



City of Ann Arbor

Formal Minutes - Final

City Planning Commission

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Thursday, February 22, 2024

7:00 PM

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

This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at a2gov.org/watchCTN

To speak at public comment call 206-337-9723 or 213-338-8477 or Toll Free 877-853-5247 or 888-788-0099 Enter Meeting ID: 977 6634 1226

1. CALL TO ORDER

Chair Wonwoo Lee called the meeting to order at 7:00 pm in Council Chambers at City Hall of Ann Arbor.

2. ROLL CALL

Chair Wonwoo Lee called the roll.

Others present:

Deputy Planning Manager Hank Kelley

City Planner Jill Thacher

Present 8 - Mills, Abrons, Disch, Lee, Clarke, Wyche, Weatherbee, and Adams

Absent 1 - Hammerschmidt

3. APPROVAL OF AGENDA

Moved by Commissioner Wyche seconded by Commissioner Weatherbee to approve the agenda. On a voice vote, the motion carried unanimously.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

[24-0170](#) February 6, 2024 City Planning Commission Meeting Minutes

Attachments: February 6, 2024 City Planning Commission Meeting Minutes.pdf

Moved by Commissioner Abrons seconded by Commissioner Mills to approve the February 6, 2024 City Planning Commission meeting minutes. On a voice vote the minutes were unanimously approved as presented and forwarded to City Council.

5. ROLL CALL

Commissioner Hammerschmidt entered the meeting at 7:02 pm

Present 9 - Mills, Abrons, Hammerschmidt, Disch, Lee, Clarke, Wyche, Weatherbee, and Adams

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

5-a. City Council

Councilmember Disch reported:

- *Modifications to former Conflicting Land Use Buffers (now called District and Park Buffers) passed on second council reading this week.*
- *The Development Agreement for 333 E William passed in consent agenda.*

5-b. Planning Manager

Deputy Planning Manager Hank Kelley reported:

- *March 12-14th at the Downtown Library, 3 days of open houses, activities and joint public workshops for the Comprehensive Plan and Downtown Circulation Study. Further announcements and details of time to come.*
- *Associate Planner posting is now closed, the review panel has selected finalists, and we hope to have new staff to introduce to you as soon as next month.*

5-c. Planning Commission Officers and Committees

Deputy Planning Manager Hank Kelley reported:

Moved to a bi-monthly schedule last year when approving agenda for Ordinance Revisions Committee. Next Tuesday February 27, 2024 at 7:00 pm there will be a virtual meeting with a continued discussion of Zoning Simplification.

5-d. Written Communications and Petitions

[24-0220](#) Various Communication to the Planning Commission

Attachments: Barclay Park Association email 3380 Nixon Road.pdf, Chambers email Comprehensive Plan.pdf, Goldberg email Generators and projects.pdf, Goodman email of support 711 Church Street.pdf, Srinivasan email of opposition 3380 Nixon Road.pdf

Received and filed.

6. PUBLIC COMMENT (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.)

Ken Garber, 28 Haverhill Court, welcomed Commissioner Adams to the Planning Commission.

Seeing no additional speakers Chair Lee closed the Public Comment.

7. PUBLIC HEARINGS SCHEDULED FOR NEXT REGULAR MEETING

7-a. [24-0171](#) Public Hearings Scheduled for Tuesday, March 5, 2024, Planning Commission Meeting

Attachments: 3-5-2024 Notice of Public Hearing.pdf

Deputy Planning Manager Hank Kelley reported:

- 732 Packard Street PUD Zoning District and Supplemental Regulations, and Site Plan - A request to rezone a 1.27-acre site from C1A/R (Campus Business Residential) to PUD (Planned Unit Development) and adopt Supplemental Regulations to allow development up to 450,000 square feet and 14 stories, and a site plan to construct a 14-story apartment building with optional ground floor commercial. Proposed beneficial effects of the PUD district include affordable housing (by payment in lieu), enhanced sustainability and

open space. As proposed, the building has 387 apartments, 78 vehicle parking spaces, 341 bicycle parking spaces and includes streetscape improvements. The site includes 12 parcels: 722, 726, 732, 736, and 740 Packard Street, and 917, 921, 923, 925, 927, 931 and 933 South State Street.

- 503 Miller Avenue Special Exception Use request for City Planning Commission Approval - Apple Playschools proposes to locate a childcare center in the R2A (Two-Family Zoning) district. The center would be limited to 47 children and 15 staff. The existing structure is to be renovated; no new development is proposed.

- 416 Long Shore Drive Site Plan for City Planning Commission Approval - A proposal to construct a new four story, 15-unit condominium building on a 1.66 acre parcel zoned O (Office), next to an existing office building.

8. UNFINISHED BUSINESS

- 8-a.** **24-0260** **[WITHDRAWN] 3520 Green Court - Planned Unit Development Text Amendment for City Council Approval**
 The proposed amended Supplemental Regulations will expand the permitted principal uses of the Planned Unit Development (PUD). The permitted principal uses would include medical and dental offices, which are currently prohibited; would expand the definition of “hotel,” which currently restricts hotel developments to extended stays with 100 room maximum capacity; and would permit development of multi-family residential housing, which is currently excluded. This PUD District includes 35.26 acres.

9. REGULAR BUSINESS – Project Presentation, Staff Report, Public Hearing, and Commission Discussion of Each Item

- 9-a.** **24-0221** **3380 Nixon Rezoning and Site Plan for City Council Approval (Owl Creek Phase 2):**
 A proposal to rezone the property from R4A to R4D on the condition that the building height is capped at 75’; and to build 131 housing units in one 99,985 square foot building on the site of Owl Creek Phase 1. Zoning Designation: R4A (Multiple-Family). Staff Recommendation: Approval.
- Attachments:** 2024-02-16_CPC_Owl Creek 2 Staff Report.pdf,
 3380-Nixon-Rd-Site Plan 11-10-23_v2_v1 (4).pdf, 3380

Nixon Rd Aerial Map Zoom.pdf, 3380 Nixon Rd Aerial Map.pdf, 3380 Nixon Rd Zoning Map.pdf, Owl Creek 2 Statement of Conditions Letter.pdf

PROJECT/PRESENTATION:

Brad Moore, presented the proposed request on behalf of the petitioner..

STAFF REPORT:

City Planner Jill Thacher presented the staff report for the proposed request

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, urged consideration of adjacent wetlands and expressed interest in the project's sustainability features.

Seeing no additional speakers Chair Lee closed the Public Hearing.

Moved by Commissioner Wyche seconded by Commissioner Mills

The Ann Arbor City Planning Commission recommends that the Mayor and City Council approve the Owl Creek Phase 2 Rezoning Petition to R4D (Multiple Family Dwelling) district and accept the conditions to limit the maximum height to 75 feet as stated in the Statement of Conditions letter.

and

The Ann Arbor City Planning Commission recommends that the Mayor and City Council approve the Owl Creek Phase 2 Site Plan at 3380 Nixon Road subject to providing an \$81,875.00 park contribution prior to the issuance of any certificate of occupancy.

COMMISSION DISCUSSION:

In dialogue with the petitioner, the Commission took into consideration the proposed request and discussed the matter. [For a complete record of the discussion, please see available video format]

A first friendly amendment was moved by Chair Lee and seconded by Commissioner Abrons that

A condition be added to approve the site plan requiring building electrification.

COMMISSION DISCUSSION:

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

On a voice vote the vote was as follows with the Chair declaring the motion carried. Vote 9-0.

Yeas: 9 - Sarah Mills, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Sadira Clarke, Donnell Wyche, Julie Weatherbee, and Daniel Adams

Nays: 0

Moved by Commissioner Wyche seconded by Commissioner Mills

The Ann Arbor City Planning Commission recommends that the Mayor and City Council approve the Owl Creek Phase 2 Rezoning Petition to R4D (Multiple Family Dwelling) district and accept the conditions to limit the maximum height to 75 feet as stated in the Statement of Conditions letter.

and

The Ann Arbor City Planning Commission recommends that the Mayor and City Council approve the Owl Creek Phase 2 Site Plan at 3380 Nixon Road subject to providing an \$81,875.00 park contribution as well as ensuring building electrification prior to the issuance of any certificate of occupancy.

On a roll call vote the vote was as follows with the Deputy Planning Manager declaring the motion carried. Vote 9-0.

Yeas: 9 - Sarah Mills, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Sadira Clarke, Donnell Wyche, Julie Weatherbee, and Daniel Adams

Nays: 0

10. OTHER BUSINESS

None.

11. PUBLIC COMMENT (Persons may speak for three minutes on any item.)

Jane Klingsten, resident, spoke to wetland and physical accessibility concerns, urging consideration of increased ADA access beyond minimum requirements for this and future developments, as well as transit access.

Ken Garber, 28 Haverhill Court, spoke in favor of an electrification condition, but suggested more precise language. Mr. Garber thanked those present for their public service.

Seeing no additional speakers Chair Lee closed the Public Comment.

12. COMMISSION PROPOSED BUSINESS

- Commissioner Wyche noted he would like to consider bike parking updates to the UDC, for example accommodations for cargo bikes. He also inquired about the process for adding this to the Commission work program.

- Councilmember Disch encouraged informal discussions with petitioners during the application process in the interim to bring awareness to different bicycle parking needs.

- Commissioner Abrons provided an update on the ORC noting there was currently an open position on sub committee, and asked for an introduction of Commissioner Adams.

- Commissioner Adams introduced himself noting he is a lawyer, from the Ann Arbor area, He became interested in planning via the library lot, and then continued to deepen his involvement in planning topics.

- Commissioner Mills questioned how OSI's role on site plan review would be affected by the departure of Mr. Waas-Smith.

13. ADJOURNMENT

Moved by Commissioner Wyche, seconded by Commissioner Mills, to adjourn the meeting at 8:40 pm. On a voice vote, the Chair declared the motion carried unanimously.

Wonwoo Lee, Chairperson

/courtneymanor

eComments for the Commission may be left via our Legistar calendar page (column to the very right)
<http://a2gov.legistar.com/Calendar.aspx>

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. Persons 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 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>). 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.

(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 contact Planning staff. 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. 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.)

These meetings are typically broadcast on Ann Arbor Community Television Network Comcast 16 / AT&T 99 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website <https://a2gov.org/watchctn> . The complete record of this meeting is available in video format at <https://a2gov.org/watchctn>, or is available for a nominal fee by contacting CTN at (734) 794-6150

City Planning Commission regular meetings have transitioned to a hybrid meeting model. The City of Ann Arbor highly encourages the public to participate in public meetings, either in-person or remotely.

The City of Ann Arbor has existing COVID-19 safety rules that are required of visitors entering city facilities. If you choose to attend a meeting in-person, the following safety rules are expected to be observed. These include:

City Hall is mask-friendly to all guests at all times.

Masks will be required for all meeting participants and guests when the local CDC Community Level in Washtenaw County is high. Check the current level for Washtenaw County through the CDC's website [here](#).

Please do not attend if you are sick for any reason, including having symptoms or a diagnosis of COVID-19, or have recently been in close contact with someone with COVID-19. Several other attendance options are available when you are sick or in quarantine, or simply for your convenience.