

Ann Arbor City Council Regular Session: September 16, 2019
Email Redactions List Pursuant to Council Resolution R-09-386

	A	B	C	D	E	F	G
1	<u>Sent Time</u>	<u>Received Time</u>	<u>TO</u>	<u>From</u>	<u>CC</u>	<u>Redactions</u>	<u>Reason for Redaction</u>
2	8:30 PM		Jacqueline Beaudry	Chip Smith			
3	8:48 PM		City Council	Jacqueline Beaudry	Howard Lazarus, Stephen Postema, Kevin McDonald		
4	9:22 PM		Jacqueline Beaudry, City Council	Jane Lumm	Kevin McDonald, Howard Lazarus		
5	9:43 PM		Jacqueline Beaudry	Jeff Hayner	City Council		
6	10:09 PM		Jane Lumm	Chip Smith			
7	10:10 PM		City Council	Jane Lumm			
8	10:11 PM		Chip Smith	Jane Lumm			
9	10:14 PM		City Council	Jacqueline Beaudry	Howard Lazarus		
10	10:42 PM		Jacqueline Beaudry	Jeff Hayner			
11	10:44 PM		Jacqueline Beaudry	Jane Lumm	City Council, Kevin McDonald		
12	10:45 PM		Jeff Hayner	Jacqueline Beaudry			
13	10:46 PM		Jane Lumm	Jacqueline Beaudry	City Council, Kevin McDonald		
14	10:48 PM		Jacqueline Beaudry	Jane Lumm	City Council, Kevin McDonald		
15	10:50 PM		Jacqueline Beaudry	Jeff Hayner			
16	11:12 PM		Jeff Hayner	Jacqueline Beaudry	Jack Eaton, Anne Bannister		

From: Smith, Chip
Sent: Monday, September 16, 2019 8:30 PM
To: Beaudry, Jacqueline
Cc: McDonald, Kevin; Postema, Stephen; Larcom, Kristen
Subject: Amendment to C-2

Please circulate to the rest of council when we get to C-2

As requested, here is proposed language to amend Section 5.16.3:

d. Number of State Marijuana Licenses per Lot

TABLE 5.16 – 1: STATE MARIJUANA LICENSES PER LOT	
ZONING DISTRICT	MAXIMUM NUMBER [A]
M1, M1A, M2	5
RE, ORL	2
All Other Districts	1

Notes:

[A] A Medical Marijuana Provisioning Center and Marijuana Retailer under common ownership and operating at the same location shall be considered as one State Marijuana License, and a Marijuana Retailer and a Designated Marijuana Consumption Facility under common ownership and operating at the same location shall also be considered as one State License.

e. No more than one type of the following uses shall be located on a Lot: Marijuana Grower, Marijuana Processor, Marijuana-Infused Product Processor, Marijuana Secure Transporter, Medical Marijuana Provisioning Center, Marijuana Retailer, Designated Marijuana Consumption Facility, Marijuana Microbusiness, Marijuana Safety Compliance Facility, except for a Medical Marijuana Provisioning Center and ~~Medical Marijuana Retailer under common ownership,~~ a Marijuana Retailer and Designated Marijuana Consumption Facility under common ownership in the D1 or D2 districts.

Kevin S. McDonald | Deputy City Attorney

City of Ann Arbor | 301 E. Huron Street, PO Box 8647 | Ann Arbor, Michigan 48107

734.794.6183 Direct | 734.794.6170 Office | 734.994.4954 Fax | kmcdonald@a2gov.org

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Journal Archive

From: Beaudry, Jacqueline
Sent: Monday, September 16, 2019 8:48 PM
To: *City Council Members (All)
Cc: Lazarus, Howard; Postema, Stephen; McDonald, Kevin
Subject: FW: The Glen - PUD Rezoning - Agenda Item B-2
Attachments: Glen PUD Modifications Memo 9-16-19.pdf; PUD Supplemental Regulations Request 9-16-19.pdf

Jacqueline Beaudry, City Clerk

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734.794.6140 (O) · 734.994.8296 (F) | Internal Extension 41401
jbeaudry@a2gov.org | www.a2gov.org



Think Green! Please don't print this e-mail unless absolutely necessary.

From: Lenart, Brett <BLenart@a2gov.org>
Sent: Monday, September 16, 2019 6:35 PM
To: CityCouncil <CityCouncil@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>
Cc: Beaudry, Jacqueline <JBeaudry@a2gov.org>; Fournier, John <JFournier@a2gov.org>
Subject: The Glen - PUD Rezoning - Agenda Item B-2

Hello Mayor, Councilmembers, and Administrator-

Attached is a memo and revised supplemental regulations associated with the Glen PUD, which will be considered at 2nd reading this evening. The petitioner has requested to minor changes (1) striking reference to a penthouse, and (2) increasing the maximum FAR by 10% to accommodate building program changes through final design, both of which I am comfortable with and have been reflected in the attached revised supplemental regulations.

If City Council is interested in considering these changes, I recommend adoption with these revised supplemental regulations, and conversion of this evening's hearing to first reading. This will enable the project to be re-noticed with the updated minor amendments prior to any final consideration.

I will be happy to address any corresponding questions this evening.

Sincerely,

Brett Lenart, AICP | Planning Manager
City of Ann Arbor Planning Services
301 E. Huron Street, P.O. Box 8647
Ann Arbor, MI 48107-8647

blenart@a2gov.org | Direct (734) 794-6000 #42606 | General (734) 794-6265 | www.a2gov.org



City of Ann Arbor Planning Services

Memorandum

TO: Mayor and City Council

FROM: Brett Lenart, Planning Manager

RE: **The Glen – PUD Zoning Modifications – Requested Revised Supplemental Regulations**

DATE: September 16, 2019

Proposed modifications for the PUD Zoning designation for 201-217 Glen Avenue and 1025 E. Ann Street are scheduled for second and final reading at this evening's City Council meeting (Agenda Item B-2).

On Sunday, the petitioner requested a few minor changes to the proposed Supplemental Regulations that accompany the proposed Ordinance. The changes are:

- Removal of a reference to a penthouse, as the project no longer proposes one as part of the construction.
- An increase in the maximum Floor Area Ratio from 568% to 578%.

These changes have no impact on height, setbacks, or number of stories of the proposed building.

While the proposed changes are minor, based on the content of the regulations, it is recommended that evaluation of these changes be considered by:

- Substituting the attached amended supplemental regulations.
- Conversion of tonight's action to first reading.
- Re-notification of the zoning amendment for a new second reading at the earliest available Council Meeting.

Please let me know if I can provide any additional information.

CC: Howard S. Lazarus, City Administrator
Jacqueline Beaudry, City Clerk
File

CATHERINE DEVELOPMENT COMPANY LLC
6960 ORCHARD LAKE ROAD, SUITE 300-A
WEST BLOOMFIELD, MI 48322

Via email

Mr. Brett Lenart
Planning Manager
City of Ann Arbor Planning Services
301 E. Huron Street, P.O. Box 8647
Ann Arbor, MI 48107-8647

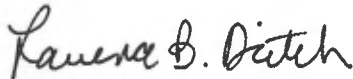
Re: The Glen Mixed Use Development

Dear Mr. Lenart:

I am writing to request that City Council consider amending the FAR maximum restriction from 568% to 578% in order to allow for minor variations between the calculations set forth in the submitted plan and the final construction drawings. In making that request, please note that the original PUD had an approved FAR maximum of 593%, which we would certainly be happy to go back to.

We would hope that City Council will favorably consider this requested change to be de-minimus (particularly in view of its 2018 approval) and thus allow the matter to be voted upon tonight. That said, we will, of course, follow whatever procedures City Council would require us to follow.

Very truly yours,



Laurence B. Deitch

LBD/ct

c: Craig Singer
Jill Thacher

Journal Archive

From: Lumm, Jane
Sent: Monday, September 16, 2019 9:22 PM
To: Beaudry, Jacqueline; CityCouncil
Cc: McDonald, Kevin; Lazarus, Howard
Subject: C-1 and C-2 motion

I intend to move to table agenda items C-1 and C-2 and direct city staff to draft for council consideration at the October 7th meeting an ordinance for a temporary opt-out of the MRTMA for the purpose of providing sufficient time to obtain community input and to revise and implement the related ordinances.

Journal Archive

From: Hayner, Jeff
Sent: Monday, September 16, 2019 9:43 PM
To: Beaudry, Jacqueline
Cc: CityCouncil
Subject: proposed amendment to C-1

I will be proposing this amendment to C-1:

7:604. - City permit required, number of permits available.

(1) No person shall operate a facility for which an annual permit as provided for in this chapter has not been issued. The maximum number of permits available for each type of facility is as follows:

- (a) Grower permits — 36 permits
- (b) Processor permits — 36 permits
- (c) Secure transporter permits — 36 permits
- (d) Provisioning centerProvisioning Center/Retailer — 36 permits
- (e) Safety compliance facility permits — 36 permits
- (f) Marijuana microbusiness permits — 36 permits
- (g) Designated consumption establishment permits -36 permits

Journal Archive

From: Smith, Chip
Sent: Monday, September 16, 2019 10:09 PM
To: Lumm, Jane
Subject: special exception section
Attachments: RevisedMarijuanaZoningOrdinanceCouncil.pdf

7. Special Exception Use Regulations for Medical Marijuana Facilities a. In addition to the requirements in Section 5.29.5, the following information shall be provided to the Planning Commission for consideration of an application for Special Exception use. Additional information may be requested by staff or the Planning Commission.

(Page 20 of the attacheched amendments that are on legistar)

Chip Smith
Ann Arbor City Council - Ward 5
734-709-2022

Emails sent and received by me as a Council member regarding Ann Arbor City matters are generally subject to disclosure under the Freedom of Information Act (FOIA).

Journal Archive

From: Lumm, Jane
Sent: Monday, September 16, 2019 10:10 PM
To: CityCouncil
Subject: FW: Meeting Facilitation

From: Lumm, Jane
Sent: Wednesday, August 28, 2019 1:18 PM
To: Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; *City Council Members (All) <CityCouncilMembersAll@a2gov.org>
Cc: Beaudry, Jacqueline <JBeaudry@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>
Subject: RE: Meeting Facilitation

Christopher, thank you.

I don't have a problem w/the way things are running, and actually think you run a pretty good meeting. So, don't see this as a big deal either way.

In terms of including staff/CM Q/A in the proposed limitation, I do not think this is a positive. I do think it's incumbent on us all to submit agenda Q's in advance, but experience has shown that for some issues (not the consent agenda item garden variety), having staff there to field questions publicly is value add. Also, sometimes staff responses to Q's generate more Q's, and having this feedback contributes to better deliberations, decision-making, and is a good transparent way to do the public's business, in my view. So, while I would encourage us all to do our level best to submit questions as required by our rules, I would also continue to provide this important oppty. to raise questions at a meeting. We've always permitted this, and I think this would be a step backward to cut out this oppty. for Q/A at the mtg. by factoring this time into the 3 min., 2 x's rule.

In terms of the 3 min./2x rule, I think it's a good rule. Crosstalk has gotten a bit out of control (this really never used to occur), and I think if any changes are to be instituted, this needs to be reigned in. Also, some CM's have taken to speaking to agenda items as part of Council Communications. We shouldn't "cheat" the rules and utilize that time for speaking to items on the agenda. Agenda item comments should fall under the 3 min./2 x's rule when the agenda item is before us.

My two cents, and thanks for asking, Jane

From: Taylor, Christopher (Mayor) <CTaylor@a2gov.org>
Sent: Wednesday, August 28, 2019 12:12 PM
To: *City Council Members (All) <CityCouncilMembersAll@a2gov.org>
Cc: Beaudry, Jacqueline <JBeaudry@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>
Subject: Meeting Facilitation

All,

Over the past many months (most recently yesterday at Rules Committee) several of you have come to me regarding meeting length. You have observed that our meetings go longer than is proper for efficient decision making and public engagement. There are several reasons for this.

In some instances we have extensive or multiple public hearings and of course we would not alter that.

In other instances, we are the cause, by our choices to speak multiple times, on multiple issues, often at length. Sometimes speaking turns are used to elicit questions from Staff, sometimes they are to comment on the matter at hand, sometimes both. Often these speaking turns are at odds with the 2x/3min rule, a rule that I have never truly enforced.

My goal is to run a meeting that satisfies the group and effects the public good. In so far as several of you have come to me with your report that meetings conducted in the present fashion are not optimally constructive, I propose to effect the one change that I believe to be within my purview as facilitator.

Starting at our second meeting in September (to give some soak time and to provide notice to those who prepare remarks), I look to hew to the 3min/2x rule. At meetings, I intend to work with Clerk Beaudry to run the podium clock during Council deliberation. When the light goes to Red (we'll turn off the beep), I will interject gently and ask the CM to wrap up their remarks.

The rule as drafted does not observe a distinction between CM statements and CM/Staff question/answer and so I look to include CM/Staff discourse within the 3min speaking time allotment. In the past, when agenda items were advanced later in the process, without ample time for questions, a 'free questions' practice made sense; now that we have plenty of notice and opportunity for exploration, the rationale for the distinction is lessened.

There will naturally be some play in the joints as this change is put into practice. If, for example, there is natural crosstalk during a discussion, I will not count that as a speaking time. Other habits and norms will develop. We'll see how it goes.

Enough of you have expressed your dissatisfaction to me regarding current meetings to instigate this proposal. If enough of you express their your concern to me regarding this contemplated change, either up front or after a few meetings experience, I'll happily revert/retain current practice. I am not driving this bus; your collective feedback will determine how we move forward together.

Let me know what you think.

Christopher

Christopher Taylor
Mayor of the City of Ann Arbor
301 East Huron Street
Ann Arbor, Michigan 48104
734-794-6161
he/him/his

Journal Archive

From: Lumm, Jane
Sent: Monday, September 16, 2019 10:11 PM
To: Smith, Chip
Subject: RE: special exception section

Thank you, Chip!

From: Smith, Chip <ChSmith@a2gov.org>
Sent: Monday, September 16, 2019 10:09 PM
To: Lumm, Jane <JLumm@a2gov.org>
Subject: special exception section

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734-709-2022

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Journal Archive

From: Beaudry, Jacqueline
Sent: Monday, September 16, 2019 10:14 PM
To: *City Council Members (All)
Cc: Lazarus, Howard
Subject: FW: Amendment to C-2

Jacqueline Beaudry, City Clerk

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From: Smith, Chip <ChSmith@a2gov.org>
Sent: Monday, September 16, 2019 8:30 PM
To: Beaudry, Jacqueline <JBeaudry@a2gov.org>
Cc: McDonald, Kevin <KMcdonald@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; Larcom, Kristen <KLarcom@a2gov.org>
Subject: Amendment to C-2

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d. Number of State Marijuana Licenses per Lot

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Journal Archive

From: Hayner, Jeff
Sent: Monday, September 16, 2019 10:42 PM
To: Beaudry, Jacqueline
Subject: DC-3 request to co-sponsor

Dear Ms. Beaudry,

Please add my name as a co-sponsor of DC-3 as I am an avid supporter of our historic districts.

Thank you,

Jeff Hayner
Ward 1 City Council

Journal Archive

From: Lumm, Jane
Sent: Monday, September 16, 2019 10:44 PM
To: Beaudry, Jacqueline
Cc: CityCouncil; McDonald, Kevin
Subject: Request for modified/amended C-1 and C-2

Ms. Beaudry,
Whatever can be done to turn around and produce the ordinances as amended, would be greatly appreciated.

Thank you, Jane

Sent from my iPhone

Journal Archive

From: Beaudry, Jacqueline
Sent: Monday, September 16, 2019 10:45 PM
To: Hayner, Jeff
Subject: RE: DC-3 request to co-sponsor

Sure will!

Jacqueline Beaudry, City Clerk

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Jeff Hayner
Ward 1 City Council

Journal Archive

From: Beaudry, Jacqueline
Sent: Monday, September 16, 2019 10:46 PM
To: Lumm, Jane
Cc: CityCouncil; McDonald, Kevin
Subject: RE: Request for modified/amended C-1 and C-2

Yes, we will get the As Amended versions ready tomorrow.

Jacqueline Beaudry, City Clerk
Ann Arbor City Clerk's Office | Guy C. Larcom City Hall |301 E. Huron, 2nd Floor · Ann Arbor · MI ·
48104
734.794.6140 (O) · 734.994.8296 (F) | Internal Extension 41401 jbeaudry@a2gov.org |
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-----Original Message-----

From: Lumm, Jane <JLumm@a2gov.org>
Sent: Monday, September 16, 2019 10:44 PM
To: Beaudry, Jacqueline <JBeaudry@a2gov.org>
Cc: CityCouncil <CityCouncil@a2gov.org>; McDonald, Kevin <KMcDonald@a2gov.org>
Subject: Request for modified/amended C-1 and C-2

Ms. Beaudry,
Whatever can be done to turn around and produce the ordinances as amended, would be greatly appreciated.

Thank you, Jane

Sent from my iPhone

Journal Archive

From: Lumm, Jane
Sent: Monday, September 16, 2019 10:48 PM
To: Beaudry, Jacqueline
Cc: CityCouncil; McDonald, Kevin
Subject: Re: Request for modified/amended C-1 and C-2

Thank you very much! Jane

Sent from my iPhone

> On Sep 16, 2019, at 10:45 PM, Beaudry, Jacqueline <JBeaudry@a2gov.org> wrote:

>

> Yes, we will get the As Amended versions ready tomorrow.

>

> Jacqueline Beaudry, City Clerk

> Ann Arbor City Clerk's Office | Guy C. Larcom City Hall |301 E. Huron,

> 2nd Floor · Ann Arbor · MI · 48104

> 734.794.6140 (O) · 734.994.8296 (F) | Internal Extension 41401

> jbeaudry@a2gov.org | www.a2gov.org □ Think Green! Please don't print

> this e-mail unless absolutely necessary.

>

> -----Original Message-----

> From: Lumm, Jane <JLumm@a2gov.org>

> Sent: Monday, September 16, 2019 10:44 PM

> To: Beaudry, Jacqueline <JBeaudry@a2gov.org>

> Cc: CityCouncil <CityCouncil@a2gov.org>; McDonald, Kevin

> <KMcDonald@a2gov.org>

> Subject: Request for modified/amended C-1 and C-2

>

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>

> Thank you, Jane

>

> Sent from my iPhone

Journal Archive

From: Hayner, Jeff
Sent: Monday, September 16, 2019 10:50 PM
To: Beaudry, Jacqueline
Subject: FOIA 2147

Dear Ms. Beaudry,

Can you please let me know how many days I have to decide if I will pay for FOIA 2147 before the request expires?

Thank you,

Jeff Hayner
Ward 1 City Council

Journal Archive

From: Beaudry, Jacqueline
Sent: Monday, September 16, 2019 11:12 PM
To: Hayner, Jeff
Subject: RE: FOIA 2147

I extended the due date to October 8, since the item spent six weeks postponed in Council.

Jacqueline Beaudry, City Clerk

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From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Monday, September 16, 2019 10:50 PM
To: Beaudry, Jacqueline <JBeaudry@a2gov.org>
Subject: FOIA 2147

Dear Ms. Beaudry,

Can you please let me know how many days I have to decide if I will pay for FOIA 2147 before the request expires?

Thank you,

Jeff Hayner
Ward 1 City Council

Journal Archive

From: Hayner, Jeff
Sent: Monday, September 16, 2019 11:34 PM
To: Lazarus, Howard
Cc: Eaton, Jack; Bannister, Anne
Subject: DC-11

Dear Mr. Lazarus,

Would you be so kind as to see that this resolution be published to the community at large using our typical channels? Thank you for your consideration,

Sincerely,

Jeff Hayner
Ward 1 City Council