



City of Ann Arbor

Formal Minutes

Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
Calendar.aspx](http://a2gov.legistar.com/Calendar.aspx)

Wednesday, February 21, 2018

7:00 PM

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

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**

Commission Secretary Sarah Mills called the meeting to order at 7:00 p.m.

2 **ROLL CALL**

Planning Manager Brett Lenart called the roll.

Present 7 - Woods, Briggs, Mills, Gibb-Randall, Trudeau,
Weatherbee, and Ackerman

Absent 2 - Clein, and Milshteyn

3 **APPROVAL OF AGENDA**

**Moved by Commissioner Shannan Gibb-Randall, seconded by
Commissioner Erica Briggs, to Approve the Agenda as presented.
On a voice vote, the Secretary declared the motion carried.**

4 **INTRODUCTIONS**

5 **MINUTES OF PREVIOUS MEETING**

5-a [18-0337](#) February 6, 2018 City Planning Commission Meeting Minutes

Moved by Commissioner Scott Trudeau, seconded by Commissioner Julie Weatherbee, to approved the February 6, 2018 Planning Commission meeting minutes and forward them to Council.

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

6-a **City Council**

Councilperson Zach Ackerman reported that Council had approved the addition of a couple more Greenbelt Land Acquisitions, as well as approving the Ground mounted solar ordinance at second reading, noting that the prohibition on ground mounted solar in the front yard is still in place.

6-b **Planning Manager**

Planning Manager gave a brief report on the current status of Medical Marijuana Applications received. He thanked City Planner Jill Thacher for her diligence, working on the process together with others at the City.

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

6-d **Written Communications and Petitions**

[18-0335](#) 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.)

R. Jeffrey Benko, 213 W Madison Street, Ann Arbor, asked for additional information to be added to the City's website, as to how the public can go for information on public hearings. He stated that he found lots of very helpful information but it was all directed to the petitioner and not to the

public. He said he found it interesting that these provisioning centers have to be 1,000 feet from any school, but they can be within 500 feet of his house.

Brett Lenart reviewed the requirements of notification for proposed provisioning centers as well as the citizen participation opportunities for public input.

Commissioner Wendy Woods requested the Commission to be added to mailings so they too can be informed in advance.

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

18-0340 Public Hearings Scheduled for the March 6, 2018 Planning Commission Meeting

Planning Manager Brett Lenart reviewed the upcoming public hearings with the Commission.

9 UNFINISHED BUSINESS

9-a 18-0341 Treecity Health Collective Special Exception Use Permit and Site Plan for City Planning Commission Approval - A request to allow the existing space at 2730 Jackson to be used as a Medical Marijuana Provisioning Center by issuance of a Special Exception Use Permit, with an accompanying site plan that demonstrates no physical development change, in accordance with City requirements. Staff Recommendation: Approval

STAFF REPORT:

City Planner, Jill Thacher, provided the staff report. Thacher highlighted the need for the site landscaping to be installed to match the previously approved site plan as well as the addition of bicycle parking.

PUBLIC HEARING:

Alec Riffle, 2730 Jackson Avenue, Ann Arbor, petitioner, stated he was made aware of the landscaping needs and bike parking on the site.

Noting no further speakers, the Secretary declared the public hearing closed.

Moved by Gibb-Randall, seconded by Commissioner Wendy Woods

that 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 (Zoning Ordinance), Section 5:104 (Special Exceptions) and Section 5:50.1 (Regulations Concerning Medical Use of Marijuana), and therefore approves the 2730 Jackson Special Exception Use for a medical marijuana Provisioning Center. This approval is based on the following findings:

1. The proposed use will be consistent with the C2B Business Service District, which provides for commercial activities including retail establishments, offices, and personal services.
2. The proposed use will not adversely impact traffic, circulation, or streets and road intersections based on the location. Jackson Avenue provides access to the site, and the proposed use is consistent with other surrounding uses' traffic impact.
3. There is an existing site plan approved by City Council in 1985 and administratively amended in 1986 on file in Planning Services.
4. Through documentation submitted by the petitioner regarding waste disposal, inventory tracking, security, and other methods of operation of the facility, the provisioning center 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 maintain both a State of Michigan Medical Marijuana License and a City of Ann Arbor Medical 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 medical marijuana business at this address within three years of the City Planning Commission approval date of this petition.
3. The petitioner planting trees shown on the City Council approved site plan that are missing or in poor health, by May 30,

2018. These trees will be of a caliper and species that match the ones shown on the site plan, or equivalent trees of a more appropriate species, as determined by City Staff.

4. The petitioner installing nine bicycle parking spaces as shown on sheet A101.

And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards as no physical development of the property is proposed.

COMMISSION DISCUSSION:

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

Moved by Commissioner Scott Trudeau, seconded by Commissioner Zach Ackerman to amend the motion to add sidewalk repair/replacement as an additional condition of approval.

VOTE ON AMENDMENT:

On a roll call vote, the vote was as follows with the Secretary declaring the amendment passed. Vote: 5-2

Yeas: 5 - Wendy Woods, Erica Briggs, Sarah Mills, Shannan Gibb-Randall, and Julie Weatherbee

Nays: 2 - Scott Trudeau, and Zachary Ackerman

Absent: 2 - Kenneth Clein, and Alex Milshteyn

VOTE ON MAIN MOTION:

On a roll call, the vote was as follows with the Secretary declaring the motion, as amended, carried. Vote: 7-0

Yeas: 7 - Wendy Woods, Erica Briggs, Sarah Mills, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, and Zachary Ackerman

Nays: 0

Absent: 2 - Kenneth Clein, and Alex Milshteyn

- 9-b [18-0342](#) Arbor Wellness Special Exception Use Permit and Site Plan for City Planning Commission Approval - A request to allow the existing space at 321 East Liberty to be used as a Medical Marijuana Provisioning Center by issuance of a Special Exception Use Permit, with an accompanying site plan that demonstrates no physical development change, in accordance with City requirements. Staff Recommendation: Approval

STAFF REPORT:

Jill Thacher provided the staff report, explaining that the current parking provided is gravel; however, no parking is required because it is located in the special downtown parking district. She explained that this business has been in this location for six years and is a well maintained site and the building is a nice presence on the block.

PUBLIC HEARING:

Jonah Copi, Briarcrest Drive, Ann Arbor, thanked the Planning Commission for all their work, and highlighted the ramp installation on site, as well as other site maintenance performed. He adding that this building has been in their family since 1978. He stated he was happy to be in downtown Ann Arbor, noting that the challenges facing medical marijuana are similar to other businesses.

Noting no further speakers, the Secretary declared the public hearing closed.

COMMISSION DISCUSSION:

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

Moved by Commissioner Julie Weatherbee, seconded by Zach Ackerman, that 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 (Zoning Ordinance), Section 5:104 (Special Exceptions) and Section 5:50.1 (Regulations Concerning Medical Use of Marijuana), and therefore approves the 321 East Liberty Special Exception Use for a medical marijuana Provisioning Center. This approval is based on the following findings:

- 1. The proposed use will be consistent with the D1 Downtown Core**

Zoning District, which encourages a diversity of uses, designed to be accessed by a variety of modes of transportation.

- 2. The proposed use will not adversely impact traffic, circulation, or streets and road intersections based on the downtown location, proximity to transit service, and adequate pedestrian facility access.**
- 3. Through documentation submitted by the petitioner regarding waste disposal, inventory tracking, security, and other methods of operation of the facility, the provisioning center will be operated in a manner that will not have adverse impact to the neighboring properties, area, and will not have a detrimental impact on natural features.**
- 4. The building occupies an FAR of 64% and some limited open space (none required) in compliance with requirements of the D1 Zoning District.**

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

- 1. The petitioner obtaining and maintaining both a State of Michigan Medical Marijuana License and a City of Ann Arbor Medical Marijuana Permit, and provide documentation to Planning Services within three years of the City Planning Commission approval date of this petition.**
- 2. The petitioner operating a medical marijuana business at this address, within three years of the City Planning Commission approval date of this petition.**

And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards as no physical development of the property is proposed.

On a roll call, the vote was as follows with the Secretary declaring the motion carried. Vote: 7-0

Yeas: 7 - Wendy Woods, Erica Briggs, Sarah Mills, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, and Zachary Ackerman

Nays: 0

Absent: 2 - Kenneth Clein, and Alex Milshteyn

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.)

10-a **18-0343** 2900 Huron Parkway Landscape Modification for City Planning Commission Approval - The petitioner is proposing a 7,200 square foot addition that will connect the two existing buildings on-site in two locations. Parking spaces will be converted to a landscaped courtyard that results in no net increase in impervious surface. The number of parking spaces is proposed to be reduced by 18. Staff Recommendation: Approval

PUBLIC HEARING:

Emily McKinnon, Smithgroup JJR Representing Small building addition, explained that there will be a net decrease in impervious area with the proposed project. She said they believe they are meeting the intent of the Landscape Modification Request through their proposal. She further explained that in order to accommodate bio-retention on site, there would need to be a re-grading of all parking areas.

Noting no further speakers, the Secretary declared the public hearing closed.

Moved by Commissioner Wendy Woods, seconded by Commissioner Zach Ackerman, that the Ann Arbor City Planning Commission hereby approves the proposed landscape modifications according to Chapter 62 (Landscape and Screening Ordinance), Section 5:602 (1)(g).

COMMISSION DISCUSSION:

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

Gibb-Randall asked the petitioner if they had explored adding a bio-retention areas to the courtyard; she encourage them to incorporate bio-retention into the courtyard at least as a demonstration.

Weatherbee expressed recognition that a property owner is proactively removing parking in favor of greenspace and she appreciates the connection to improve safety.

On a roll call, the vote was as follows with the Secretary declaring the motion carried unanimously. Vote: 7-0

Yeas: 7 - Wendy Woods, Erica Briggs, Sarah Mills, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, and Zachary Ackerman

Nays: 0

Absent: 2 - Kenneth Clein, and Alex Milshteyn

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

12 COMMISSION PROPOSED BUSINESS

13 ADJOURNMENT

Moved by Gibb-Randall, seconded by Trudeau to adjourn the meeting at 8:36 p.m. The meeting was unanimously adjourned.

Sarah Mills, Secretary

These meetings are typically broadcast on Ann Arbor Community Television Network Channel 16 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Thursdays at 8:00 AM and Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website (www.a2gov.org).

The complete record of this meeting is available in video format at www.a2gov.org/ctn, or is available for a nominal fee by contacting CTN at (734) 794-6150.

