

**ANN ARBOR CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
MEETING MINUTES TUESDAY, JUNE 16, 2020 - 4:00 PM**

In accordance with Governor Whitmer’s Stay Home, Stay Safe, Save Lives Executive Order, which temporarily authorizes remote participation in public meetings and hearings due to the COVID-19 pandemic, this meeting was held with remote participation, including public participation, via ZOOM video/conference call, as outlined on the Township website and posted per Open Meetings requirements.

I. ROLL CALL

At 4:00 pm the meeting was called to order by Chair Lee Gorman.

Present: Chair Lee Gorman, Members Bill Burlingame, Bud Collins, Margaret Hedstrom and Clerk Rena Basch

Also present: Zoning Consultant Sally Elmiger from Carlisle/Wortman Associates and Building Inspector Peter Pace.

Absent: None

II. APPROVAL OF MINUTES - Approval of Zoning Board of Appeals minutes January 21, 2020. Burlingame moved to approve the minutes of the meeting on January 21, 2020. Hedstrom seconded.

Roll call vote: Ayes – Basch, Burlingame, Hedstrom, Collins, Gorman. Nays – None.

Motion carried 5-0.

III. OLD BUSINESS - None

IV. NEW BUSINESS

A. ZBA-1-2020: MAVD, 4300 Whitehall Drive, Ann Arbor, Michigan, 48105, premises zoned O - Office District, parcel number I-09-13-200-021. The applicant is seeking two variances: a) a variance from Section 74-764 to allow construction of 85 parking spaces to be deferred to a future time, and/or b) a variance from Section 74-798 to reduce the number of required loading/unloading spaces from six (6) to one (1); or, as an alternative, requesting a variance to defer construction of five (5) loading/unloading spaces, conditioned upon the location of the deferred spaces to be determined by the Planning Commission.

1. Petitioner presentation

Tom Covert of Midwestern Consulting was present on behalf of this application, as was Greg Copp, MAVD and Tina Fix, Landscape Architect.

Utilizing a PowerPoint presentation shown on the Zoom screen, Mr. Covert explained that they were asking to defer the construction of 85 parking spaces for the Whitehall office building project. The building would offer 75,000 square feet of net floor area, which would require 375 parking spaces (1 space per 200 square feet). They did not feel they would need all these spaces, and deferring 85 spaces would reduce the amount of asphalt needed for the development. Their goal was to minimize natural features impacts and improve areas outside construction limits.

Mr. Covert pointed out that they were one of two Office District zoning areas in the overall Office Park District; the Office District did not allow for reduction of parking spaces by the Planning Commission. Instead, they needed to seek the variance requested this evening.

Mr. Covert compared the proposed development to the State Street Commons, which was owned and operated by MAVD. State Street Commons offered 1 parking space per 245 square feet of net office space. The Whitehall Office Building would offer 1 space per 252 square feet of net office space, if the request for deferred parking was granted. Should the deferred parking be constructed in the future, the total parking spaces (382 spaces) would offer 1 parking space per 196 square feet of net office space.

Regarding the second variance request, Mr. Covert explained that this project did not need the required 6 loading spaces since the site would mainly be visited by panel trucks that would use normal parking spaces. They were asking for a variance in order to provide only 1 loading space on the northeast portion of the building. This space would be large enough for a semi-tractor/trailer. An office building of this type would not need more than 1 such space; the requirement for 6 spaces applied more to manufacturing uses. Alternatively, if the Board did not want to grant a variance to allow only 1 space, they were requesting to defer the construction of 5 loading spaces. If the Board preferred this alternative, the 5 deferred loading spaces would not be located in the parking areas.

2. Consultant reports

- a. Elmiger provided a written report dated May 26, 2020 recommending approval of both variance requests. As outlined in her report, she agreed that the request to defer construction of 85 parking spaces met the ordinance standards for a variance, as did the request to reduce the required number of loading/unloading spaces from 6 to 1. She also agreed the standard requiring 6 loading spaces applied more to industrial/manufacturing uses. Granting both variances would help preserve natural features to the south and provide a large

green space on the east side of the site and reduce impervious surfaces. Parking and loading/unloading would still meet the needs of this office development.

b. Pace concurred with Elmiger's report.

3. **Public Hearing – At 4:13 pm Chair Gorman opened the public hearing**, and then closed it, as there were no public comments.

4. **Board action**

a. **Discussion –**

In response to questions from Member Burlingame, Mr. Covert confirmed that if two panel truck deliveries were made simultaneously, there would be room for both trucks either in the loading/unloading space or in regular parking spots. The proposed development was for general office use, and not for medical office use. Elmiger explained that if medical office were ever proposed for the site, the applicant would need to seek approval from the Planning Commission because of different parking requirements.

In response to questions from Member Hedstrom, Mr. Covert gave information demonstrating the similarity between the South State Commons building and this location in terms of workers using their own cars to drive to work. Future decisions to construct deferred parking would depend on tenant lease agreements, parking utilization in the course of a normal business day, etc. There was an entrance on each of the four building elevations; equitable parking would be available for all entrances. Regarding the loading/unloading space, no loading dock was proposed. Should additional loading/unloading space be required in the future, the bump-out at the single planned space could be increased, and there were opportunities for additional loading/unloading spaces at the northwest portion of the building as well as the rear of the building and adjacent to the parking lot, as shown.

Chair Gorman said the Planning Commission supported the request to defer parking in order to minimize impervious surfaces, and also in acknowledgement of more people working at home as well as possible future use of autonomous vehicles.

ZBA members supported the request for 1 loading/unloading space, as this was not a manufacturing use and the requirement for 6 spaces seemed an anomaly in this overall Office Park district.

b. **Motions –**

Collins moved to approve variance to Section 74-764, allowing deferring construction of 85 parking spaces to a future time if additional spaces are needed, given the variance request meets the requirements of Section 74-266 (d). Burlingame seconded.

Roll call vote: Ayes – Basch, Burlingame, Hedstrom, Collins, Gorman.
Nays – None.

Motion carried 5-0.

Collins moved to approve variance to Section 74-798, reducing the number of loading/unloading spaces from six (6) to one (1), given the variance meets the requirements of Section 74-266(d). Hedstrom seconded.

Roll call vote: Ayes – Basch, Burlingame, Hedstrom, Collins, Gorman.
Nays – None.

Motion carried 5-0.

Basch stated her appreciation that this variance request minimized impervious surfaces and delayed construction of the deferred spaces until they were needed.

V. PUBLIC COMMENT – None.

VI. NON-AGENDA or INFORMATIONAL ITEMS

Member Hedstrom announced that this was her last ZBA meeting; due to her planned retirement she had declined to be reappointed to the Board.

Board members thanked Member Hedstrom for her insightful comments and service on the Board.

VII. ADJOURNMENT – At 4:35 pm, Burlingame moved to adjourn. Hedstrom seconded.

Roll call vote: Ayes – Basch, Burlingame, Hedstrom, Collins, Gorman. Nays – None.

Motion carried 5-0.