he said, there would be a construction period and he understood that existing retailers would be faced with the issue of relocating during construction. He said the key tenant would be a market, for which interest had been expressed, and said other uses to serve the community could be a bakery, beauty salon, coffee shop, deli, gift shop, florist, optical store, and pizza shop.

Pratt asked if restaurants, some with outdoor dining, were being considered.

Schubiner said he would encourage all types of food stores and said they would like to see outdoor dining.

Pratt said he did not see much glass on the rear of Buildings A and B and said it would be helpful to understand what percentage of the buildings would be glass and what percentage would be brick/masonry. He also said he would like to see those percentages included in the development agreement. He asked about the lighting on the site and if it would be different for the main street area.

Hook stated that decorative lighting fixtures spaced closer together on Main Street would provide a main street feel. In the parking lots, she said, all lighting would meet the ordinance requirements for parking lots. She said the lighting on Main Street would be brighter to focus on pedestrians.

Pratt encouraged the petitioner to go beyond what was required by ordinance for lighting the backs of Buildings A and B to make sure there were no dark spots. He asked if angle parking had been considered on Main Street.

Schubiner replied yes, but said angle parking increased the distance between the two buildings and would therefore reduce the pedestrian ambience.

Pratt said he did not have a major concern with the off-hour loading zones, as he assumed retailers would do some policing if it affected the parking for their customers. He did not think it was important to keep the play area on this site plan, noting that Esch Park was very close to this site.

Vaughn said staff thought a pedestrian interface with the neighborhood was important in that location, not necessarily a play area.

Pratt asked if the petitioner had thought about any water features to draw attention.

Schubiner replied that a water feature had been considered, but it was decided that given the size of this project and that a water feature would be turned off for half of the year, it did not make sense to add a feature that would increase the rents of the tenants and make leasing more difficult.

Pratt suggested that long, wide speed humps be considered to discourage people from using this site as a drive-through.

Schubiner said this could be considered, but said given the grade change, he anticipated that the drive would likely provide access for the neighborhood and not a straight drive-through from Packard to Page.

Lipson stated that the existing mall was currently not used as a drive-through because Pine Valley and King George Boulevard were located on either side. If it turned out to be a problem after the new mall was constructed, he said, speed humps could always be installed.

Pratt asked if the petitioner would object to language in the development agreement to address maintenance of the shopping center.

Schubiner said he had no objection.

Pratt stated that the sidewalk along Page Avenue could use some repair and suggested that it be taken care of as part of this development. He agreed with moving the permeable pavement from the underground infiltration, stating that it was the City's goal to infiltrate rather than detain. He asked that the City's environmental coordinator take a closer look at the trees on Packard and Page and in the parking lot, as they were looking a little unhealthy.

Stevens stated that some of those trees would be removed and replaced with new trees.

Pratt asked if the petitioner objected to adding a provision in the development agreement that there be no deliveries made to the shopping center from Page Avenue.

Schubiner had no objection to this.

Pratt asked about traffic counts from Packard and Page.

Stevens said traffic studies were done using a.m. and p.m. traffic. She said 22 cars entered the site from Page during peak a.m. hours. On Packard, she said, 20 cars entered the north curb cut during peak a.m. hours and 25 cars entered the south curb cut during peak a.m. hours. During the peak p.m. hours, she said, there were 94 traffic trips at the north curb cut and 42 trips at the south curb cut on Packard, and 47 at Page.

Potts asked about the possibility of a bus pull-off on Packard, which would be a pedestrian amenity.

Pratt said it was his understanding that AATA preferred that buses stop on the street, as it was difficult for buses to merge back into traffic if they stopped at a pull-off.

Lipson agreed that the bell tower was attractive, stating that it would make people want to walk toward it; however, he was concerned about pedestrian access from Page Avenue. He asked the petitioner to do whatever possible to encourage pedestrian access to Building C, especially on the Page Avenue side.

Kunselman asked about the proposed uses for Building C, a multi-level building.

Schubiner said they would like to put something creative in this space, such as a restaurant/store with second floor dining overlooking the retail environment.

Kunselman informed the petitioner that once the site plan was approved, it was valid for three years.

Schubiner said their goal was to move as fast as possible with this development. He said there were many people who had a stake in this and everyone wanted it to be successful. He said there would be a certain amount of pre-leasing required, which he anticipated would occur through early 2007 at the same time they were putting together their construction documents.

Kunselman stated that because of the existing deterioration of the site, and because this site would remain in a holding pattern for another year or two, it would behoove the City to know what code violations were in effect. If there were any code violations that needed to be addressed, he asked what the petitioner would do to remedy them.

Schubiner was not aware of any code violations, but said they would address them right away if they existed.

Kunselman thought this was a good project and respected the petitioner's effort to do something different. He supported tabling action because of all of the issues and asked the petitioner if he would meet with the neighbors one more time if this were tabled.

Schubiner replied yes.

Pratt asked what kind of treatment, if any, would be used at the crosswalks to call attention to those areas.

Hook said they would use a contrasting surface.

Lipson suggested a raised crosswalk as a traffic calming method.

**Moved by Lipson, seconded by Kunselman, to table action.**

A vote on the motion to table showed:

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

**Motion carried.**

d. Resolution of Appreciation for Commissioner James D'Amour.

**Moved by Potts, seconded by Emaus, that the Ann Arbor City Planning Commission hereby tenders its sincere appreciation to James D'Amour for this valuable contributions to the City of Ann Arbor through efforts as a member of the City Planning Commission.**

Potts expressed her appreciation for Mr. D'Amour's time, effort and unique contribution on the Northeast Area Plan, Northeast Area Transportation Plan, and Allen Creek Greenway Task Force.

Kunselman said he enjoyed Mr. D'Amour's dialogue.

Lipson stated that Mr. D'Amour was a tireless advocate for public input, transparency and the environment.

Carlberg stated that a good quality of Mr. D'Amour's was his persistence. She said he possessed a set of values and he put them forth at every opportunity. She said his work on the Planning Commission and in the community as a whole was greatly appreciated.

Pratt thanked Mr. D'Amour for his tireless service and, on behalf of the whole Planning Commission, wished him the best.

A vote on the motion showed:

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

**Motion carried.**

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AUDIENCE PARTICIPATION

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None.

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COMMISSION PROPOSED BUSINESS

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None.

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ADJOURNMENT

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Pratt declared the meeting adjourned at 11:29 p.m.

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Mark Lloyd, Manager  
Planning and Development Services

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Bonnie Bona, Secretary

Prepared by Laurie Foondle  
Management Assistant  
Planning and Development Services