



City of Ann Arbor
Formal Minutes - Draft
City Planning Commission

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

Tuesday, September 19, 2023

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 7:10 pm in Council Chambers at City Hall of Ann Arbor.

2. ROLL CALL

City Planner Alexis DiLeo called the roll.

Others present:

City Planner Alexis DiLeo, City Planner Matt Kowalski

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

3. APPROVAL OF AGENDA

Moved by Commissioner Wyche seconded by Councilmember Disch to approve the agenda as amended. On a voice vote, the motion carried unanimously.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

4-a. [23-1544](#) September 6 2023 City Planning Commission Meeting Minutes

Attachments: 9-6-2023 CPC Approved Meeting Minutes.pdf

Moved by Commissioner Mills, seconded by Councilmember Disch, to approve the September 6, 2023 City Planning Commission

meeting minutes and forwarded to City Council. On a voice vote the minutes were unanimously approved as presented.

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 on Council Action from the previous meeting;

Council approved rezoning of two residential parcels from Residential to Office Zoning on Ann Arbor-Saline Road.

5-b. Planning Manager

City Planner Alexis DiLeo made various updates related to the Comprehensive Plan:

*- Website for Comprehensive Plan is up and running at:
plan.a2gov.org/plan24*

- Steering Committee applications are live and being collected for anyone who would like to apply.

- Applications are open until October 6, 2023. Those interested in receiving updates on the plan process can sign up for emails by accessing plan.a2gov.org/compplanupdates.

- Planning Staff will be at Green Fair, Friday, September 22 from 5:00 pm - 8:00 pm on Main Street.

- The Comprehensive Plan Consulting team will be joining Planning Commission Work Session on October 11, 2023.

5-c. Planning Commission Officers and Committees

Commissioner Sauv  provided an update on House Party noting there were 11 events talking about housing, 221 unique participants and 47 individuals contributed to the communication. University of Michigan students collected information to provide to the Comprehensive Plan consultant, Interface.

5-d. Written Communications and Petitions

[23-1545](#) Various Communications to the Planning Commission

Attachments: eComment re Village of Ann Arbor, D'Amour re electrification of Village of Ann Arbor, Garber re electrification, Gurk re electrification of Village of Ann Arbor, Westphal re Premiums, Green Rd Dev., Carlson re Support of 125 S Main, Fagerlund re 125 S Main, Jenson re 125 S Main, Rosenbaum re Support for 125 S Main

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.)

Clark McCall, 3355 Yellowstone, Ann Arbor, spoke in favor of future developments being all electric, positivity towards living in Ann Arbor and the importance of going all electric.

Alex Lowe, resident, noted he liked the idea of going all electric over gas. Would like to see the City phase out gas stoves with all residents. Also spoke to wanting to see the removal of Floor Area Ratios (FARs) in the D1 and D2 Zoning districts.

Seeing no additional speakers Chair Lee closed the Public Comment.

7. PUBLIC HEARINGS SCHEDULED FOR NEXT REGULAR MEETING

[23-1546](#) Public Hearings Scheduled for Tuesday, October 3, 2023 Planning Commission Meeting

Attachments: 10-3-2023 CPC Notice of Public Hearing-Tue.pdf

City Planner Alexis DiLeo presented the upcoming Public Hearings at the October 3, 2023 Planning Commission meeting.

- 1655 Plymouth Road – A Planned Unit Development (PUD) zoned parcel Site Plan for City Planning Commission Approval – A proposal to demolish the existing structure (formerly Wendy's Restaurant) and construct an approximately 2,500 square foot Taco Bell restaurant with

single drive-through lane. Site access to remain off Plymouth Rd and Osage Drive with 35 parking spaces located in front of the restaurant. 0.98-acre site.

- 900 Briarwood Site Plan and Rezoning for City Council Approval - Developer is proposing to raze the existing Sears store (166,277 square feet) and construct a grocer (57,649 square feet) and a sporting goods store (100,000 square feet; two levels and an adjacent playing field). In addition to the retail, the proposal includes 354 units of multi-family residential (four-story buildings) planned to be constructed adjacent to the grocery store. A parking garage will be constructed surrounded by the residential units. Parking spaces will be redesigned on the site with landscaping and storm water infiltration islands added. A new internal connector roadway is proposed to be constructed creating a new intersection with Briarwood Circle, east of Mall Drive. Rezoning will be from P(Parking) to C2B(Commercial). 18.2-acres is the total site planned project area of which 8.29-acres is proposed to be rezoned.

8. UNFINISHED BUSINESS

None.

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

- 9-a. [23-1541](#) Amendment to Unified Development Code, Chapter 55 of Ann Arbor City Code: Premiums. Amendments are proposed to Sections 5.17.4 (Mixed Use Zoning Districts) and 5.18.6 (Premiums) to remove the premium floor area options to exceed the normal floor area ratios in certain zoning districts and remove the maximum floor area ratio (FAR) standards in the D1 (Downtown Core) and D2 (Downtown Interface) zoning districts. Staff Recommendation: Approval

Attachments: Planning Staff Report (Premiums Public Hearing) 2023-09-19.pdf, 2023-09-19 CWA Premiums Memo.pdf, Ordinance to Amend (Premiums) 2023-09-13.pdf, 2023-09-19 CWA Premiums Memo Appendix.pdf

Commissioner Sauv  recused herself from the discussion due to her active participation of a petition in the D1 Zoning District; she left the Council Chambers.

Chair Lee recused himself from the discussion noting his employer owns property in the D1 Zoning District; he left the Council Chambers.

Vice Chair Abrons assumed chairing of the meeting.

PROJECT/PRESENTATION:

Ben Carlisle, Carlisle Wortman, presented the proposed request.

STAFF REPORT:

City Planner Alexis DiLeo presented the staff report for the proposed request.

PUBLIC HEARING:

Carson Clawson, 1 Marshall Court, spoke in support of the proposed request.

Ken Garber, 28 Haverhill Court, spoke in support of the proposed request.

Alex Lowe, resident, spoke in support of the proposed request.

Seeing no additional speakers Vice Chair Abrons closed the Public Hearing.

Moved by Commissioner Mills, seconded by Commissioner Wyche that:

The Ann Arbor City Planning Commission recommends that the Mayor and City Council approve the amendments to Chapter 55, Unified Development Code, to eliminate the floor area premiums provided in Section 5.18.6 Premiums and to change the maximum FAR (floor area ratio as a percentage of lot area) of the D1 (Downtown Core) and D2 (Downtown Interface) in Section 5.17.4 Mixed Use Zoning Districts, Table 5.17-4, from up to 900% and 400%, respectively, to none.

COMMISSION DISCUSSION:

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

On a roll call vote, the vote was as follows with City Planner DiLeo

declaring the motion carried. Vote 7-0.

Yeas: 7 - Sarah Mills, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, Donnell Wyche, and Julie Weatherbee

Nays: 0

Recused: 2 - Elizabeth Sauve, and Wonwoo Lee

Chairperson Lee and Commissioner Sauv  were invited back into the meeting and Lee resumed chairing.

- 9-b.** [23-1542](#) 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. Staff Recommendation: Approval

Attachments: 3520 Green Road PUD Staff Report Sept 2023.pdf, The Green Court Block Zoning Map.pdf, The Green Court Block Aerial Map.pdf, The Green Court Block Aerial Map Zoom.pdf, Original Approved ERIM PUD Regulations.pdf, Citizen Participation Meeting w. Slides (06132023).pdf, Prop Amended Supplemental Reg.pdf, 3520 Green Rd Comparison of PUD Reg.pdf, Altarum - Presentation for 9.19.23 Planning Commission Meeting (002).pptx

PROJECT/PRESENTATION:

David Caldon, Tracy Lawyer, Denise Sterns, and Anson Berzkals, presented the proposed request.

STAFF REPORT:

City Planner Matt Kowalski provided the staff report for the proposed request.

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, spoke in support of the request, with the addition of building in electrification into the Planned Unit Development

(PUD) zoning.

Seeing no additional speakers Chair Lee closed the Public Hearing.

Moved by Commissioner Wyche, seconded by Councilmember Disch that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the ERIM (3520 Green Court) Planned Unit Development (PUD) Zoning Text Amendment.

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]

Moved by Commissioner Sauv , seconded by Commissioner Wyche, to postpone agenda item to the October 17, 2023 Planning Commission meeting.

On a voice vote, the Chair declared the motion passed. Item Postponed.

- 9-c.** [23-1543](#) 1710 Dhu Varren Road - Village of Ann Arbor Amended Site Plan and Rezoning for City Council Approval - An amendment to the approved site plan that includes the rezoning of two parcels from Township to R4A (multiple-family residential) and 120 additional residential units along Dhu Varren with an amenities park area and adjacent parking. The total units proposed will be 604 units on the 78.5-acre site. The parcels to be rezoned are 2520 and 2540 Pontiac Trail. The total area of rezoning is 5.9 acres. Staff Recommendation: Approval

Attachments: Village of Ann Arbor Staff Report 9-19-2023.pdf, Village of Ann Arbor Zoning Map.pdf, Village of Ann Arbor Aerial Map.pdf, Village of Ann Arbor Aerial Map Zoom.pdf, Village of Ann Arbor Site Plan-1st Amnd.pdf, Village of Ann Arbor CPO Report.pdf, Presentation Village of AA 9.19.23.pdf

PROJECT/PRESENTATION:

The petitioner, Robertson Brothers, Co, 6905 Telegraph Road, Suite 200, Bloomfield Hills, MI, along with their agent, Matt Bush, Atwell, LLC, 310 N. Main Street, Ann Arbor, MI 48103 provided their presentation of the

amendments to the project.

STAFF REPORT:

Matt Kowalski, City Planner, provided the staff report.

PUBLIC HEARING:

Rich Fine, 618 Duane Court, Ann Arbor, member of A2 Citizens Climate Lobby, showed graphs, and referred to data tables (passed out previously) showing a \$21-31 per month increase to renters for heat pump bill versus gas. He noted a \$10 cost difference per month is what it would cost for cleaner, all electric, development.

Dr. Larry Junck, 2128 Wallingford Dr, Ann Arbor, spoke of the need for strong actions due to climate change. Asked the Commission to steer them in a better direction, as he spoke against their site plan to incorporate gas furnace and water heaters in the project, noting the development doesn't comply with the City's A2Zero plan.

Alisa Spitz, 809 Johnny Woods Dr. Ann Arbor, spoke in support of sustainable designers in the region, working towards ending the use of fossil fuels, going to all electric plan for all new units. She felt the development isn't meeting ambitious goals, as appliances will last for 8-20 years.

Donald Levit, 218 W Kingsley St, Ann Arbor, spoke in opposition to use of natural gas in this Phase 2. He spoke of the need for change to cleaner, sustainable energy.

David Gerk. 1315 S Maple Road, Ann Arbor, from Washtenaw Climate Reality, spoke about the record breaking summer this 2023. He thanked the developer for the changes already made but noted we need more.

Ken Garber, Haverhill Court, Ann Arbor, spoke about the approved Brownfield Plan for this project, noting the public shouldn't be paying for sustainable features on this project, that the developer should have incorporated anyway. He begged the developer to go all electric throughout this project.

Tom Stulberg, Lowertown, Ann Arbor said he liked some aspects of the project, and spoke of a carbon impact statement.

Luis Vasquez, 909 Barton Drive, Ann Arbor, spoke of the difficulty in balancing the extreme need for housing with the need for sustainability. He agreed with all previous speakers about the need for the project to be all-electric.

Alex Lowe, 3347 Fernwood Avenue, Ann Arbor, supported comments from previous speakers, noting he is pro heat pump and pro electrification; ground source heat pumps are a win-win. He said while it's okay with gas as backup and maybe for water heaters but nothing else, he expressed a desire for a better version of a project in R4E zoning, less parking or parking in structures.

Rita Mitchell, 621 Fifth Street, Ann Arbor, member of the Environmental Commission, but speaking for myself, thanked all speakers, adding we need to look long-term, as retrofitting is really expensive.

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

Moved by Councilmember Disch, Seconded by Commissioner Wyche, that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Village of Ann Arbor R4A Zoning and Site Plan (located at 1710 Dhu Varren and within the southeast quadrant of Pontiac Trail and Dhu Varren Road).

COMMISSION DISCUSSION:

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

On a rollcall vote, the Chair declared the motion carried unanimously. Vote: 9 - 0

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

Nays: 0

Commission Break at 10:20 pm.

Commission reconvened at 10:23 pm.

- 9-d. [23-1539](#) 3701-3713 Riverside Drive - Annexation and Zoning for City Council Approval - A Request to annex this .74 acre area, including one single-family residence and one vacant lot from Ann Arbor Township to obtain public utilities and to the zone the property R1B Single Family Dwelling. (Ward 2) Staff Recommendation: Approval

Attachments: 3701-3713 Riverside Staff Report.pdf, 3701 and 3713 Riverside Dr Zoning Map.pdf, 3701 and 3713 Riverside Dr Aerial Map.pdf, 3701 and 3713 Riverside Dr Aerial Map Zoom.pdf

STAFF REPORT:

Matt Kowalski, City Planner, provided the staff report.

PUBLIC HEARING:

Alex Lowe, Fernwood Avenue, Ann Arbor, spoke of the need for the zoning to be R1E or R2A (Multi-Family family) instead of Single-Family zoning.

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

Moved by Commissioner Mills, Seconded by Councilmember Disch, that:

The Ann Arbor City Planning Commission recommends that the Mayor and City Council approve the Annexation and R1B (Single-Family Dwelling District) Zoning of 3701 and 3713 Riverside Drive.

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]

Moved by Commissioner Wyche, Seconded by Commissioner Sauvé, to amend the motion to read:

The Ann Arbor City Planning Commission recommends that the Mayor and City Council approve the Annexation and R1D (Single-Family Dwelling District) Zoning of 3701 and 3713 Riverside Drive.

On a voice vote, the Chair declared the amendment carried.

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

Vote: 9-0

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

Nays: 0

10. OTHER BUSINESS

10-a. [23-1530](#) Notice of Intent to Plan - New Comprehensive Plan

Attachments: 2023 9-11 Notice of Intent to Plan - CPC SR.pdf, Notice to Plan Letter - Comprehensive Plan 2024.pdf

Matt Kowalski, City Planner, explained the Notice of Intent to Plan is a requirement of the Michigan Planning Act, which needs to be taken before beginning the Comprehensive [Master] Plan process.

Moved by Commissioner Wyche, Seconded by Commissioner Mills:

Resolved by the Ann Arbor City Planning Commission that a Notice of Intent to Plan be shared with surrounding communities and applicable agencies, as prescribed by the Michigan Planning Enabling Act.

On a voice vote, the Chair declared the motion passed unanimously.

10-b. [23-1540](#) Planning Commission By-Laws Amendments

Attachments: 2023 9-19 CPC ByLaws Update - Staff Report.pdf, 2023 8-10 Proposed CPC Bylaws.pdf

STAFF REPORT:

Matt Kowalski, City Planner, provided the staff report.

Moved by Commissioner Sauv , Seconded by Commissioner Mills:

That consideration of the proposed bylaws modifications be postponed to the October 3, 2023 Planning Commission meeting.

The Bylaws were unanimously postponed to the October 3, 2023

Planning Commission meeting.

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

Alex Lowe, spoke to his disappointment in the newly annexed parcels being zoned to R1D, instead of R2A, which could provide more housing.

Noting no further public speakers, the Chair closed the Public Comment.

12. COMMISSION PROPOSED BUSINESS

13. ADJOURNMENT

Moved by Commissioner Wyche, Seconded by Councilmember Disch, to Adjourn the meeting at 10:37 pm. On a voice vote, the Chair declared the motion carried unanimously.

Wonwoo Lee, Chairperson

/mia gale
/courtney manor

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

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(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

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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.