



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 18, 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

Vice Chair Ellie Abrons called the meeting to order at 7:03 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 Matt Kowalski.

Present 6 - Mills, Abrons, Hammerschmidt, Disch, Lee, and Wyche

Absent 2 - Sauve, and Clarke

3. APPROVAL OF AGENDA

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

ROLL CALL

Enter Commissioner Clarke at 7:08 pm.

Commissioner Clarke entered the meeting at 7:08 pm.

Present 7 - Mills, Abrons, Hammerschmidt, Disch, Lee, Clarke, and Wyche

Absent 1 - Sauve

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

4-a. [23-1223](#) June 21, 2023 City Planning Commission Meeting Minutes

Attachments: 6-21-2023 CPC Approved Meeting Minutes.pdf

Moved by Commissioner Mills, seconded by Councilmember Disch, to approve the June 21, 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.

Conditional zoning and site plan for 999 Maiden Lane was approved. The annexations of 11 township parcels to R1D was approved on first reading.

5-b. Planning Manager

Deputy Planning Manager, Hank Kelley reported on the Comprehensive Plan stating the contract is executed and data gathering and existing conditions are moving forward. July 25, 2023 Ordinance Revision Committee meeting will include a discussion of the commission Workplan, to revisit and get a sense of priorities and to understand which items fall under the realm of Ordinance revisions. Will also be getting advice on drive throughs and where Planning Commission would like to see them and looking at other cities and how they have approached the subject.

5-c. Planning Commission Officers and Committees

Vice Chair Abrons reported Ordinance Revisions Committee met June 27, 2023 and discussed a number of things related to transportation

impact analysis requirements and standards and that material will be coming to a regular session.

5-d. Written Communications and Petitions

23-1222 Various Communications to the Planning Commission

Attachments: Frehsee re 3945 S State St SP & SEU.pdf, Goodman re Transportation Impact Analyses.pdf, Grant re 120 Packard.pdf, JAG re 3945 S State St.pdf, Leaf re Downtown Premiums.pdf, Pineau-Oishi re Pediatric Dental Bldg Driveway.pdf, Request to Include Green Rd Properties in TC1 Zoning Areas.pdf, Starman re 3945 S State St.pdf, Westphal re Downtown Density-Premiums.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, spoke to environmental concerns.

Seeing no additional speakers, Vice Chair Abrons closed the Public Comment.

7. PUBLIC HEARINGS SCHEDULED FOR NEXT REGULAR MEETING

7-a. 23-1221 Public Hearings Scheduled for Tuesday, August 1, 2023 Planning Commission Meeting

Attachments: 8-1-2023 CPC Notice of Public Hearing-rev.pdf

Deputy Planning Manager, Hank Kelley, presented the upcoming Public Hearings at the August 1, 2023 Planning Commission meeting.

-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).

- 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).

8. UNFINISHED BUSINESS

- 8-a.** [23-1217](#) 3945 - 3957 South State Site Plan and Special Exception Use - A proposal to reduce the size of the existing building at 3949-3957 South State by 1,384 square feet and add a drive through lane along the rear of the building. Staff Recommendation: Approval

Attachments: 3945-3957 S State Staff Report 6-6-2023.pdf, 3949-3957 S State St Location Map.pdf, 3949-3957 S State St Aerial Map.pdf, 3949-3957 S State St Aerial Map Zoom.pdf, 3945-3957 S State Presentation-6-6-2023.pdf, 3945 SEU App.pdf, 3945 S State St Citizen Participation M.pdf

Brad Moore, Gary Schwartz, Jim Chaconos, and Jack Schwartz, 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 to concern of drive throughs in Ann Arbor and stated drive throughs could have a detrimental affect on the natural environment by increasing vehicle idling.

Seeing no additional speakers, Vice Chair Abrons closed the Pubic 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 Lee that

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Unified Development Code), Section 5.29.5 (Special Exceptions), approves the 3949-3957 South State Street Special Exception Use (3945-3957 South State Street) for a drive through facility.

This approval is based on the following findings:

1. Will be consistent with the general objectives of the City Comprehensive Plan of commercial 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.

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

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

Nays: 0

Absent: 1 - Elizabeth Sauve

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 Lee that

The Ann Arbor City Planning Commission hereby approves the 3949-3957 South State Street Site Plan (3945-3957 South State Street), including a Landscape Modification that allows existing trees just outside the Right of Way to be counted as required Street Trees.

On a roll call vote, the vote was as follows

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

Nays: 0

Absent: 1 - Elizabeth Sauve

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

9-a. [23-1206](#) A staff-initiated proposal to vacate one block of East Mosley Street between the Ann Arbor Railroad Tracks and South Fifth Avenue. The road exists only on paper and bisects the parcels at 202 and 214 East Madison Street. Staff Recommendation: Approval

Attachments: 202 E Madison Mosley SV Staff Report 070723.pdf, Zoning Map, Aerial Map, Aerial Map Zoom

STAFF REPORT:

Planning Manager Brett Lenart provided the staff report on the proposal to vacate the property on Mosley Street.

PUBLIC HEARING:

Seeing no speakers, Vice Chair Abrons 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 Councilmember Disch that

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the East Mosley Street Vacation.

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

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

Nays: 0

Absent: 1 - Elizabeth Sauve

10. OTHER BUSINESS**10-a 23-1235 Planning Commission Annual Organizational Meeting Actions**

Attachments: 2023-7-13 CPC Organizational Meeting - Staff Report.pdf,
2023 7-13 Proposed CPC Bylaws.pdf, 2023-7-13 CPC
Committee Assignments - Proposed.pdf

Planning Manager Brett Lenart provided an explanation of items presented in staff memo to Planning Commission.

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

Commissioner Abrons nominated:

- Commissioner Sauve – Chair of the Planning Commission
- Commissioner Abrons – Vice Chair of the Planning Commission
- Commissioner Wyche – Secretary of the Planning Commission

Planning Manager Brett Lenart confirmed that Commissioner Sauve would accept the nomination.

Councilmember Disch nominated:

- Commissioner Hammerschmidt – Chair of the Planning Commission
- Commissioner Abrons – Vice Chair of the Planning Commission
- Commissioner Wyche – Secretary of the Planning Commission

Commissioner Hammerschmidt declined the nomination.

Councilmember Disch nominated:

- Commissioner Mills – Chair of the Planning Commission
- Commissioner Abrons – Vice Chair of the Planning Commission
- Commissioner Wyche – Secretary of the Planning Commission

Commissioner Mills declined the nomination.

Commissioner Lee nominated:

- Commissioner Abrons – Chair of the City Planning Commission

Commissioner Abrons declined the nomination for Chair.

Commissioner Mills nominated:

- Commissioner Abrons – Chair of the City Planning Commission

- Commissioner Lee – Vice Chair of the City Planning Commission
- Commissioner Wyche – Secretary of the City Planning Commission

Commissioner Abrons declined the nomination for Chair.

Commissioner Mills nominated:

- Commissioner Lee – Chair of the City Planning Commission
- Commissioner Abrons – Vice Chair of the City Planning Commission
- Commissioner Wyche - Secretary of the City Planning Commission

All nominations were accepted.

Moved by Commissioner Wyche seconded by Councilmember Disch

To nominate and elect Commissioner Sauve as Chair of the City Planning Commission.

On a voice vote the vote was as follows with the Planning Manager declaring the vote denied. Vote 3-4.

Yeas: 4 - Sarah Mills, Ellie Abrons, Sara Hammerschmidt, and Donnell Wyche

Nays: 3 - Lisa Disch, Wonwoo Lee, and Sadira Clarke

Absent: 1 - Elizabeth Sauve

Moved by Commissioner Wyche seconded by Councilmember Mills

To nominate and elect Commissioner Lee as Chair of the City Planning Commission.

On a voice vote the vote was as follows with the Planning Manager declaring the vote carried. Vote 7-0.

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

Nays: 0

Absent: 1 - Elizabeth Sauve

Moved by Councilmember Disch, seconded by Commissioner Lee, to nominate and elect the following Planning Commission members

to the following Officer positions:

To nominate and elect Commissioner Abrons as Vice Chair of the City Planning Commission.

To nominate and elect Commissioner Wyche as Secretary of the City Planning Commission.

On a voice vote the vote was as follows with the Vice Chair declaring the motion carried. Vote 7-0.

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

Nays: 0

Absent: 1 - Elizabeth Sauve

10-b. [23-1220](#) Revised 2023 City Planning Commission Meeting Calendar

Attachments: 2023 CPC Meeting Schedule-rev 7-18-23.pdf

Planning Manager Brett Lenart presented the proposed changes to the 2023 Planning Commission Bylaws.

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 Wyche, seconded by Commissioner Mills that

The Planning Commission move that the following changes refer to the City Attorney for review, the proposed amendment included in the draft bylaws presented at this meeting with the following modifications.

- The investigation of alternative ethics, conflicts of interest and recusal language as discussed and directed
- The modification of section 5.2 one from him or herself to themselves.
- The removal of the proposed change to section 8.3 the time for a developer petition at the discretion of the chair
- Modification of all votes from 6 to 5, where, appropriate by law.

On a voice vote, the vote was as follows with Vice Chair Abrons declaring the motion carried. Vote 7-0.

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

Nays: 0

Absent: 1 - Elizabeth Sauve

Councilmember Disch to continue to serve on the Environmental Committee.

Commissioner Lee expressed interest in continuing to serve on the Transportation Committee.

Commissioner Lee expressed interest in serving on the Executive Committee.

Commissioner Clarke has applied for the Zoning Board of Appeals.

Moved by Commissioner Wyche, seconded by Commissioner Mills, that the Commission appointments reflected on the attachment and as modified during discussion be approved.

On a voice vote Vice Chair Abrons declared the motion carried.

Vote 7-0.

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

Nays: 0

Absent: 1 - Elizabeth Sauve

The Commission will vote on a meeting change for our working session in August, from Wednesday, August 6, to the regular meeting day of Tuesday, August 8.

On a voice vote, the proposed calendar changed passed unanimously without objection

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

Seeing no speakers, Vice Chair Abrons closed the Public Comment.

12. COMMISSION PROPOSED BUSINESS

None.

13. ADJOURNMENT

Moved by Commissioner Wyche, seconded by Commissioner Lee to adjourn the meeting at 8:55 pm. On a voice vote the Vice Chair declared the motion carried unanimously.

Ellie Abrons, Vice Chair

/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.

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.

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.

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.