



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, July 16, 2024

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 Lee called the meeting to order at 7:05 pm in the City of Ann Arbor's Council Chambers.

2. ROLL CALL

Deputy Planning Manager Hank Kelley called the roll

Present 8 - Mills, Hammerschmidt, Disch, Lee, Wyche, Weatherbee, Adams, and Norton

Absent 1 - Abrons

Chair Lee asked Planning Commissioner Richard Norton to introduce himself.

Others present:

*Planning Manager Brett Lenart
Deputy Planning Manager Hank Kelley
City Planner Alexis DiLeo
City Planner Matthew Kowalski*

3. APPROVAL OF AGENDA

Moved by Commissioner Wyche seconded by Councilmember Disch, approved unanimously by all present.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- 4-a. [24-1360](#) June 20, 2024 City Planning Commission Meeting Minutes

Attachments: June 20, 2024 City Planning Commission Meeting Minutes.pdf

Moved by Councilmember Disch seconded by Commissioner Weatherbee to approve the June 20, 2024 City Planning Commission meeting minutes. On a voice vote the minutes were unanimously approved as presented and forwarded to City Council.

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:

At their July 15, 2024 meeting City Council approved the 1601 South State Street zoning amendment to permit micro grid operation. Additionally it was noted there was a revision to the Development Agreement and that revision provides that rather than contract for renewable natural gas with a dairy farm the petitioner will source from DTE. The Owl Creek infill project was approved on first reading. A South State Street business improvement zone (BIZ) was approved, along with the approval of annexation and rezoning of two AAPS properties to public land.

5-b. Planning Manager

Planning Manager Lenart reported:

The Comprehensive Plan Steering Committee will hold its next meeting Wednesday, July 17, 2024 at Westgate Ann Arbor Public Library.

5-c. Planning Commission Officers and Committees

None.

5-d. Written Communications and Petitions

- [24-1309](#) Various Communication to the City Planning Commission

Attachments: La'al Jones Drive Email.pdf, Lewis Email of Support Braun Court.pdf, Nauschuetz Email of Opposition 2525 Ann Arbor Saline Road.pdf, Redhuis Email of Opposition Braun Court.pdf, Vincze Zoning Email.pdf

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.)

Ken Garber, 28 Haverhill Court, welcomed Commissioner Norton to the Planning Commission and suggested stricter requirements for sustainability height bonuses.

Seeing no additional speakers Chair Lee closed the Public Comment.

7. PUBLIC HEARINGS SCHEDULED FOR NEXT REGULAR MEETING

Deputy Planning Manager Kelley reported the August 7, 2024 meeting is in process of cancellation due to no petitions being ready for consideration and that the Public Hearing notice deadline for August 20, 2024 has not passed yet.

8. UNFINISHED BUSINESS

None.

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

9-a. [24-1307](#) 2900 South Main Site Plan for Planning Commission Action (SP22-2023)
- Staff recommendation: Approval

Attachments: 2900 S Main SR 07-16-2024 CORRECTED.pdf, 2900-Main-St-2900 South Main St Site Plan - 2024-04-23_v5 (4).pdf, 2900 S Main St Zoning Map.pdf, 2900 S Main St Aerial Map Zoom.pdf, 2900 S Main St Aerial Map.pdf, 2900 S Main SP22-2023 Development Agreement.pdf, 2900 S Main Ann Arbor - Presentation.pdf

PROJECT/PRESENTATION:

Jason Kreger, Kreger Klett Architects, presented the proposed request.

STAFF REPORT/PRESENTATION:

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

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, spoke in opposition to the proposed project and in support of additional sustainability measures..

Rich Fein, Ann Arbor resident representing Citizen's Climate Lobby, spoke to support of the developer using sustainable elements.

[For a complete record of the discussion, please see available video format]

Seeing no further speakers Chair Lee closed the Public Hearing.

Moved by Commissioner Mills seconded by Commissioner Wyche that

The Ann Arbor City Planning Commission approves the 2900 South Main Site Plan version 5, dated April 23, 2024, as it complies with all applicable requirements of the Unified Development Code, and other applicable laws, ordinances, standards, and regulations.

And that

The Ann Arbor City Planning Commission approves Alternative Mitigation for Landmark Tree removal for 48% of the Landmark Trees removed on site by providing \$60,024 to the City's Street Tree Planting Fund.

The Commission took into consideration the proposed request 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 Deputy Planning Manager Kelley declaring the motion carried. Vote 8-0.

Yeas: 8 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Julie Weatherbee, Daniel Adams, and Richard Norton

Nays: 0

Absent: 1 - Ellie Abrons

- 9-b. [24-1355](#) Amendments to Unified Development Code related to Exceptions to Height Limits, Stormwater Reviews, Development Activity Approval, and Finished Grade Definition. (Sections 5.18.4, 5.22, 5.29 and 5.37.2) Staff Recommendation: Approval.

Attachments: July 16, 2024 Staff Report (Minor Group), July 16, 2024 Draft Ordinance (Minor Group), Staff Presentation CPC 2024-07-16 corrected.pdf

STAFF REPORT/PRESENTATION:

City Planner Alexis DiLeo presented the proposed request.

PUBLIC HEARING:

[For a complete record of the discussion, please see available video format]

Seeing no further 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 amendments to Chapter 55, Unified Development Code, Section 5.18.4 to allow elevator, escalator, stairwells, and overruns as exceptions to height limits in mixed-use, nonresidential and special purpose zoning districts, as proposed.

And that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve amendments to Chapter 55, Unified Development Code, Table 5.29-1 in Section 5.29.6, to change the required approval for interior construction to site plan approval not required, as proposed.

And that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve amendments to Chapter 55, Unified Development Code, to Section 5.37.2 to revise the definition of Finished Grade to improve clarity and to revise the definition of Rules of the WCWRC with current references, as proposed.

And that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve amendments to Chapter 55, Unified Development Code, Section 5.22 to change the stormwater review responsibility of the Washtenaw County Water Resources Commissioner to only sites in its jurisdiction and reorganize numbering and headings for improved navigation, as proposed.

The Commission took into consideration the proposed request 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 Deputy Planning Manager Kelley declaring the motion carried. Vote 8-0.

Yeas: 8 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Julie Weatherbee, Daniel Adams, and Richard Norton

Nays: 0

Absent: 1 - Ellie Abrons

9-c. **24-1308** Amendments to Unified Development Code related to Transit Corridor Development Standards and Parking Structure Use Specific Standards (Sections 5.16.3 and 5.17.7). Staff Recommendation: Approval.

Attachments: July 16, 2024 Staff Report (TC1 Standards, Parking Structure), July 16, 2024 Draft Ordinance (TC1 Standards), Petition for Text Amendment (TC1 Related), Staff Presentation CPC 2024-07-16 corrected.pdf

Chair Lee recused himself due to his company's involvement in the project. Secretary Wyche took over chairing the meeting.

STAFF REPORT/PRESENTATION:

City Planner DiLeo presented the proposed request.

PUBIC HEARING:

Andy Andre, Oxford Companies, spoke to the proposed request.

[For a complete record of the discussion, please see available video format]

Seeing no further speakers Chair Lee closed the Public Hearing.

Moved by Commissioner Mills seconded by Councilmember Disch that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the following amendments to Chapter 55 Unified Development Code related to Transit Corridor Additional Standards and Parking Structures:

- **To remove the curb cut limits standard from Table 5.17-8 (Section 5.17.7)**
- **To change the building dimensions from a maximum of 250 feet in width and 360 feet in diagonal to 300 feet in width and 450 feet in diagonal in Table 5.17-8 (Section 5.17.7)**
- **To remove the building frontage requirements from the TC1 District.**
- **To remove the development arrangement standard from Table 5.17-8 (Section 5.17.7)**
- **To consolidate and simplify the specific building type standards into a first-floor standard in Table 5.17-8 (Section 7.17.7)**
- **To combine the parking structure use specific standard for the D1 and TC districts and specify the requirements apply to the first floor of off-street parking structures adjacent to streets designated as primary and transit corridor on the Street Type Designation Map (Section 5.16.3.L)**

The Commission took into consideration the proposed request 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 Deputy Planning Manager Kelley declaring the motion carried. Vote 7-0.

Yeas: 7 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Donnell Wyche, Julie Weatherbee, Daniel Adams, and Richard Norton

Nays: 0

Absent: 1 - Ellie Abrons

Recused: 1 - Wonwoo Lee

10. OTHER BUSINESS

Chair Lee reentered the meeting and took over chairing.

- 10-a. [24-1108](#) Annual Organizational Meeting: Election of Officers, Bylaws and Subcommittee Assignment Review

Attachments: 2024-7-16 CPC Organizational Meeting - Staff Report v2.pdf, 2023 7-18 Proposed CPC Bylaws .pdf, 2024-7-16_CPC_DRAFT Committee Assignments.pdf

Nominations for Chair of the City Planning Commission were as follows:

-Commissioner Mills nominated Chair Lee for Chair of the City Planning Commission

-Chair Lee nominated Commissioner Wyche for Chair of the City Planning Commission

All nominations were accepted.

Moved by Councilmember Disch seconded by Commissioner Hammerschmidt

On a roll call vote the vote was as follows

Chair Lee: 7

Commissioner Wyche: 1

Deputy Planning Manager Kelley declared Chair Lee to remain as Chair of the City Planning Commission.

Nominations for Vice Chair of the City Planning Commission were as follows:

-Councilmember Disch nominated Commissioner Wyche for Vice Chair of the City Planning Commission

All nominations were accepted.

Moved by Councilmember Disch seconded by Commissioner Hammerschmidt

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

Yeas: 8 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Julie Weatherbee, Daniel Adams, and Richard Norton

Nays: 0

Absent: 1 - Ellie Abrons

Nominations for Secretary of the City Planning Commission were as follows:

-Commissioner Mills nominated Commissioner Hammerschmidt for Secretary of the City Planning Commission

All nominations were accepted.

Moved by Commissioner Wyche seconded by Commissioner Weatherbee

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

Yeas: 8 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Julie Weatherbee, Daniel Adams, and Richard Norton

Nays: 0

Absent: 1 - Ellie Abrons

Moved by Councilmember Disch seconded by Commissioner Mills that:

I move to affirm that the City Planning Commission Bylaws as approved on July 18, 2023 require no further amendments and should be advanced to City Council.

And that

I move that the Commissioner appointments reflected on the attachment be approved.

Commissioner Norton be appointed to the Ordinance Revisions Committee. Councilmember Disch is to remain on the Environmental Committee. Commissioner Wyche volunteered to serve on the Comprehensive Plan Steering Committee.

Deputy Planning Manager Kelley noted the motion needed to reflect the appointments.

I move that the Commissioner appointments as approved subject to

updating the Executive Committee and the new appointment to the Comprehensive Plan Steering Committee. reflected on the attachment be approved as amended.

Yeas: 8 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Julie Weatherbee, Daniel Adams, and Richard Norton

Nays: 0

Absent: 1 - Ellie Abrons

Moved by Commissioner Mills seconded by Commissioner Weatherbee that:

I move to affirm that the City Planning Commission Bylaws as approved on July 18, 2023 require no further amendments and should be advanced to City Council.

And that

I move that the Commissioner appointments as approved subject to updating the Executive Committee and the new appointment to the Comprehensive Plan Steering Committee be approved as amended.

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

Yeas: 8 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Julie Weatherbee, Daniel Adams, and Richard Norton

Nays: 0

Absent: 1 - Ellie Abrons

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

Ken Garber, 28 Haverhill Court, spoke to revising the definition of sustainability component as referred to in Section 5.14.81 and recommended full electrification at the time of approval. Mr. Garber also noted he would like to see OSI reviews on all projects, not just PUDs.

Seeing no additional speakers Chair Lee closed the Public Comment.

12. COMMISSION PROPOSED BUSINESS

Councilmember Disch asked staff to confirm her understanding of the

height exception revision. She wanted to verify if although the height exception itself is not a premium, if by implementing sustainability measures, we allow for an additional 30% height increase. She additionally asked the relationship to recent Council resolutions on Economic Development.

Planning Manager Lenart clarified that there is room for interpretation in the current standards, and upcoming projects may rely on these interpretations. Staff's current interpretation and instructions are to consider a project to be eligible for a Sustainability Component height bonus if it meets the UDC definition, and is future-proofed for full electrification (if it building cannot be fully electric at the time of construction).*

To determine if a project can achieve fully electric power, developers must provide documentation from the utility provider (DTE) explaining provider's capacity. Manager Lenart clarified that current staff interpretation does not extend this requirement to emergency power back-up systems. Mr. Lenart further mentioned that new clarifications and changes are anticipated through upcoming ordinance amendments that will be reviewed by the Planning Commission – which do connect to recent council resolutions.

**UDC Definition of Sustainability Component: "When and where a solar collector surface covers at least 60% of the building(s) footprint area on a site and the electrical panels of the building(s) have capacity to solely power the site by electricity, including any conduit and other necessary infrastructure for future conversions if complete electrification is not achievable at the time of initial construction."*

The other UDC section referenced is 5.18.4.D. Sustainable and Affordable Housing Developments.

13. ADJOURNMENT

Moved Wyche, seconded Weatherbee to adjourn at 9:04pm. On a voice vote, the Chair declared the motion carried unanimously.

Wonwoo Lee, Chairperson

/Courtney Manor

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.

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

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.