

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Draft

Tuesday, August 20, 2019

7:00 PM

**Larcom City Hall, 301 E Huron St, Second floor, City Council
Chambers**

City Planning Commission

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. All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to: City Clerk's Office, 301 E. Huron St., Ann Arbor, MI 48104. Requests need to be received at least two (2) business days in advance of the meeting. 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 1st 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 'Subscribe to Updates' envelope on the home page.

1 CALL TO ORDER

Chairperson Alex Milshteyn called the meeting to order at 7:03 p.m.

2 ROLL CALL

City Planner Alexis DiLeo called the roll.

Present 7 - Briggs, Mills, Milshteyn, Gibb-Randall, Ackerman, Abrons, and Hammerschmidt

Absent 2 - Woods, and Sauve

3 INTRODUCTIONS

None

4 APPROVAL OF AGENDA

Moved by Sarah Mills, seconded by Shannan Gibb-Randall to Approve the agenda as presented. On a voice vote, the Chair declared the motion carried.

5 MINUTES OF PREVIOUS MEETING

5-a **[19-1584](#)** August 7, 2019 City Planning Commission Meeting Minutes

Moved by Ellie Abrons, seconded by Shannan Gibb-Randall to Approve the August 7, 2019 City Planning Commission meeting minutes as presented. On a voice vote the minutes were approved.

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

6-a City Council

Councilmember Zach Ackerman reported from last night's Council meeting; They approved a contract with Smith Group JJR to conduct community engagement about the vision for the City's property at 415 W. Washington, they updated the City's formula for 'fee in lieu of Affordable Housing' on Planned Unit Development (PUD) zoned projects, The Glen project amendments at 201 Glen Avenue was approved at first reading, minor Chapter 55 Unified Development Code (UDC) amendments related to translation were approved at second reading, as were Front Lot Setbacks, The Garnet rezoning and site plan project at 325 E. Summit Street was postponed at second reading to allow further discussion on alternative zoning districts, given philosophical differences of the proposed rezoning from Community Convenience Center (C1B) to Campus Business (C1A) 2705 Newport Road, annexed into the City from Ann Arbor Township, was zoned Single-Family Dwelling R1A.

Ackerman further reported that August 5, 2019, City Council reviewed three potential reconfigurations for road diets which would increase safety for pedestrians and bicyclists; one on Traverwood Street moved forward, while two were voted down (one on Green Road, the other on Earhardt Road) and will return to Council after revisions have been made.

6-b Planning Manager

6-c Planning Commission Officers and Committees

6-d Written Communications and Petitions

19-1586 Various Correspondences to the City Planning Commission

Received and Filed

7 AUDIENCE PARTICIPATION (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.)

None

8 **PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING**

- 19-1587** Public Hearings Scheduled for the September 4, 2019 Planning Commission Meeting
City Planner Alexis DiLeo read the public hearing notice as published.
Received and Filed

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

- 9-a** **19-1585** Unified Development Code Amendments relative to the Michigan Regulation and Taxation of Marijuana Act - Proposed Amendments to Chapter 55, Unified Development Code: Table 5-15 Permitted Use Table; Section 5.16.3.G Medical Marijuana Facility; Table 5-19-1 Off Street Parking Spaces Required; Section 5.37.2 Definitions-Specific Terms; and related Unified Development Code numbering and ordering. Staff Recommendation: Approval

STAFF REPORT:

Alexis DiLeo, City Planner, provided the presentation, noting that in 2008, the terms: patients, caregivers, medical marijuana home occupations, medical marijuana dispensaries, medical marijuana cultivation facilities, were added, and in 2016 the Medical Marijuana Facilities Licensing Act (MMFLA) was implemented and through it they inserted medical marijuana growers, medical marijuana processors, medical marijuana secure transporters, medical marijuana provisioning centers, and medical marijuana safety compliance facilities. Through the Michigan Regulation and Taxation of Marijuana Act (MRTMA) the City is adding the designated consumption establishment, medical microbusinesses, and marijuana retailers.

DiLeo reviewed the amendments by terms; noting removing the word 'medical' will allow the code to be more broadly applicable. She reviewed the proposed definitions, proposed zoning districts, proposed distances from schools, and proposed distances from other such establishments, as well as proposed maximum number of such licenses provided by the City. She reviewed the proposed amendments by section.

PUBLIC HEARING:

Noting no public speakers, the Chair declared the public hearing closed.

Moved by Erica Briggs, seconded by Shannan Gibb-Randall, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code, Section 5.15, Table 5-15, Section 5.16.3, Section 5.19.2, Table 5:19-1, and Section 5.37.2 to provide land use regulations for the recreational marijuana uses created by the Michigan Regulation and Taxation of Marihuana Act.

COMMISSION DISCUSSION:

The Commission took into consideration the presented petition and discussed the matter. [For a complete record of the discussion, please see available video format.]

The Commission expressed appreciation to Staff for all their hard work on the issue.

Ackerman said, at their earlier working session, the Commission had expressed wanting more control over the Consumption Facility designation, so a Special Exception Use request was discussed for that category.

AMENDMENT I:

Delete “anticipated” from 5.16.3.G.6.e.iii.

VOTE ON AMENDMENT I:

On a voice vote the Chair declared the amendment passed.

AMENDMENT II:

The intent for staff to create and add a fourth required statement to 5.16.3.G.6.e to require annual reporting on actual energy and water use.

COMMISSION DISCUSSION ON AMENDMENT II:

The Commission expressed this verification might help with enforcement of the 10% solar energy requirement and will help establish a body of data for future research.

VOTE ON AMENDMENT II:

On a voice vote the Chair declared the amendment passed.

**AMENDMENT III:
Make Designated Consumption Facilities Special Exception Uses,
rather than permitted uses.**

COMMISSION DISCUSSION ON AMENDMENT III:

**VOTE ON AMENDMENT III:
On a voice vote the Chair declared the amendment passed.**

**VOTE ON MAIN MOTION:
On a voice vote the Chair declared the MAIN MOTION passed.**

Yeas: 7 - Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan
Gibb-Randall, Zachary Ackerman, Ellie Abrons, and Sara
Hammerschmidt

Nays: 0

Absent: 2 - Wendy Woods, and Elizabeth Sauve

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

None

11 COMMISSION PROPOSED BUSINESS

12 ADJOURNMENT

The meeting was unanimously adjourned at 7:55 p.m.

Alex Milshteyn, Chairperson
/mg

(If an agenda item is postponed, it will most likely be rescheduled to a future date. If you would like to be notified when a postponed 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.)

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The complete record of this meeting is available in video format at <https://a2ctn.viebit.com>, or is available for a nominal fee by contacting CTN at (734) 794-6150.