



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Meeting Minutes City Planning Commission

Thursday, July 7, 2011

7:00 PM Ann Arbor Municipal Center, 301 E. Huron Street, 2nd Flr.

Commission public meetings are held the first and third Tuesday of each month. Both of these meetings provide opportunities for the public to address the Commission. Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office at 734-794-6140 (V/TDD) at least 24 hours in advance. Planning Commission meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>) or on the 5th floor of City Hall on the Friday before the meeting. Agendas and packets are also sent to subscribers of the City's email notification service, GovDelivery. You can subscribe to this free service by accessing the City's website and clicking on the red envelope at the top of the home page.

1 CALL TO ORDER

Chair Mahler called the meeting to order at 7:05 PM.

2 ROLL CALL

Rampson called the roll.

Present 8 - Bona, Pratt, Mahler, Woods, Derezinski, Westphal, Giannola, and Adenekan

Absent 1 - Briggs

3 APPROVAL OF AGENDA

A motion was made by Woods, seconded by Giannola, that the Agenda be Approved as presented. On a voice vote, the Chair declared the motion carried.

4 11-0833 Organization of Commission

a **Election of Officers (Article V of Bylaws)**

(1) Chair

A motion was made by Derezinski, seconded by Bona, that the Mahler be re-elected as Chair. On a voice vote, the Chair declared the motion carried.

(2) Vice Chair

A motion was made by Bona, seconded by Woods, that Westphal be re-elected as Vice Chair. On a voice vote, the Chair declared the motion carried.

(3) Secretary

A motion was made by Woods, seconded by Westphal, that Giannola be re-elected as Secretary. On a voice vote, the Chair declared the motion carried.

b Review of Bylaws (Article XIV of the Bylaws)

Mahler said that staff has proposed an amendment to the bylaws, Article 7, Section 4, to change the presentation of the work program from December to May. He noted that the Commission had extensively reviewed the bylaws last year. He asked for any amendments to be presented to staff so they can be included when the Commission acts on the bylaws at the next meeting.

c Committee Assignments

Mahler asked Commission members to contact him or staff if they are interested in different committee assignment.

Giannola asked which committees Carlberg had been on, so members could know what vacancies there are.

Mahler responded that Carlberg was on the Ordinance Revisions and R4C/R2A committees.

d Public Notice and Input Overview

5 INTRODUCTIONS

Mahler introduced new Commissioner, Eleanore Adenekan.

Adenekan said that she came to Ann Arbor eight years ago from New York, where she served on the Human Rights Commission. She has served on the Human Rights Commission in Ann Arbor.

6 MINUTES OF PREVIOUS MEETING

a 11-0827 May 3, 2011 City Planning Commission Meeting Minutes

A motion was made by Giannola, seconded by Westphal, that the minutes be approved by the Commission. On a voice vote, the Chair declared the motion carried.

b 11-0828 May 17, 2011 City Planning Commission Meeting Minutes

A motion was made by Westphal, seconded by Pratt, that the minutes be approved by the Commission. On a voice vote, the Chair declared the motion carried.

7 REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING MANAGER, PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS

a City Council

Derezinski reported that at the previous night's meeting, City Council discussed a motion to reconsider the Northside Connector sewer project. A Councilmember asked to clarify the project's relationship to the Fuller Road Station project. He explained that this sewer is being constructed to address the needs of many homes and businesses, and is not specifically to support the Fuller Road Station project.

Derezinski said the Council postponed action on the reappointment of wards until after the General Election. He said Council asked staff to explore changes to address concerns about boundary consistency.

Derezinski reported that Council approved a resolution that clarified the City's approach to privacy issues for information collected regarding medical marijuana ordinances.

Derezinski said that the City Administrator search committee hopes to have a decision made in July, with the candidate starting work no later than September 1, 2011. He invited Commissioners to the candidate open house on July 12.

Derezinski said the resolution establishing the Design Review Board fee was approved, reflecting a change from \$1000 to \$500. He said some Council members were concerned that the larger fee would discourage applicants. He said that all Council members agreed staff support to the Design Review Board should be monitored over the next year to make sure city costs are being appropriately covered.

Derezinski said Council confirmed the appointments of Commissioners Adenekan and Woods.

b Planning Manager

Rampson said that if there are no active petitions that are ready to go before the Commission at their July 19th meeting, the regular session meeting would be cancelled.

Rampson mentioned that she will be attending the Urban Sustainability Leadership Academy with Matt Naud on July 18th - 20th.

Rampson pointed out the Map Washtenaw website that allowed the public to view and print interactive GIS maps of the City.

Rampson said that Commission's comments on the Pittsfield Charter Township Master Plan were well received and appreciated.

Rampson said that the City's Sustainability Team has scheduled a meeting for September 27, 2011 to meet with the City Planning Commission, the City's Energy Commission and Environmental Commission as well as the Park Advisory Commission.

Mahler suggested that the Planning Commission discuss goals they plan to bring to the table at a working session prior to the September 27th meeting.

Received and Filed**c Planning Commission Officers and Committees**

None

d Written Communications and Petitions

None

11-0826 Correspondence to the City Planning Commission

Received and Filed**8 AUDIENCE PARTICIPATION**

None

(Persons may speak for three minutes about an item that is NOT listed as a public hearing on this agenda. Please state your name and address for the record.)

9 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

None

10 REGULAR BUSINESS - Staff Report, Public Hearing and Commission Discussion of Each Item

(If an agenda item is tabled, it will most likely be rescheduled to a future date. If you would like to be notified when a tabled agenda item will appear on a future agenda, please provide your email address on the form provided on the front table at the meeting. You may also call Planning and Development Services at 734-794-6265 during office hours to obtain additional information about the review schedule or visit the Planning page on the City's website (www.a2gov.org.)

(Public Hearings: Individuals may speak for three minutes. The first person who is the official representative of an organized group or who is representing the petitioner may speak for five minutes; additional representatives may speak for three minutes. Please state your name and address for the record.)

(Comments about a proposed project are most constructive when they relate to: (1) City Code requirements and land use regulations, (2) consistency with the City Master Plan, or (3) additional information about the area around the petitioner's property and the extent to which a proposed project may positively or negatively affect the area.)

a 11-0830 City Pets Veterinary Clinic Special Exception Use for Planning Commission Approval - A request to establish a 2212 sq ft veterinary clinic in an existing tenant space of the Courtyard Shops at 1723 Plymouth Road. - Staff Recommendation: Approval

Cheng gave a staff report.

Mahler opened the Public Hearing at 7:31 pm.

Dr. Stacey Weinrick, 405 Potter Avenue, Ann Arbor, said she was proposing to open a new practice with her business partner Dr. Gretchen Hui. She stated that they have been working in Ann Arbor for a combined 14 years. She said they plan to focus on direct care and not on grooming or retail sales and will not be boarding at the facility, except for hospitalization of pets who need it. She said they know that odor and noise are concerns, so they have been working with the contractor to make sure these concerns are being addressed in the construction through soundproofing and the HVAC system. She added that the pet relief area will be monitored on a daily basis to make sure it is kept clean.

Jim Chaconas, 617 Detroit Street, Suite 100, Ann Arbor, representing the owners of the property, said he is pleased to be adding this business to the mall. He said the petitioners have taken care of his dogs for years.

Mahler closed the Public Hearing at 7:35 pm.

Moved by Pratt, seconded by Derezinski, that the Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), subject to limiting the size of the operation to a maximum of 2,430 square feet, and, therefore, approves the City Pets Veterinary Clinic Special Exception Use.

COMMISSION DISCUSSION:

Bona said she wanted to better understand the use. She asked how many dogs per day and how long they see each animal.

Weinrick and Hui responded, eight to ten dogs and since they are outpatient, most animals would be seen for 15-30 minutes at a time.

Bona asked how often one of the two of them were there.

Weinrick replied all the time.

Bona asked how often hospitalization would be required.

Weinrick responded, not very often; maybe it wouldn't even happen weekly.

Bona said the concept sounds good, although it is closely located to other businesses and the dog relief area is full with trees. She recommended that the trees might need to be trimmed.

Chaconas said there is more area than it appears on the plan drawing.

Derezinski asked what other animals they see.

Weinrick responded that they see small animals and exotics, such as cats, dogs, birds, reptiles, rabbits, rats, guinea pigs, and rodents.

Derezinski asked if they do house-calls as well.

Weinrick and Hui said, no.

Westphal asked if the boarding is always associated with critical care.

Weinrick and Hui said that in case of emergency for housing of the pet, they would have this option available for their clients, but it wasn't something they would be advertising.

Westphal asked if staff stayed with the animals overnight.

Weinrick stated no, and this is why there shouldn't be much interest since there are other hospitalization facilities that offer 24 hour care for critically ill animals.

Westphal asked how noise would be handled.

Cheng said this is handled through mall management and his understanding is that this has been written into the lease. He noted all property owners and occupants within 300 feet of the location received notices, and the public hearing notice was posted on site.

Giannola asked where veterinary clinics are allowed by right.

Cheng said C2B.

Giannola asked what the main difference was between C1 And C2B.

Rampson said that, in general, C1 districts are adjacent to residential districts since they are a local business district, while C2B are more strip commercial or other larger shopping center areas. She noted that a C2B district may be next to residential, but it is not going to be a smaller site as in C1 districts.

Woods asked what could be expected in noise levels if five overnight dogs could be boarded without staff.

Hui said that it would be unlikely to have five dogs at once, but rather other animals such as rabbits or cats.

Weinrick clarified that boarding wouldn't be advertising and most dogs settle down once the lights are turned off. She believed that the soundproofing would help with any possible noise issues.

Hui said that they will have the possibility to move cages around to different areas in the facility.

Woods asked what would be the recourse if there are disturbances.

Cheng said that if there were complaints, they would likely be from a tenant, and he believed that tenants would contact the owners first to address the noise issue.

Chaconas said this is not a late night mall, with most nearby businesses closing by 5 pm.

Woods asked what the maximum number of animals in the facility could be at one time.

Weinrick said it could be four animals maximum at the same time, with some animals being there for surgical procedures, which could amount to perhaps three to five procedures a day.

Woods asked if the animal relief area would be identified with signage.

Hui said yes.

Woods asked about pedestrian connections from their business to the relief area.

Weinrick said there is no need to cross a street or busy area, just follow the sidewalk and across the back parking lot.

Mahler asked the mall owner about the HVAC system and how it is intended to deal with potential complaints of smells.

Chaconas said the HVAC system being installed is specially designed to deal with veterinary clinics and is part of the lease. He explained there is no smell going through the system.

On a roll call, the vote was as follows with the Chair declaring the motion carried and the special exception use approved.

Yeas: 8 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Wendy Woods, Tony Derezinski, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 1 - Erica Briggs

b 11-0831

Center of Light Christian Spiritual School Special Exception for Planning Commission Approval - A request to convert 202 Huron View to a 50-seat church and to convert 200 Huron View to a parsonage. No changes to the site are proposed. - Staff Recommendation: Approval.

Cheng presented the staff report.

Mahler opened the Public Hearing at 7:55 pm.

Dan Dever, attorney for the petitioner, introduced the petitioner, Reverend Lela Iduna. He said that the two petitioner would be the one living in the parsonage if the request is approved. He clarified that this is not a school, but a church function, which includes teaching of spiritual beliefs. He said this is a less intense use from the previous use. He agreed with the staff report that the meeting hours will work with other uses on the street and they don't have issues with residential uses nearby.

Mahler declared the Public Hearing closed at 7:58 pm.

Moved by Derezinski, seconded by Westphal, that the Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), and, therefore, approves the Center of Light Christian Spiritual School Special Exception Use for a church use with a maximum seating capacity of 50 persons, subject to maintaining one-way traffic circulation in accordance with the corresponding layout plan.

COMMISSION DISCUSSION:

Westphal asked staff how the Petitioner had arrived at the number of 50 members.

Cheng said this was requested by the petitioner, who indicated they currently have 10 members, but intend to grow to 50 members.

Westphal asked if the church has other locations in the City currently.

Iduna said no.

Westphal asked if there was enough parking for the proposed members.

Cheng responded that there is currently ample parking on site as well as overflow parking on both sides of Huron View Blvd.

Westphal asked if parking problems occur, in general, at churches and if there was a mechanism for addressing such.

Cheng said staff does not anticipate any conflict. He said that there haven't been any concerns expressed from neighbors.

Derezinski asked about the Order of Christ Sophia.

Iduna said the Order of Christ Sophia is a non-denominational Christian order that has centers in thirteen states across the country, whose focus is on teaching. She explained that each person is taken into a relationship with God through meditation, spiritual guidance and teachings.

Bona said she thinks this is a great use for this location, with the off-peak characteristics. She noted that the city has lost some churches, so she appreciates this church starting up.

On a roll call, the vote was as follows with the Chair declaring the motion carried and the special exception use approved.

Yeas: 8 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Wendy Woods, Tony Derezinski, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 1 - Erica Briggs

c 11-0834 City Planning Commission FY 2011-2012 Work Program

Rampson noted the several changes were made at the request of the Commission at the previous week's Working Session.

A motion was made by Pratt, seconded by Westphal, that the Ann Arbor City Planning Commission hereby adopts the City Planning Commission/Staff 2011-2012 Work Program. On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 8 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Wendy Woods, Tony Derezinski, Kirk Westphal, Diane Giannola, and Eleanore Adenekan

Nays: 0

Absent: 1 - Erica Briggs

11 **AUDIENCE PARTICIPATION (Persons may speak for three minutes on any item.)**

None

12 **COMMISSION PROPOSED BUSINESS**

None

13 **ADJOURNMENT**

A motion was made by Bona, seconded by Westphal, to adjourn. On a voice vote, the Chair declared the motion carried.

Meeting unanimously adjourned at 8:07 pm.

Eric Mahler, Chair
mg