



City of Ann Arbor

Meeting Minutes - Final

City Planning Commission

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

Thursday, January 21, 2021

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: 991 5161 1348

1. CALL TO ORDER

Chair Sarah Mills called the meeting to order at 7:00 p.m. with the following statement: Welcome to the Thursday, January 21, 2021 electronic meeting of the Ann Arbor Planning Commission. The meeting is being held electronically to protect public health and safety due to the COVID-19 virus and to comply with orders issued by the governor, the Michigan Department of Health and Human Services, and/or the Washtenaw County Health Department. We intend to conduct this meeting similarly to an in-person meeting. However, please be patient if there are technical issues. Public comment will be via telephone only. To speak during any of the public comment opportunities please call 206-337-9723 or 213-338-8477 and enter Meeting ID 991 5161 1348. This information is also available on the published agenda, in the public notices section of the city website, and on the broadcast of this meeting on CTN channel 16, AT&T channel 99, and online at www.a2gov.org/watchctn, select "government channel."

2. ROLL CALL

Planning Manager Brett Lenart called the roll.

Present 7 - Mills, Milshteyn, Gibb-Randall, Hammerschmidt, Disch, Lee, and Clarke

Absent 2 - Sauve, and Abrons

3. INTRODUCTIONS

None

4. APPROVAL OF AGENDA

Moved by Alex Milshteyn, seconded by Shannan Gibb-Randall, to Approve the Agenda as presented. On a voice vote, the Chair declared the motion carried unanimously.

5. MINUTES OF PREVIOUS MEETING**5-a. [21-0131](#) January 5, 2020 City Planning Commission Meeting Minutes**

Moved by Lisa Disch, seconded by Sara Hammerschmidt, to approve the January 5, 2021 CPC minutes and forward to City Council. 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**

Councilmember Lisa Disch reported on the previous Council meeting; Council passed the Floodplain ordinance, the Electric Vehicle ordinance, and they passed a resolution to rescind the requirement that road reconfigurations come before Council, Several Amendments to the Unified Development Agreement (UDC) right-of-way dedication for sidewalks can be calculated to be included in Floor, Area, Ratio (FAR), restrictions of fiber cement board, granting temporary certificates of occupancy on new construction when outstanding items only include minor items such as bike racks. Disch further reported that there is a request from Council that the Commission is already setup to do; namely, to confirm its appointment to 'The Council of Commons'.

6-b. Planning Manager

Planning Manager Brett Lenart added that while the Floodplain ordinance had been adopted previously, they approved it in a Council Summary Publication format. He noted that 2111 Packard Road re-zoning as well as the Lockwood project would be heard at the February 1, 2021 Council meeting. He noted that at their next meeting the Ordinance Revisions Committee would be diving deeper into the draft Transit Zoning discussion and start discussion on Site Plan Review Thresholds on those that have been identified. Lenart said we are working towards having the February 9, 2021 Planning Commission Working Session for public

engagement on proposed changes to the Accessory Dwelling Unit (ADU) ordinance and proposed Transit Zoning.

6-c. Planning Commission Officers and Committees

Chair Mills noted that at their previous Working Session there was a part of the meeting that was recorded and is available to the public through a link on the Planning website.

Commissioner Shannan Gibb-Randall reported on the Downtown Development Authority (DDA) Partners meeting, noting that Ann Arbor Area Transit Authority (AAATA) is still not operating at full capacity, but they hope to be by August 2021. The Air-Ride is still down as well, in terms of getting to the International Airport (DTW). She said they had received a grant which they were excited about, that will fund the bus service back and forth from Ann Arbor to Detroit.

6-d. Written Communications and Petitions

[21-0132](#) Various Communication 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.)

Tom Stulberg, 1202 Traver Street, Ann Arbor, said he was excited about numerous UDC amendments that have recently progressed through City Council as well as upcoming amendment discussions; he wanted to remind everyone how problematic the last process was, originated by a DDA member. It was proposed to eliminate single family zoning from all households; 19,000 households, with probably 99.9 percent of those households being completely unaware about the proposed change that their neighbors would have a by-right ability to build an 800 square foot detached unit in the rear setback of a single-family zoned residence. Stulberg said Council wisely turned that proposal down almost two years ago, so please keep those errors in mind. He said he would personally like to see some expansion of the ADUs but if we don't do it right, it's going to get killed like the last one we did, which was appropriate, so take that into consideration and as you move into appointments to the single family zoning committee and Council of Commons appointment, there's going to be a lot of public eyes on those committees, so he looks forward

to seeing whom is appointed.

Noting no further public speakers, the Chair closed the audience/public comment portion.

8. PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

- 8-a.** [21-0133](#) Public Hearings Scheduled for Tuesday, February 2, 2021 Planning Commission Meeting
- Brett Lenart reported on upcoming public hearings for the next business meeting.*
- Received and Filed**

9. UNFINISHED BUSINESS

- 9-a.** [21-0130](#) Lewis Jewelers Retail Plaza Site Plan for City Council Approval and Special Exception Use for Planning Commission Approval - A request to redevelop 300 S. Maple, a 1.98-acre site zoned C3 (Fringe Commercial). Plans include demolishing the previous restaurant building and constructing a new 24,520-square foot retail building. Request includes a special exception use application for a drive-through facility. Staff Recommendation: Approval

PROJECT PRESENTATION:

Robert Kerr, Metro Group Architects, provided the proposed project presentation for owner and applicant, DNL Holdings, LLC, 2000 West Stadium Blvd, Ann Arbor.

Candice Briere, Metro Consulting Associates, Civil Engineer, Steve Brouwer, A.R. Brouwer, Petitioner and General Contractor for the project, along with Chris Sutton, Engineer, were also available to respond to enquiries.

STAFF REPORT:

Matt Kowalski, City Planner, provided the staff report reviewing revisions made since the previous meeting.

PUBLIC HEARING:

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

Moved by Alex Milshteyn, seconded by Sara Hammerschmidt that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Lewis Jewelers Retail Plaza Site Plan subject to obtaining the required off-site private storm sewer easement and the off-site public water main easement prior to the issuance of any building permit.

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]

Commissioner Shannan Gibb-Randall thanked the development team and owner for listening to the concerns and suggestions of the Commission and following through on those, which is always appreciated by the Commission. She asked about the bike rack on the front side of the building, located above some stairs, to which Robert Kerr answered they had located it there due to the possibility that someone from Lewis Jewelers might ride their bike to the facility, but it could be relocated together with the others racks if that were preferred. Gibb-Randall suggested it should be located somewhere visible when biking along Stadium Boulevard to which Kerr responded they would work with Matt Kowalski on the matter. She also asked about the evergreen trees (shown on the landscape plan) blocking the view from the back patio, which is great, but were missing from the renderings in their packet, to which Kerr responded the landscape plan is correct and should be used for reference on plantings.

Commissioner Sara Hammerschmidt agreed on the improved revisions to the plan and exploring dumpster location options; she said it would be great if the one evergreen tree shown on the landscape plan could be moved over (towards the dumpster) slightly to allow a larger green space in that area as well as provide coverage of the dumpster enclosure, which would match the 3-dimensional renderings, to which Kerr responded they would do that, working with Kowalski on the matter. Hammerschmidt expressed her appreciation to the design team for their changes.

On a roll call vote, the Chair declared the motion carried unanimously. Vote: 7 - 0

Yeas: 7 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, and Sadira Clarke

Nays: 0

Absent: 2 - Elizabeth Sauve, and Ellie Abrons

- 9-b.** [21-0136](#) Proposed Amendment to Chapter 55, Unified Development Code, Section 5.30.1 Planned Project Site Plan Modifications for City Council Approval - A proposed amendment to delete Section 5.30.1 Planned Project Site Plan Modifications and add new paragraphs in Sections 5.18.3, 5.18.4 and 5.19.6 offering flexibility to setbacks for mixed use and special purpose zoning districts, exceptions to height limits for sustainable and affordable housing developments, and parking waivers for sustainable and affordable housing developments, respectively. These amendments are intended to replicate the majority of benefits offered and realized by the current Planned Project modifications in a less complicated, more predictable, more straightforward and intuitive manner. Staff recommendation: Approval

STAFF REPORT:

Alexis DiLeo, City Planner, provided the staff report.

PUBLIC HEARING:

Tom Stulberg, 1202 Traver Street, Ann Arbor, said he supports these proposed changes.

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

Moved by Lisa Disch, seconded by Shannan Gibb-Randall that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the January 15, 2021 drafted amendments to Chapter 55 Unified Development Code, to delete Section 5.30.1 and amend Sections 5.17 and 5.18 related to Planned Project Site Plan Modifications, Additional Area, Height and Placement Standards, Exceptions to Height, and Parking Standards.

COMMISSION DISCUSSION:

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

On a roll call vote, the Chair declared the motion carried

unanimously. Vote: 7 - 0

Yeas: 7 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, and Sadira Clarke

Nays: 0

Absent: 2 - Elizabeth Sauve, and Ellie Abrons

COMMISSION BREAK

8:57 until 9:07 pm.

10. REGULAR BUSINESS

11. OTHER BUSINESS

11-a. 21-0137 Committee Memberships

Brett Lenart reviewed the Ann Arbor Planning Commission Sub-committees, their appointment descriptions and current members. He also reviewed other project committees that include a representative of the Planning Commission.

Moved by Alex Milshteyn, seconded by Sara Hammerschmidt, that the Ann Arbor Planning Commission approves the Planning Commission Subcommittee and Designee Assignments.

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

On a roll call vote, the Chair declared the motion carried unanimously. Vote: 7 - 0

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

Tom Stulberg, 1202 Traver Street, Ann Arbor, said 'Be careful about talking about single family zoning; there is definitely a group of people in Ann Arbor that wants to eliminate single-family housing, as well as a group that supports single-family housing. I develop single family homes; the first home I bought in Ann Arbor was a tri-plex. I love owner occupied duplexes to build equity with lesser incomes, including minorities that have been excluded for some time. First time homebuyer targeted

developments are a great idea'. He suggested the subcommittee look at the equity ownership component, which he felt is a far more important issue than the zoning.

Ralph McKee, 1116 Red Oak Road, Ann Arbor, echoed Stulberg's point on home ownership, saying, I agree that home ownership is important; I've been in many heated discussions over this topic in the last year and many ignore that component. The biggest historical factor is not which neighborhoods minorities were allowed in to, but did they have the resources to purchase their own place. He hopes that the millage will allow for some funds to be set aside for homebuyer assistance. I think looking at the past is helpful but doesn't necessarily apply in our circumstances today. I've been in conversations where if you defend single-family housing you are immediately called a racist in a very vicious way; that's going to happen in these discussions, no matter what you call your committee . I hope that people will have the fortitude to look at today's situation and not assume that the past equals the present. When you are looking at the academic research for comparisons to other places, you have to critically examine the situations. For example, everyone says look at Minneapolis what they're doing there – they have inclusionary zoning. Every single quadplex that replaces a single-family house in Minneapolis, has to have affordable units. We can't do that – it won't work here, so you have to make the comparisons with critical thinking and not make any assumptions about anything without going down to the core of it. McKee concluded that he hopes these conversations will be productive.

13. COMMISSION PROPOSED BUSINESS

None

14. ADJOURNMENT

Moved by Alex Milshteyn, seconded by Shannan Gibb-Randall, to adjourn the meeting at 10:15 pm. Without objection the meeting was adjourned.

Sarah Mills, Chairperson
/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