



City of Ann Arbor
Formal Minutes
City Planning Commission

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

Wednesday, November 4, 2020

7:00 PM

Electronic Meeting

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: 986 8779 4536

1. CALL TO ORDER

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

2. ROLL CALL

Present 8 - Briggs, Mills, Milshteyn, Gibb-Randall, Ackerman, Sauve, Abrons, and Hammerschmidt

3. INTRODUCTIONS

3-a. 20-1668 Resolution of Appreciation for Wendy Woods

Attachments: Resolution of Appreciation - Woods.pdf

Moved by Milshteyn, seconded by Hammerschmidt, to approve the Resolution of Appreciation for Wendy Woods.

COMMISSION DISCUSSION:

Commissioner Shannon Gibb-Randall expressed appreciation for Woods's perspective relating to the intersection of the city and the University of Michigan.

Commissioner Alex Milshteyn expressed appreciation for Woods's contribution and commitment to the Planning Commission.

Chair Sarah Mills expressed appreciation for Woods's contribution and commitment to the Planning Commission, discussing the impact made

relating to students and young people attending meetings.

Councilmember Zach Ackerman expressed admiration for Woods's contributions to the Planning Commission and city.

On a roll call vote, the vote was as follows with the Chair declaring the resolution passed.

Approved resolution reads as follows:

Whereas, Wendy Woods has served on the Ann Arbor City Planning Commission for 12 years, from 2008 to 2020, and

Whereas, Wendy Woods also provided leadership as Chairperson of the Ann Arbor City Planning Commission during that time, and

Whereas, Wendy Woods has provided valuable insight based on her experience, and over 30 years of service to the City of Ann Arbor, serving on the City Council, the Transportation Commission, the Energy Commission, the Parks Advisory Commission, the Environmental Commission, and the Solid Waste Commission, and as a University of Michigan Associate Director of the Michigan Community Scholars Program and Adjunct Lecturer, and

Whereas, Wendy Woods has used her wisdom and knowledge of the community to discern appropriate actions of the Commission while providing leadership in the pursuit of community goals, and

Whereas, Wendy Woods has contributed significant time and energy to improve the quality of development proposals and support regional planning and collaboration efforts, and

Whereas, Wendy Woods has ensured, through vigorous and thorough examination, that all voices in the process are heard, and

Whereas, Wendy Woods' collegiality, civility, foresight, and commitment will be missed by the Commission, be it therefore

RESOLVED, that the Ann Arbor City Planning Commission expresses its sincere gratitude and commends Wendy Woods for her dedicated service to planning in the City of Ann Arbor on this 4th day of November, Two Thousand and Twenty.

Yeas: 8 - Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

4. APPROVAL OF AGENDA

Moved by Milshteyn, seconded by Hammerschmidt, to approve the agenda.

The Commission discussed reversing order of items 9 and 10, and the motion was considered friendly, and the agenda was approved unanimously.

5. MINUTES OF PREVIOUS MEETING

5-a. [20-1655](#) October 20, 2020 City Planning Commission Meeting Minutes

Attachments: 10-20-2020 Draft CPC Minutes w Links.pdf

Moved by Abrons, seconded by Sauve, approved unanimously as presented and forwarded to the City Council.

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

6-a. City Council

Ackerman explained that this is his last City Planning Commission meeting, and expressed gratitude for his time with the Planning Commission.

6-b. Planning Manager

City of Ann Arbor Planning Manager Brett Lenart expressed appreciation for Ackerman's contributions to the city through the Planning Commission and City Council, explaining that he has always valued Ackerman's thoughtful approach to the work.

Lenart further explained the Commission's upcoming schedule.

6-c. **Planning Commission Officers and Committees**

None.

6-d. **Written Communications and Petitions**

[20-1656](#) Various Communication to the City Planning Commission

Attachments: Comm 1.pdf

Received and Filed

7. PUBLIC COMMENT/PUBLIC 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.)

PUBLIC COMMENT/PARTICIPATION

Seeing no indication from callers, Chair Mills closed Audience Participation.

8. PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

8-a. [20-1657](#) Public Hearings Scheduled for the Tuesday, November 17, 2020 Planning Commission Meeting

Attachments: 11-17-2020 Notice of Public Hearing.pdf

Received and Filed

10. REGULAR BUSINESS

10-a. [20-1659](#) 2115 S State Street Special Exception Use Request for City Planning Commission Approval - A request changed to accessory marijuana provisioning center/retailer incidental to a marijuana grower at 2115 S State St, zoned M1A. The grower and its accessory provisioning center/retailer will occupy a total of 2,000 square feet of the existing building on this 1.65-acre parcel. Staff Recommendation: Approval with Conditions

Attachments: 2115 S State St Staff Report SEU18-039 w Maps11-4-20.pdf, Attachment A Operations Plan.pdf, Attachment B Special Exception Use Petition.pdf, Attachment C Citizens Participation Report.pdf, 2115 S

State St Site Plan.pdf

Brian Fenech and Kyle Gonzalez, presented the proposed project.

City of Ann Arbor City Planner Alexis DiLeo presented the staff report.

PUBLIC HEARING

David DePice, 2069 S State Street, Ann Arbor, expressed traffic concerns and inquired about energy usage requirements.

Seeing no other callers, Chair Mills closed the Public Hearing.

Milshiteyn inquired about marijuana facilities in the near by township and sustainability requirements. Milshiteyn also discussed facade improvements.

Fenech answered that at this time the township has opted out of allowing marijuana facilities, and the requirements for sustainability.

DiLeo explained that the sustainability requirements are addressed during the permitting process.

Gonzales explained that the exterior will be updated to reflect a more contemporary style and that landscaping will be improved.

Gibb-Randall inquired about the approval situation.

DiLeo and Lenart explained that the special exception use approval is the application being reviewed, explaining that the proposed grow facility is parallel to the proposed special exception use, but it is not part of the current Planning Commission review.

Gibb-Randall discussed the large energy consumption at grow facilities.

The Commission and staff discussed traffic.

Commissioner Erica Briggs inquired about lighting and hours of operation.

Gonzalez explained that the plans include all Dark Skies compliant fixtures.

Commissioner Lisa Sauve inquired about signage.

MAIN MOTION

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, including an accompanying site plan, finds the petition substantially meet the standards in Chapter 55 (Unified Development Code), Section 5.29.5.D (Special Exceptions) and Section 5.16.3.G (Marijuana Facility), and therefore approves the 2115 South State Street Special Exception Use for an accessory Marijuana Provisioning Center/Marijuana Retailer. This approval is based on the following findings:

1. The proposed use will be consistent with the MIA (Limited Light Industrial) District, which provides for light industrial uses and accessory retail sales of manufactured products.
2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. South State Street provides access to the site, and the proposed use is consistent with other surrounding uses' traffic impact.
3. A site plan documenting the existing and proposed conditions of the site has been submitted as part of this application.
4. Through documentation submitted by the petitioner regarding waste disposal, inventory tracking, security, and other methods of operation of the facility, the provisioning center/retailer will be operated in a manner that will not have an adverse impact on the neighboring properties or area, and will not have a detrimental impact on natural features.

This Special Exception Use approval is based on the following conditions:

1. The petitioner obtaining and maintaining both a State of Michigan Marijuana License and a City of Ann Arbor Marijuana Permit, and providing documentation to Planning Services within three years of the City Planning Commission approval date of this petition.
2. The petitioner operating a marijuana business at this address within three years of the City Planning Commission approval date of this petition.
3. The marijuana provisioning center/marijuana retails sales are

accessory to a permitted primary use marijuana business at 2115 South State Street and meet all applicable requirements for accessory and incidental retail uses provided in Chapter 55, Unified Development Code.

And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards as no development which would otherwise require site plan approval has been proposed.

COMMISSION DISCUSSION OF MAIN MOTION:

The Commission discussed improvements needed at the site.

AMENDMENT 1 TO MAIN MOTION

Moved by Mills, seconded by Milshteyn, to amend the Main Motion to include the following condition:

Exterior façade improvements shall be provided, including repainting at a minimum, parking lot re-striping, and landscaping improvements.

DISCUSSION OF AMENDMENT 1

Milshteyn discussed amending hours of operation.

On a roll call vote, the vote was as follows with the Chair declaring Amendment 1 approved.

Yeas: 8 - Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

AMENDMENT 2 TO MAIN MOTION

Moved by Milshteyn seconded by Briggs to amend the Main Motion to include the following condition:

That the hours of operation of the provisioning center/retailer business be limited to a maximum of 9 a.m. to 9 p.m. Monday through Saturday, and 10 a.m. to 7 p.m. on Sundays.

COMMISSION DISCUSSION OF AMENDMENT 2

The Commission discussed hours of operations at other provisioning centers within the city.

On a roll call vote, the vote was as follows with the Chair declaring Amendment 2 approved.

Yeas: 8 - Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

On a roll call vote, the vote was as follows with the Chair declaring the Main Motion approved as amended.

Yeas: 8 - Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

9. UNFINISHED BUSINESS

- 9-a. [20-1658](#)** City Planning Commission FY 2021-2022 Work Program. Staff Recommendation: Approval

Attachments: FY21 Work Program Cover Memo.pdf, CPC Work Program November 2020 Discussion Draft.pdf, Wednesday Evening Agenda.pdf

Lenart presented the proposed work program.

PUBLIC HEARING

Seeing no callers, Chair Mills closed the Public Hearing.

Moved by Sauve, seconded by Milshteyn, that the Ann Arbor City Planning Commission hereby adopts the City Planning Commission FY2021 Work Program.

COMMISSION DISCUSSION

The Commission discussed the timeline for Work Program items,

committee configurations, item priorities, upcoming Commission appointments, further discussion of Accessory Dwelling Units, and the scale of projects.

On a roll call vote, the vote was as follows with the Chair declaring the motion passed.

Yeas: 8 - Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

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

PUBLIC COMMENT/PARTICIPATION

Seeing no callers, Chair Milshteyn closed Public Comment/Participation

12. COMMISSION PROPOSED BUSINESS

None.

13. ADJOURNMENT

A motion was made by Milshteyn, seconded by Sauve, that the meeting be adjourned. On a roll call, the vote was as follows with the Chair declaring the motion approved.

Yeas: 8 - Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Zachary Ackerman, Elizabeth Sauve, Ellie Abrons, and Sara Hammerschmidt

Nays: 0

Sarah Mills, Chair
/mg

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. 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 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