



City of Ann Arbor

Formal Minutes - Final

City Planning Commission

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

Wednesday, September 6, 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 7:09 pm in Council Chambers at City Hall of Ann Arbor.

2. ROLL CALL

Deputy Planning Manger, Hank Kelley, called the roll.

Others present:

Planning Manager Brett Lenart, Deputy Planning Manager Hank Kelley, City Planner Chris Cheng, City Planner Matt Kowalski, City Planner Alexis DiLeo [via Zoom]

Present 8 - Mills, Sauve, Abrons, Hammerschmidt, Lee, Clarke, Wyche, and Weatherbee

Absent 1 - Disch

3. APPROVAL OF AGENDA

Chair Lee noted Staff recommendation to reverse item 9-a and item 9-b.

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

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- 4-a. [23-1272](#) July 18 2023 City Planning Commission Meeting Minutes

Attachments: 7-18-2023 DRAFT CPC Meeting Minutes.pdf

Moved by Commissioner Abrons, seconded by Commissioner Mills, to approve the July 18, 2023 City Planning Commission meeting minutes and forwarded to City Council. On a voice vote the minutes were unanimously approved as presented.

- 4-b. [23-1381](#) August 1, 2023 City Planning Commission Meeting Minutes

Attachments: 8-1-2023 DRAFT CPC Meeting Minutes .pdf

Moved by Commissioner Abrons, seconded by Commissioner Mills, to approve the August 1, 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

Planning Manager Brett Lenart provided City Council updates as Councilmember Disch was not present

-Proposed TC1 amendments to auto related uses approved by City Council with one modification - struck specific use standards that prohibited the storage of auto repair vehicles outside the C2B/TC1 district.

-South Town rezoning, site plan and street vacation approved.

- Proposed alley street vacation on Mosley was approved.

-HERD ordinance was passed.

-City bought an election center.

5-b. Planning Manager

Planning Manager Brett Lenart provided an update on the Comprehensive Plan

-Committee met, working on application to go out for steering committee

-Comp plan team visited last week - conducted a series of stakeholder interviews of elected officials and staff. Next up is interviews with CPC and sharing our public engagement with the community at large. Will be an 18 month process with many opportunities for input.

5-c. Planning Commission Officers and Committees

Nothing to report

5-d. Written Communications and Petitions

23-1377 Various Communication to the Commission

Attachments: Westphal re TC1 Ground FI Corners Use.pdf, Hamilton Letter of Opposition Blossom Dental.pdf, Parunak re Evans Scholars.pdf

Received and Filed

ROLL CALL

Councilmember Disch entered the meeting at 7:33 pm

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

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.)

Ken Garber, 28 Haverhill Court, spoke to disappointment in DTE capacity and outages

James D'Amour, resident, spoke about climate concerns, need to think about mature trees. Proposal tonight calls for removal of landmark trees. Concerned that trees outside of parks are at-risk.

Seeing no further speakers Chair Lee closed the Public Comment.

7. PUBLIC HEARINGS SCHEDULED FOR NEXT REGULAR MEETING

23-1481 Public Hearings Scheduled for Tuesday, September 19, 2023 Planning Commission Meeting

Attachments: 9-19-2023 Rev CPC Notice of Public Hearing-Tue.pdf

Deputy Planning Manager, Hank Kelley, presented the upcoming Public Hearings at the September 19, 2023 Planning Commission meeting.

-3701 & 3713 Riverside Drive - Annexation and Zoning for City Council Approval – Request to annex these 2 parcels, totaling 0.74 acre in Ann Arbor Township to the City of Ann Arbor and zone it to R1B (Single-Family Dwelling).

-3520 Green Court – A 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 add medical and dental offices; would expand the definition of “hotel”; and would permit development of multi-family residential housing, which is currently excluded. This PUD District includes 35.26 acres.

-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.

-Amendment to Unified Development Code, Chapter 55 of Ann Arbor City Code: Premiums – Amendments to Sections 5.17.4 (Multiple Family Zoning Districts) and 5.18.6 (Premiums) are being proposed to eliminate all premium floor area options offered in Section 5.18.6 to exceed the normal floor area ratios in certain zoning districts and eliminate the maximum floor area ratio (FAR) standards in the D1 (Downtown Core) and D2 (Downtown Interface) zoning districts provided in Table 5.17-4, of Section 5.17.4, of the Unified Development Code (UDC). With these amendments, no additional floor area beyond the normal limits will be offered as incentives for amenities, and development in the D1 and D2 districts will be only regulated by maximum height, minimum or maximum setbacks, and building massing regulations, plus any other applicable development standards currently provided in code.

8. UNFINISHED BUSINESS

8-a. [23-1478](#) 2805 Burton Road - Brightdawn Village Site Plan Amendment for

Planning Commission Approval - A proposal to reduce the size of the indoor gathering building by approximately 2,000 sq ft, adjust sidewalks and utility leads, relocation of barrier free parking and electric vehicle charging updates per current edition of UDC (Unified Development Code) on this 8-acre site zoned R4B (Multi-family Residential). Staff Recommendation: Approval

Attachments: Brightdawn Village Staff Report 9-6-23.pdf, 2805 Burton Rd Zoning Map.pdf, 2805 Burton Rd Aerial Map.pdf, 2805 Burton Rd Aerial Map Zoom.pdf, Brightdawn Village Site Plan.pdf

PROJECT/PRESENTATION:

Ted Hirsh, Midwestern Consulting, presented the proposed request.

STAFF REPORT:

City Planner Chris Cheng provided the staff report for the proposed request.

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, stated would like to see clubhouse electrified with no natural gas connection.

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]

Moved by Commissioner Mills seconded by Commission Wyche that

The Ann Arbor City Planning Commission approves the Brightdawn Village Site Plan (2805 Burton Road) as the site plan complies with all applicable requirements of the Unified Development Code, and other applicable laws, ordinances, standards, and regulations.

On a roll call vote, the vote was as follows with Deputy Planning Manager Kelley declaring the 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

- 8-b.** **23-1479** 1800 Washtenaw Avenue - Evans House for Scholars Special Exception Use for Planning Commission Approval - A request to increase occupancy from 65 to 85. No proposed changes to exterior of house

located on this 0.85-acre parcel, zoned R2B (Two-Family Dwelling). Staff Recommendation: Approval

Attachments: 1800 Washtenaw - Evans Scholarship House-rev.pdf, 1800 Washtenaw Ave Zoning Map.pdf, 1800 Washtenaw Ave Aerial Map.pdf, 1800 Washtenaw Ave Aerial Map Zoom.pdf, 1800 Washtenaw SEU Appl Form.pdf, Proposed Loft Layout.pdf

PROJECT/PRESENTATION:

Jerry Caplan, Architect, presented the proposed request.

STAFF REPORT:

City Planner Chris Cheng provided the staff report for the proposed request.

PUBLIC HEARING:

Deborah Lewis, 1019 Baldwin, spoke to concerns with parking for new residents sicne area is congested with parking already.

Seeing no additional speakers Chair Lee closed the Public Hearing.

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]

Moved by Commissioner Mills seconded by Commissioner Abrons that

Motion by Commissioner Mills to amend the below item to change occupancy from 85 persons to 107 persons:

The Ann Arbor City Planning Commission finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5.29.5 (Special Exception Use), subject to building occupancy of no more than 85 persons; and approves the 1800 Washtenaw Avenue Special Exception Use.

On a roll call vote the vote was as follows with Deputy Planning Manager Kelley declaring the 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

Moved by Commissioner Wyche seconded by Councilmember Disch that

On the consolidated motion as amended:

The Ann Arbor City Planning Commission finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5.29.5 (Special Exception Use), subject to building occupancy of no more than 107 persons; and approves the 1800 Washtenaw Avenue Special Exception Use. This approval is based on the following findings:

1. Will be consistent with the general objectives of the City Comprehensive Plan of office uses in the area;
2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. The proposed use is consistent with other surrounding uses' traffic impact.
3. The Ann Arbor City Planning Commission hereby waives the Area Plan requirement Section 5.29.8 (B), as no new construction is proposed for this site and a survey of the existing improvements on the site has been provided.

On a roll call vote the vote was as follows with Deputy Planning Manager Kelley declaring the 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

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

- 9-a.** [23-1358](#) TC1 District (“Narrow Rights-of-Way”) Amendments to Chapter 55 Unified Development Code, Section 5.17

Attachments: 2023-09-06_Narrow ROW TC1 Setback Amendments Staff Report_v4.pdf, 2023-09-06_Narrow ROW TC1 Amendments Ordinance_v3.pdf, 2023-09-06_Transit Corridors Designation Map.pdf, 2023-05-09_TC1 ROW Comparison Table.pdf, Ann Arbor_2018_Street Tree Planting Program.pdf, How Much Space - Planting Recs Medium Large Trees - UF 2020.pdf

Chair Lee recused himself from the hearing due to his employer's involvement in the project.

STAFF REPORT:

Deputy Planning Manager Hank Kelley presented the proposed request

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, spoke to setbacks, bike lanes and narrower arterial roadways, noting as a bike rider he would like to see roadways facilitated as much as possible. .

Adam Jascewicz, 1430 Las Vegas Drive, spoke to questions on multiple curbs; Washtenaw Service Drives; noting Packard has the same condition

Victor Krug, resident Ward 5, spoke to safety concern issues and in opposition of TC1.

Seeing no additional speakers Vice Chair Arbons closed the Public Hearing

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]

Moved by Commissioner Mills seconded by Commissioner Wyche

Amend motion: To provide required front setbacks based on Street Type Designation in the TC1 district (Section 5.17, Table 5.17-4) to have a maximum setback of 30 feet at ground floor and greater flexibility for upper floors.

Commissioner Mills made a friendly amendment to above motion: To provide required front setbacks based on Street Type Designation in the TC1 district (Section 5.17, Table 5.17-4) minimum to 18 feet maximum to 28 feet ground floor and request staff recommendations for upper floors.

On a voice vote the vote was as follows with Planning Manager Lenart declaring the motion carried. Vote 8-0.

Yeas: 8 - Sarah Mills, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, Donnell Wyche, and Julie Weatherbee

Nays: 0

Recused: 1 - Wonwoo Lee

Moved by Commissioner Mills seconded by Commissioner Wyche

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve amendments to Chapter 55, Unified Development Code, Sections 5.10.2 and 5.17 Table 5.17-4:

-To establish Transit Corridor as a Street Type Designation on the Street Type Designation Map referenced and made a part of the chapter in Section 5.10.2

-To provide required front setbacks based on Street Type Designation in the TC1 district (Section 5.17, Table 5.17-4); as previously amended

-To clarify parameters where such a setback would apply (Section 5.17, Table 5.17-4)

On a roll call vote the vote was as follows with Planning Manager Lenart declaring the motion denied. Vote 5-3

Yeas: 5 - Sarah Mills, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, and Julie Weatherbee

Nays: 3 - Elizabeth Sauve, Sadira Clarke, and Donnell Wyche

Recused: 1 - Wonwoo Lee

9-b. [23-1360](#) 3680 Packard Dentist Office Site Plan for Planning Commission Approval

Attachments: 3680 Packard Blossom Dental Staff Report v1.pdf, 3680 Packard Rd Zoning Map.pdf, 3680 Packard Rd Aerial Map Zoom.pdf, 3680 Packard Rd Aerial Map.pdf, 3680 Packard - Blossom Dental Site Plan 08-15-2023.pdf

Candice Briere, Midwestern Consulting, Dr. Elizabeth Barber, owner, and Shannon Easter White, architect presented the proposed request.

STAFF REPORT:

City Planner Matt Kowalski presented the proposed request.

PUBLIC HEARING:

Janet Rickey, resident, notice was put on the pole next to our property yesterday would like notice to be put up sooner. Questioned lighting of project.

Ken Garber, 28 Haverhill Court., petitioner is genuflecting to all of the

important sustainability issues, electrification geothermal. Nothing is definitive though.

Michelle Mueller, 3627 Turnberry Lane, expressed concerned about the curb cut on Turnberry Lane, and traffic lights.

*Caller ending *168, resident, spoke to challenges of lack of salt on roads in that area in winter and this may cause more problems.*

Seeing no additional speakers, Chair Lee closed the Public Hearing.

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]

Moved by Councilmember Disch seconded by Commissioner Weatherbee that

1. The Ann Arbor City Planning Commission approves the Blossom Dental Site Plan (3680 Packard Road) dated June 29, 2023, as the site plan complies with all applicable requirements of the Unified Development Code, and other applicable laws, ordinances, standards, and regulations.

2. The Ann Arbor City Planning Commission hereby approves the Blossom Dental Site Plan (3680 Packard Road) Landscape Modification that allows existing trees and vegetation to be counted as the Conflicting Land Use Buffer.

On a roll call vote the vote was as follows with Planning Manager Lenart declaring the 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. [23-1357](#) Planning Commission By-Laws Review - Modifications to Chapter 8 and By-Laws Amendments

Attachments: 2023 8-15 CPC ByLaws Update - Staff Report.pdf, 2023 8-10 CPC Recommended Ordinance Changes - Chapter

8.pdf, 2023 8-10 Proposed CPC Bylaws.pdf

Vice Chair Abrons noted it was after 11:00 pm and according to the bylaws any consideration of new items required a vote by the Commission.

Commissioner Lee reentered the meeting.

On a voice vote the Commission voted unanimously to proceed with item.

Planning Manager Lenart presented the proposed changes to the Planning Commission Bylaws.

Moved by Commissioner Sauve seconded by Commissioner Mills

I move that the attached proposed amendments to Chapter 8 of the City Code are referred to the City Council for consideration as a request from the City Planning Commission.

Commissioner Abrons noted in Section 1.175 Planning Commission Membership please remove gendered terms and asked is there somewhere else where we address commissioners who fill vacated positions

Commissioner Wyche asked can we make effective after appointed by Council

On a voice vote the vote was as follows with Chair Lee declaring the 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

Moved by Commissioner Wyche seconded by Commissioner Mills that:

I move that the following changes are referred to the City Attorney for review:

-The proposed amendments included in the draft by-laws presented at this meeting. And that the proposed amended Bylaws be presented back to the Planning Commission for additional review on September 19, 2023.

On a voice vote the vote was as follows with Chair Lee declaring the vote 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

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

No speakers.

12. COMMISSION PROPOSED BUSINESS

Commissioner Sauve:

- Review occupancy requirements in residential districts*
- House Party week announcements*

Commissioner Mills:

- Please edit table 5.29-1 to accommodate subtractions in buildings under construction reference Burton Road proposal*

Commissioner Wyche:

- Request create a City website for Comprehensive Plan*
- Add Comprehensive Plan updates to govdelivery notices*

13. ADJOURNMENT

Moved by Commissioner Mills seconded by Commissioner Wyche to adjourn the meeting at 11:15 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>

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. Persons 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.

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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

City Planning Commission regular meetings have transitioned to a hybrid meeting model. The City of Ann Arbor highly encourages the public to participate in public meetings, either in-person or remotely.

The City of Ann Arbor has existing COVID-19 safety rules that are required of visitors entering city facilities. If you choose to attend a meeting in-person, the following safety rules are expected to be observed. These include:

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.