



City of Ann Arbor

Formal Minutes

Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
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Tuesday, April 17, 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

Vice Chair Milshteyn called the meeting to order at 7:00 p.m.

2 ROLL CALL

Planning Manager Brett Lenart called the roll.

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

Absent 2 - Woods, and Clein

3 APPROVAL OF AGENDA

The Agenda was unanimously Approved as presented.

4 INTRODUCTIONS

5 MINUTES OF PREVIOUS MEETING

5-a [18-0678](#) April 3, 2018 City Planning Commission Meeting Minutes

Moved by Gibb-Randall, seconded by Weatherbee, to approve the April 3, 2018 Planning Commission meeting minutes as presented, and forwarded to the City Council. On a voice vote the minutes were unanimously approved.

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

6-a City Council

Commissioner Ackerman reported that the Art Fair funding structure was redistributed, that Unified Development Code (UDC) has been a nine year reorganization process, and passed at first reading, he also discussed citizen participation requirements for Special Exception Use (SEU) applications. Ackerman added that there was a moratorium placed on receiving new SEU applications for provisioning centers. He discussed changes to the Medicinal Marijuana Ordinance regarding the distance radius as well as the amount permitted in the city. Ackerman also discussed a historic preservation tax credit. Ackerman also provided information on the Y-Lot.

6-b Planning Manager

Lenart reminded the Commission of their upcoming retreat.

6-c Planning Commission Officers and Committees

None.

6-d Written Communications and Petitions

18-0671 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

18-0677 Public Hearings Scheduled for the May 1, 2018 Planning Commission Meeting

Planning Manager Brett Lenart reviewed the Public Hearing Notice as published.

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

9-a 18-0672 The Cottages at Barton Green Site Plan and Wetland Use Permit for City Council Approval - A proposal to construct a 221 dwelling unit apartment complex with 710 bedrooms and 559 surface parking spaces on this 31.93-acre parcel located at 2601 Pontiac Trail. A 9.86-acre park is proposed to be dedicated to the City at the western end of the site. The project will also include a pool with clubhouse, volleyball, tennis, and basketball courts. Primary vehicular access will be from Pontiac Trail. Staff Recommendation: Approval

PUBLIC HEARING:

Joan O'Connel, 311 Manor Drive, Ann Arbor, expressed concern with clearcutting natural areas for development. She expressed concern with parking, relating to water quality. She described the current traffic situation near the proposed project.

Karen Warmingham, 2361 Hilldale Drive, Ann Arbor, expressed opposition for the development and urged the Commission to deny the application. She expressed concern with safety for pedestrians.

Steve Row, 2355 Batesan Court, Ann Arbor, described a previous Planning Commission meeting where the project was on the agenda. He expressed concern with safety, traffic, the transient population, the change in character of the neighborhood, the quality of Trinitas, parking, bicycle parking, and bus use. He read information from the Trinitas website. He encouraged the Planning Commission to deny the project.

Aida McGugen, 333 Hilldale Drive, Ann Arbor, thanked the Planning Commission for their time spent on this project. She expressed sadness due to not feeling as though the neighbors are not listened to by the Planning Commission. She explained that she feels as though she is taking her life into her own hands due to traffic when she walks her dog in her neighborhood. She described the traffic in the area.

Bridgid Kowalsic, 459 Skydale Drive, Ann Arbor, expressed concern with traffic in the area and street parking. She stated that undergraduate students are not compatible with the neighborhood, children, families, or older people. She expressed concern with public drinking, a volleyball court, and a swimming pool. Additionally she stated that the rooms are similar to college dorm rooms, she described the lack of common space, and expressed concern with the project failing. She also discussed the risk of flooding. She also expressed concern for the location of the apartment buildings, bicycle parking, affordability, and proximity to an elementary school.

Laurent Fournier, 1610 Willow Lane, Ann Arbor, explained that he is not in favor of the project due to lack of efficiency, and the results of the traffic study.

Noting no further speakers, Vice Chair Milshteyn closed the public hearing.

MOTION I:

Moved by Mills, seconded by Trudeau, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Cottages at Barton Green Site Plan and Development Agreement.

MOTION II:

Moved by Mills, seconded by Trudeau, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Cottages at Barton Green Wetland Use Permit to allow filling and mitigation of 2,200 square feet of wetland and on-site mitigation.

COMMISSION DISCUSSION ON MOTION I AND MOTION II:

The Commission discussed and asked questions regarding traffic, pedestrian safety, traffic studies, traffic increases, the Capital Improvement Plan (CIP), traffic speed on Pontiac Trail, intersection improvements, cyclist safety at intersections, the fit of the project for the proposed area, the proposed project's student population, the proposed shuttle service, the type of the proposed development, and ride-share useage.

Moved by Ackerman, seconded by Trudeau, to postpone taking action on The Cottages at Barton Green Site Plan and Wetland Use Permit, for City Council Approval, to the May 1, 2018 Planning Commission Meeting.

COMMISSION DISCUSSION ON MOTION TO POSTPONE:

Lenart discussed postponing the item to the May 1, 2018 Planning Commission meeting, due to the item having been previously postponed. He also requested that the Commission provide specific examples of information that they would like in order to make a decision.

The Commission discussed the lack of adaptability in the housing type and traffic.

Milshteyn and Briggs also discussed voting against postponement.

On a roll call vote, the vote was as follows with the Planning Manager declaring the motion to postpone approved. Vote: 4:3

Yeas: 4 - Sarah Mills, Shannan Gibb-Randall, Scott Trudeau, and Zachary Ackerman

Nays: 3 - Erica Briggs, Alex Milshteyn, and Julie Weatherbee

Absent: 2 - Wendy Woods, and Kenneth Clein

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 [18-0673](#) Game Day Condominium Site Plan for City Council Approval - A proposal for a 4-story, 4-condominium, owner-occupied multi-family residential development, totaling 6,825 square feet, to be located at 1300 South Main Street. The proposed project meets the Conflicting Land Use Buffer on the west and south side. Zoned O (Office). Staff Recommendation: Approval
City Planner, Chris Cheng, presented the staff report.

PUBLIC HEARING:

Noting no speakers, the Vice Chair closed the Public Hearing.

Moved by Mills, seconded by Gibb-Randall that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Game Day Condos Site Plan.

COMMISSION DISCUSSION:

The Commission discussed landscaping, street presence and orientation of the proposed development, mechanical equipment locations, and mechanical equipment sound.

On a roll call vote, the vote was as follows with the Vice Chair declaring the motion passed. Vote: 7-0

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

Nays: 0

Absent: 2 - Wendy Woods, and Kenneth Clein

10-b [18-0674](#) Bloom City Club Special Exception Use and Site Plan for City Planning Commission Approval - A request to allow the existing space at 423 Miller Street 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. Zoned D2 (Downtown Interface) with First Street Character Overlay District. Staff Recommendation: Approval with Conditions
City Planner, Matt Kowalski presented the staff report.

PUBLIC HEARING:

Scott Newell, explained that he owns property across the street from the

proposed provisioning center. He expressed support for the Special Exception Use (SEU) request. He explained that the neighborhood has a history of blight, and that Bloom City Club has improved their location.

Robert Frank, 910 Spring Street, Ann Arbor, expressed concern with the existing parking problems at Bloom City Club.

Drew Hutton, Address Unkown, explained that it is challenging to get into the rear parking at the site, and suggested that bike parking take place in the front area.

Brenda Wade Shepard, neighbor to Bloom City Club, explained that the entire street has parking where cars must back out onto the street.

Allison Ireland, petitioner for the project, inquired about the curb cut removal, and discussed the benefits to having the in and out curb cuts on Miller.

Noting no further speakers, Vice Chair Milshsteyn closed the public hearing.

MAIN MOTION:

Moved by Mills, seconded by Weatherbee, 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 Bloom City Club Special Exception Use for a mMedical Marijuana Provisioning Center. This approval is based on the following findings:

- 1. The proposed use will be consistent with the D2, Downtown Interface District, which provides for mixed uses including residential, commercial activities including retail establishments, offices, and personal services.**
- 2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. Miller Avenue provides access to the site, and the proposed use is consistent with other surrounding uses' traffic impact.**

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 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 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 will remove two parking spaces at the front of the building along Miller Avenue.

4. 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.

A motion for a friendly amendment. made by Gibb-Randall, and accepted by Mills to amend the Main Motion to read as follows:

3. The petitioner will remove two parking spaces at the front of the building along Miller Avenue, remove the striping and place physical barriers to prevent parking.

Amendment unanimously accepted.

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

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

Nays: 0

Absent: 2 - Wendy Woods, and Kenneth Clein

10-c [18-0675](#) 1101 South University Addition Site Plan for City Council Approval - A proposed design plan for a vertical expansion of the existing building at 1101 S University to create a five-story mixed use building. The building is conceived as an asymmetric composition of windows, masonry, glass and metal rising five stories and culminating with a generous cornice line at the top. Balconies are provided on the west and south sides, and canopies at the first floor extending over the sidewalk. Zoned D1 (Downtown Core) and South University Character Overlay District. Recommendation: Approval
City Planner, Matt Kowalski presented the staff report.

PUBLIC HEARING:

Seeing no speakers, the Vice Chair closed the Public Hearing.

Moved by Mills, seconded by Gibb-Randall, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve 1101 South University Site Plan and Development Agreement contingent upon the execution of a contract for the lease/sale of one vehicle parking space within the public parking system.

COMMISSION DISCUSSION:

The Commission discussed the facade of the building, floor plan changes, landscaping, balconies, and the existing businesses in the building.

On a roll call vote, the vote was as follows with the Vice Chair declaring the motion approved. Vote: 7-0

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

Nays: 0

Absent: 2 - Wendy Woods, and Kenneth Clein

- 10-d** [18-0676](#) 1115 Broadway Special Exception Use and Site Plan for City Planning Commission Approval - A request to allow the existing space at 1115 Broadway Street 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. Zoned C1 (Local Business). Staff Recommendation: Postponement

City Planner Matt Kowalski presented the Staff Report.

PUBLIC HEARING:

Seeing no speakers, the Vice Chair closed the Public Hearing.

Moved by Mills, seconded by Gibb Randall, 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 1115 Broadway 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 C1 Local Business District, which provides for commercial activities including retail establishments, offices, and personal services.**
- 2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. Packard Road provides access to the site, and the proposed use is consistent with other surrounding uses' traffic impact.**
- 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 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 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 will remove the Plymouth curb cut and restore the right-of-way according to City Standards.**

4. **The petitioner will install four Class C and two Class B bicycle parking spaces as shown on sheet c1.0 The parking spaces must be installed by May 30, 2018.**

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 discussed the existing ramp leading to the front of the building.

Moved by Ackerman, seconded by Trudeau, to postpone taking action on the 1115 Broadway Special Exception Use and Site Plan to a date uncertain.

COMMISSION DISCUSSION ON MOTION TO POSTPONE:

None.

On a voice vote, the vote was as follows with the Vice Chair declaring the motion to postpone approved. Vote: 7-0

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

Nays: 0

Absent: 2 - Wendy Woods, and Kenneth Clein

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

None.

12 COMMISSION PROPOSED BUSINESS

Commissioner Mills requested that Planning Staff prepare information on standards for requiring housing diversity in projects.

13 ADJOURNMENT

**Moved by Gibb-Randall, seconded by Mills to Adjourn the meeting.
The Vice-Chair declared the meeting unanimously adjourned.**

Alex Milshteyn, Vice Chair
kvl

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).

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