



City of Ann Arbor

Formal Minutes

Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
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Tuesday, August 21, 2018

7:00 PM

Larcom City Hall, 301 E Huron St, Second
floor, City Council Chambers

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1 CALL TO ORDER

Chairperson Alex Milshteyn called the meeting to order at 7:04 p.m.

2 ROLL CALL

Planning Manager, Brett Lenart, called the roll.

Present 8 - Woods, Briggs, Mills, Milshteyn, Gibb-Randall,
Weatherbee, Ackerman, and Sauve

Absent 1 - Trudeau

3 APPROVAL OF AGENDA

Moved by Ackerman, seconded by Mills, that the Agenda be Approved as presented. On a voice vote. The Chair declared the motion unanimously carried.

4 INTRODUCTIONS

None

5 MINUTES OF PREVIOUS MEETING

6 REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING MANAGER, PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS

6-a City Council

Councilmember Zack Ackerman explained there was nothing new to report, since City Council had not met since the previous Planning Commission meeting.

6-b Planning Manager

No report. Lenart updated the public on the two available ways to sign-in when speaking at an Audience Participation and Public Hearings.

6-c Planning Commission Officers and Committees

6-d Written Communications and Petitions

18-1448 Various Correspondences to the City Planning Commission
Received and Filed

7 AUDIENCE PARTICIPATION (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.)

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

18-1447 Public Hearings Scheduled for the November 5, September 5, 2018
Planning Commission Meeting
Planning Manager Brett Lenart reviewed the public hearing notice as published.

9 UNFINISHED BUSINESS

9-a 18-1443 Rainbow Child Care Center (2600 Nixon Road) Special Exception Use for

City Planning Commission Approval and Site Plan for City Council Approval - A proposal to demolish the existing church building and construct a 10,782 square foot childcare building with 38 vehicular parking spaces. A Special Exception Use is also required for a childcare center in a residential zone. 1.99-acre parcel zoned R1C (Single-Family Dwelling). Staff Recommendation: Approval

City Planner Matt Kowalski provided the staff report, reviewing revisions to the plan since the agenda item came before the Commission previously.

PUBLIC HEARING:

Joan Lowenstein, Representing the Petitioner, stated that nothing has changed since the Planning Commission granted Special Exception Use last October. Lowenstein said this is an appropriate site for daycare; Ann Arbor needs more daycare options, especially for infants, since there are many young families moving into the neighborhood. She noted there is no adverse impact or changes in impact; the previous occupants, a church on this site, operated a daycare, held church services, and events. She said there will be minimal traffic impacts, as seen in the traffic reports; unlike school rush-hour traffic, daycare traffic dribbles in and dribbles out, with much of the drop-off traffic before school begins at Clague and most of the pick-up traffic is after school is out. Lowenstein explained that for 45 years there has been an easement agreement between the church and the schools regarding the eastern driveway. She said, in 2007 a second easement described as a permanent easement that runs with the land, was established for the western driveway for traffic going in and out from Nixon Road; this easement incorporated the eastern driveway easement. Lowenstein continued, the petitioner purchased the property more than a year ago, submitted the site plan, notified nearby neighbors, including the schools, and the site plan proceeded without objection. She said one year ago, she wrote to the schools asking for permission to bore under Clague Street for utilities. Lowenstein said she did not hear anything from the schools until January which was the first they knew that the schools objected to their reliance on a 45-year old easement that the church had used continuously all those years; in fact, everyone had used Clague Street, because there is no gate arm at Bluett and Nixon, and most people probably think it's a public street. She said at the February City Council meeting the schools spoke at the public hearing, and were unfortunately untruthful in their comments. Lowenstein explained that they offered to pay for the use of the easement, an easement they already believed they purchased and had access to; but instead they were turned down by the schools and were informed if the

daycare building would be in flames, they would not even allow emergency vehicles use that easement, an easement that is owned by a public entity and funded by your and my taxes. She said the daycare people would be the only people banned from using Clague Street, except for the narrow area near Nixon Road. Lowenstein said the petitioner has accommodated this request and it doesn't change the minimal traffic impact, and there is no legal or logical reason to change this Planning Commission's decision to grant Special Exception Use and approve the site plan. In closing she noted their team was present should the Commission have any questions.

Christine Stead, President of the Ann Arbor Public Schools Board of Education, 2433 Blueberry Lane, Ann Arbor, said she came to speak about traffic concerns the schools have received about having a daycare center that will be open. She said the current use is a church so most of their traffic is during the week-end and hardly ever conflicts with the traffic coming in and out of Clague Middle School property. Stead said we have other families that live in this area and can speak to the already busy situation in the area and adding 130 children is going to make this much worse. She said being a mother of two children that were in daycare she knows that there are times when dropping off and picking up your daycare children, at the same time as Clague Middle School, either conflict or compliment, one another; these are common sense things. Stead said, Ms. Lowenstein articulated it well, 'nothing has changed here', the same concerns we had, we still have. She said it may meet zoning but the level of activity will be very different. Stead said a common sense approach to this, moving forward, you should anticipate a direct conflict with that kind of traffic. She said her biggest concern is the safety of our children and families getting in and out of that facility in a safe manner, and she believes the Commission shares that same overall concern with the community they serve. Stead stated, hopefully we can work together to come up with something that protects the people that live there, protect our children primarily.

Bo Bunnell, 2314 Georgetown Boulevard, Ann Arbor, spoke about his concern with the safety of children, along the Nixon corridor, noting he now has two students who walk to Clague Middle School. He said staff recommends approval of the Special Exception Use because it will not have a detrimental affect on public health, safety, or welfare, nor would it unduly conflict with the normal traffic pattern of the neighborhood. He said he hopes that Special Exception Uses would have a higher bar when co-located with a school facility. He said there are traffic jams at our schools, high density cars interacting with neighborhood kids walking to

school, that they seek to alleviate, not intensify – its common sense. Bunnell asked, Do any of you have children? Put yourselves in our shoes. How can adding a daycare center for 130 children do anything but worsen traffic? This is not of a similar activity to the church, how can this conclusion be reached? Please use common sense! Bunnell said this is the first time I've read a staff report, but it struck me that we have our priorities misaligned, there is no mention of our children walking to school. He said the staff report spends more time addressing which trees would be preserved than preserving the safety of our children that walk to this neighborhood school, then we've lost our perspective on what is most important in development decisions. Bunnell said, please use common sense, please reject this proposal, there are much better places in northeast Ann Arbor for Rainbow Childcare to be built, than along the Nixon Road corridor.

Jeanice Swift, Superintendent of Schools, 201 South First Street, Ann Arbor, spoke on behalf of the safety of the students at Clague Middle School, Thurston Elementary School neighborhoods, and the Ann Arbor Public Schools. Swift stated, as you are aware this site is immediately adjacent to Clague Middle School with 675 students enrolled at Clague, and is in close proximity to Logan Elementary School with an additional 350 students, making this area highly congested with traffic and pedestrian activity; as my staff know, this has been a hotspot in the district, where we have been trying to improve student pedestrian, bike safety. Swift said the previous use of this site as a church was an acceptable use, and did not conflict with school days or hours, the agreement we have had has been acceptable; unfortunately a continued arrangement with increases, specific to morning and afternoon drop-off and pick-up is very concerning to us around student safety. Swift said the school's top priority is safety, even before teaching and learning, and we continue to be concerned about the safety issues associated with any increase in the volume of traffic we anticipate will be associated with this facility. Swift said due to previous tragic events resulting in injury and death due to traffic in Ann Arbor around our campuses, we hold a critical concern that extends far beyond the work that you have to do with plats and maps, and those kind of important details; our consideration is that we speak from recent tragic experience and are even more deeply committed to our efforts to hold student and pedestrian safety as our top priority, and as a result we will champion the cause of student safety. Swift said, we have directed our attorneys to take any and all actions necessary to enjoin in prohibit increases in burdening of the easement.

Margaret Baker, 3271 Bolgos Circle, Ann Arbor, President of the Clague

Middle School Parent Teacher Student Organization, said, once again I feel that the City Planning Commission is pushing this forward when there are very few people in town. She said she learned about this project just before Christmas and it was very difficult to let everyone know what was happening, and the neighborhood was very concerned. She said she learned that this project was coming up again, and very quickly they mobilized all their people. Baker said it frustrates me that you want to work with a childcare center that seems to have little regard for the people and families that are already living in this area. She continued, there is no way this center is of a similar activity to the church, and the proposed use is not at all in character with the existing neighborhood. Baker said per the transportation trip estimation there will be an additional 90 cars every morning between 7 and 9 AM, in addition to the overwhelming traffic that is already there. She said the petitioner has indicated that Clague Street should act as a 'stacking area' for traffic entering Nixon Road, which is ludicrous, because this is already a hazardous stacking area. Baker said this little corner is not the place for a childcare center, adding, she agrees we need childcare in Ann Arbor, and we are very happy that people are moving to Ann Arbor but this little corner is not the place for a corporate structure. She said should this center go through, and shame on all of you if it does, may this letter serve as Exhibit A, in a lawsuit that will certainly ensue when a child is hit, or worse, as a result of this ill advised center – you were duly warned.

Praveena Ramosnuri, 2831 Renfrew Street, Ann Arbor, stated she has a child who went to Clague, and a child who will be using Clague to get to Huron Highschool. She said my daughter has had difficulty crossing Bluett Street to Clague, which I hear the school gets this complaint constantly with the increase in traffic from Bluett and then all the developments coming on Nixon, there is a double increase in traffic. She said, additionally, if you come to the school during drop-off or pick-up time, you will see a back-up all the way down Bluett and Nixon, and it is almost a standstill for minutes. She said if a student can't cross a neighborhood street now, I can't imagine having an additional 90,130, plus staff added to this location, until the issue of traffic is addressed in this area, we should hold back and think a little further about the safety of our children getting to school every morning. She said our neighborhood is turning over and we are getting a lot more children to Clague, Logan, and Thurston schools which have become very popular, so we're seeing more and more children, which is wonderful, but we also need to prepare for safety for our children to be able to cross the street.

Linda Riley, 2512 Traver Boulevard, Ann Arbor, said she's lived in this

area for 28 years she is seeing a lot of traffic increase. She said we've seen a lot of traffic increase through school of choice, and with Logan and Clague Schools we have students crossing Nixon Road; we have one crossing guard, whom I feel for, because it is a difficult job. Riley said we have Gretchen's House on Traver Boulevard, which is already getting a lot of business, and a lot of new construction coming from the north of Nixon Road. She said we also have Ann Arbor Area Transportation Authority (AAATA) buses, which have difficulty navigating at times. Riley said as a retired educator, I usually look forward to school starting, but I don't look forward to this congestion; and I do have concern for the young people in our community. She said she feels it's like a city has been dropped on northeast Ann Arbor, and we're really not prepared to handle all of the traffic that we are seeing in this particular corridor.

Jack Cederquist, 2145 Ardenne Drive, President of Orchard Hills, Maplewood Homeowners Association, I believe additional uses like this should look to the residents who live around the proposed use and see how they feel about the change in their backyards. So far we haven't had anyone, living in the area, speaking in favor of this, and that's because we already know we have a traffic problem on Nixon and Bluett. He said he's heard that the school is currently looking at how to improve Clague Drive, which we know is a mess, with people parking illegal on Bluett trying to pick-up and drop-off their kids. For sure, what's going to happen is it will be difficult for them to make a left turn into town, because there is a constant stream of traffic on Nixon Road.

Mark Sabor, 2666 Shefman Terrace, Ann Arbor, said the traffic here is already horrendous, one of the things you have to consider as part of the safety discussion is that it is dark, pitch black for many months. He reiterated the traffic circulation is going to be a nightmare; when people are running in the morning, they're going to make crazy choices and the gate isn't going to solve the problem. Sabor suggested two options to solve the issue: move a traffic circle to Clague Drive or turn the road into a boulevard.

Liz Margolis, 1389 King George Boulevard, Ann Arbor, Director of Public Safety for Ann Arbor Schools, said as proposed, the use of the childcare center relies on access to Clague Drive and drop-off and pick-up times will directly collide with school traffic and busses; the easement that was granted to the church was never conceived for a use such as this. She said as student enrollment numbers increase, the schools are seeing pressure points at Clague and Logan schools to the point that they are changing drop-off and pick-up times for students, and this additional

childcare center will increase those pressures which is a safety concern. She said the current number of pedestrians at this location requires us to place a crossing guard; this is the only middle school with such a guard. She said she has witnessed traffic not stopping for the crossing guard, so for the safety of our students I ask this motion be reconsidered.

Clark Charnetski, 2646 Traver Boulevard, Ann Arbor, said I've lived directly across from the proposed childcare center and Clague school for over 40 years, as long as the church and school have been there and I believe the childcare center use fits in better with the neighborhood; we have Clague and Logan schools, Gretchen's House Childcare Center, and this childcare center would be very compatible with the neighborhood, since we have been told there is a need for more childcare in Ann Arbor. Charnetski said it is important to keep in mind that the Clague School traffic is only for 10-15 minutes in the morning and afternoon at each peak time otherwise there is very little traffic going into or coming out of the school. He said parents learn very quickly not to go there when the school busses are there. He said the proposed structure itself is much more attractive than the current building and brick wall I look at now, so it would be an improvement in the character from Nixon Road. Charnetski said I agree with staff in the conclusion that another curb cut off of Nixon is not preferable. He said the way it is laid out now there is a sidewalk that children can walk along Nixon Road to where there is a crossing guard that will help them across Nixon Road, so they don't have to cross Clague Drive. He said this daycare center would be conveniently accessible on two bus routes, Routes 22 and 23, so parents using the center would not have to be reliant on an automobile. Charnetski said we need to ask what else might this property be used for and what kind of traffic might be expected or is the school willing to buy the property so they don't have to worry about it at all. He said, I've lived here long enough and since retirement I've had plenty of time to watch the traffic go in and out and I believe this use is very compatible. In closing he said he had no connection with the developer or the schools.

Bob McGill Jr., 455 East Eisenhower, Ann Arbor, said I am an Attorney representing two neighbors, the Visintainers, living at 2813 Renfrew, Ann Arbor, and I have provided a memorandum to your staff (included in communication to the Commission). He said, my clients are not objecting to the childcare center activity, but only at this location, because of the issue of safety. McGill said the Planning Commission staff reports use a lot of traffic simulation and data, but no eyewitness testimony, while you are hearing the eye witness testimony here today from us. He said Exhibit 9 to my memorandum shows the exact problems with children

crossing the road, while software and simulation are not sufficient evidence for consideration. McGill said the proposed project will be detrimental to the peaceful enjoyment of the neighborhood. He requested the Commission review his memo, noting that the traffic report estimates an additional 500 trips that will not be good for traffic or safety.

Kathy Griswold, 3565 Fox Hunt Drive, Ann Arbor, stated, I was recently elected to Council, and while campaigning it gave me an excellent opportunity to talk to thousands of people. She said one of the themes she heard over and over again asked was, 'What happened to government for the people, since we don't seem to have government for the people'. Griswold said, for background, I was a transportation safety consultant for the Public School District in 2001 and am intimately familiar with every school and walk zone in the Ann Arbor Public Schools, and the very worst place to put a corporate daycare center is the location you see here. She said, we have problems in Ann Arbor with our crosswalks not being uniform, crosswalks missing signage, crosswalks without markings, and I could go on and on; we have a crisis right now concerning pedestrian safety and we have had a crisis concerning student safety that lead to a fatality, and I think it is imperative that this Commission listens to the public and looks at the bigger picture at what is happening in our community. Griswold said we want government for the people, we deserve government for the people, and we are not getting it today.

Kathy Stroud, 2271 Placid Way, Ann Arbor, said this is my neighborhood. She referred the Commission to the staff report, saying the statement, 'The proposed use has adequate access to Nixon Road' is not accurate. Stroud said there are proposals to put 5 more round-a-bouts on Nixon Road, in addition to the 2 existing round-a-bouts. She said the thinking is not consistent, the purpose of a round-a-bout is to keep traffic moving – we do not want to keep traffic moving, in front of Clague School, Thurston School, or this proposed daycare center; this is a residential area. She said this is the first business within a mile's stretch on Nixon Road. Stroud asked, how can staff recommend 5 round-a-bouts but then require a gate so fire-trucks can turn around? She proposed the Commission amend the conditions to allow a maximum of 70 children, instead of 130, because that is how many children are at Gretchen's daycare center across the street.

Theresa Visintainer, 2813 Renfrew, Ann Arbor, stated I've been in the area for 29 years, and it's just been in the past few years this added congestion, and I'm very concerned about the middle school kids and the

impact on safety. She noted that she had provided the Commission with a photo she had taken in January of people turning off Nixon, and went into the oncoming lane and proceeded to turn into the oncoming lane. She said, I attended the Planning Commission meeting last year, and I know more now, that's why I'm speaking tonight She said in December, my neighbor James Moon and I attending the City Council Meeting. She said they believed the Commission lacked sufficient information at the time and they would now like the Commission to address the issues brought to them this evening. Visintainer said, the developer may get up and say 90% of the children come from within 2 miles and there would be staggered drop-off times, but the peak time will be nearly coinciding with Clague, which is 8:00. She said just because it happens in a 10-minute time, doesn't mean the risk for injury is reduced. She said an alternative use for this site that she would prefer would be an organic garden or greenhouse for the middle school children.

Laura Haniford, 3306 Alton Court, stated, I'm speaking to clarify some information, I am the main office secretary at Clague School and I see the students are dropped off from 7:00 until 8:30 or 8:45 am and in the afternoon, parents start lining up from 2:20 to 2:30 getting ready to pick up their kids until 3:15-3:30 pm and then there are after school clubs and sports that continue after the 3:07 pm dismissal time.

Julie Kroll, Traffic Engineer for the project, Fleis and Vanderbrink, 27255 Stansbury Boulevard, Farmington Hills, provided additional information to the Commission in a handout. Knoll said, as a traffic engineer, safety is first and foremost - I don't want to propose anything that is unsafe. She explained the handout chart is an average of data from 3 other Rainbow Childcare Centers in blue, and the gray is the City-supplied traffic data on Clague; the cars for the daycare center is almost a margin of error in comparison to the other traffic generated by the school. Kroll explained the second graphic shows all the pedestrian paths and demonstrate no conflicts with the site. She said there is no pedestrian sidewalk in front of the daycare center's driveway, and there would not be any additional turning vehicles more than currently exists.

Mark Haniford, 3306 Alton Court, Ann Arbor, said he's been a resident for 25 years and while he is not a traffic engineer he is an eyewitness. Haniford said this is my neighborhood and I need to go to work everyday, I've had three kids all go to Clague (school) and my wife works there. He said when you talk about traffic, the Nixon corridor is going to be considerably different in a couple of years when those developments fill out. Haniford said if we talk about traffic now, it is no indication of what it

going to be, and the decision that could've been made about a daycare center with respect to this location could have been made before the developments were approved for the northeast area of the City. He said you have created the traffic and you'll have to spend millions of dollars on the silver bullet, which are traffic circles, but just the other day, when I tried to get into the traffic circle at Dhu Varren Road at rush hour and it was like being at a stop light because the traffic just kept coming up Nixon Road. Haniford said you are trying to put in the buildings before you have the infrastructure in place.

Jeremy Speigel, said his mother lives at 2432 Nixon Road, Ann Arbor, where he grew up and has just moved back to town, to the west side. He said I want to encourage you to dismiss the chart that was handed to you as she provided no reference to where those centers are located; this is a for-profit business and they could cherry-pick their numbers in order to meet their needs. He said I would encourage you think about who their interest is, Google them, the instances of abuse at these centers because they are not perfect, they are looking to do business on the inconvenience of people around them. Speigel said having grown up on that corner, and probably being the only Jewish kid in the neighborhood who had to attend several meetings at that church, that church was tiny and it isn't the same as having a daycare with 130 kids plus staff during the same hours as the nearby school.

Reed Fenton, petitioner for project, said we were in front of you about a year ago and we have been very accommodating, sending out multiple notices to all of the neighbors, reached out to the school board, met with the neighbors, we have tried contacting the school board and tried to work out the issue with them, but were obviously unable to. He said there is a need for daycare here and those needing daycare are also citizens of Ann Arbor so you can't have the traffic problems of northeast Ann Arbor taken out on those parents and us. Fenton said if we should ever have up to 130 students, that would be at maximum capacity, which isn't really possible with part-time students. He said typically 80% of the parents come from within a 2-mile radius and we seek to locate our sites on major commuter corridors in order not to generate new traffic but for existing traffic to turn off into the location. He said we have done everything you have asked and with the existing traffic issues, we ask for fair consideration.

There being no further comment, the Chair declared the hearing closed.

Chair Milshteyn read the motion.

Moved by Mills, seconded by Weatherbee, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Rainbow Child Care Site Plan, conditioned on access being provided to the site over Clague Street consistent with the survey included in the Site Plan and any necessary access for emergency vehicle use of the gated approach.

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) and, therefore, approves the Rainbow Child Care Special Exception Use for a Child Care Center based on the following findings:

1. The proposed use is consistent with the R1C Single-Family Zoning District as a special exception use.

2. The proposed use has adequate access to Nixon Road. This Special Exception Use approval is based on the following conditions:

1. Access being provided to the site over Clague Street consistent with the survey included in the Site Plan.

2. The Center will support a maximum of 130 children.

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]

Commissioner Gibb-Randall asked staff and petitioner for more details regarding the traffic review analysis and how it is integrated into the over-all picture.

Kowalski said staff does not do a traffic report, but we provide the Traffic Impact Study requested from the petitioner's Traffic Engineer, which goes directly to the City's Traffic Engineer, and they have their discussions making sure our Traffic Engineer receives all the information they have requested, upon which they formulate their recommendation and review comments, just like all other reviewers, which are then filtered in as part of the overall analysis in going through the Special Exception Use

standards that staff have to go by and that then becomes a part of the (staff) report. Kowalski said staff provides a net summary of the findings instead of the full report, which is available through our etrakit (project/permit review software) system. He said the traffic analysis is one factor that goes into the determination factor.

Planning Manager Brett Lenart explained that as part of the analysis each site under consideration is evaluated for its' potential trip generation, considered in its existing traffic volumes that surround the network in that vicinity. That analysis also projects future traffic volume, which in this case, traffic volume they are projecting through the end of development completion in the surrounding area.

Julie Kroll, Traffic Engineer for the project said they first did the traffic impact study a year ago, and before that they reached out to the City's Traffic Engineers to make sure they received any and all requirements from the City and before any numbers were submitted they make sure the City vets their list so there are no surprises along the way.

Commissioner Mills asked for more detail on existing traffic counts as well as the proposed development so they can be assured it is consistent with the general vicinity.

Julie Knoll said the existing data at Clague and Traver Roads eastbound approach in the mornings was Level Service C, which is pretty good, and Level B, during the midday and p.m.; there were no red flags for existing. She said the future volumes at Traver still look to be good for Levels of Service operations She said they also look at queuing analysis, which is the simulation traffic they look at in their modeling and any queuing issues are identified, which they did not identify either at this location.

Mills asked for specific numbers on southbound Nixon traffic in the mornings.

Knoll said the predicted volume in the morning shows 480. She said at the time of her traffic impact study, the development to the north on Nixon, had not yet been submitted to the City. She said once that development did their impact traffic study it would have included her traffic impact numbers. Knoll said the numbers generated from a daycare facility are relatively low, so the impact on this project on the adjacent intersections wouldn't even be noticed, in comparison to the other development.

Mills said she totally gets that this is a drop in the bucket to an already overflowing bucket, but it's important to consider traffic on projects that have already been approved and are under construction. Mills asked with the eastern parking lot access being closed, with the idea that cars aren't going out that way, is it assumed that all vehicles exiting the daycare would turn left onto Clague Drive.

Knoll said, yes, that would be a worst case scenario, and the operations of that were acceptable because unlike the peaks the school sees, with a daycare it is spread out over two hours as people go to work, and pass-by trips are not counted like single-car generated trips such as from home to daycare to home. Knoll said this would be during a short term scenario, with long term scenario becoming better.

Mills said she understands and is familiar with trips to daycare as she has two children in daycare, and while her daycare is licensed for 95 children she has never seen more than 10 cars at the site at the same time, because visits are spread out. She expressed concern with traffic having to re-enter the already busy flow of traffic on Nixon after having dropped their children.

Knoll said the City made them aware of their proposed plans for a Nixon boulevard with a right-in/right-out only turn at the Clague intersection, which would eliminate the left turns and thereby improving safety at the existing intersection. She said at that time the City did not have the current two round-a-bouts yet.

Lenart noted that part of the requirement was to have the traffic study updated with the same data set that was utilized for the Nixon Road Corridor study. He said even though this traffic study was initiated some time ago, prior to recommendation for approval by our staff, they were required to update the data they were using to coincide with the same data the City was using.

Mills said she would prefer having the City's Traffic Engineer present to respond to this enquiry. Mills said she thinks the current and proposed use is compatible with the general vicinity and am generally in favor of having childcare centers within our neighborhoods and being located next door to an elementary school would be convenient to parents. Mills said for those who don't have children of daycare age, you might not know there are long waiting lists for all daycare centers in town, so there is certainly an existing need. She reiterated while she sees this use as consistent, she also has specific questions about traffic.

Commissioner Briggs said she has concern about the access. She said, I think it is pretty concerning that we only have one access drive, that every car coming out of this driveway is going to be turning left onto Clague, when we know how many cars are going to be turning into Clague Drive to drop off students during peak hour. Briggs said despite the reports that have been provided to us, it remains problematic from a vehicular safety concern since there is no sidewalk, there are potentially children biking there, which raises the issue of bicycle safety and if the location has adequate access to Nixon Road. She said she was glad to hear from so many school officials here tonight, that this project will have a detrimental impact on school property, and no matter how minuscule, any added traffic to that driveway is of concern to them, and we can be certain that this project will increase the flow of cars at that intersection. She said having worked on Safe Routes to Schools some years ago, and specifically at Clague School, she knows it was a problem then she is looking forward to further improvement to pedestrian and bicycle safety along that corridor, and infrastructure improvements done by the school, possibly bump-outs, or anything possible, to help increase the visibility of students trying to cross in that area. She said there is different information for me tonight than there was a year ago.

Commissioner Weatherbee said she attended Thurston and Clague Schools, and she believes one thing that has changed, more than the numbers, is the fact that more people are driving their kids to school, which is probably the most dangerous thing people do every day. She said she is conflicted because there is discussion about behavior that has changed by parents which affects the situation around the schools. Several people have noted that Clague is a 'School of Choice' and is increasing their enrollment, so she agreed with Commissioner Briggs that the schools also need to look at the safety concerns, which she knows they do. Weatherbee said on the one hand, this pre-school can't have this use, but the Clague Middle school can increase enrollment and contribute to the traffic issue, so we need to weigh them against each other, which is tough for me. She expressed that the vitriol and angst attributed to this is disturbing to her, because these are our children, whether they are preschool, junior high, we all are concerned about safety in many ways. She said it's disturbing to hear and learn that in the existing conditions parents are running kids over, which makes this a problem created by us parents. Weatherbee said, I agree with Commissioner Mills, we need to know what we are voting on in terms of the traffic study, but I am not inclined to say no to Rainbow Child Care Center because Clague is increasing their enrollment. She said I am

very concerned about safety, and I feel this use is compatible, I think we need to address these issues in a larger/campus-wide approach, and together we can work to really reduce the number of vehicle trips, reduce the speeding, reduce these dangerous situations for kids in that area, regardless of whether they are 5 years old or 12 years old. She said the schools are really using Clague as a big drop-off area, for high-school too, and she finds it hard to find that safety is a problem when Clague is doing high-school drop-offs, and increasing enrollments; she finds those things a little incompatible. She expressed that she would also like to see more information on the traffic to make sure they have the real and projected data, while she was very comfortable with the use.

Commissioner Sauve said this is my first time looking at this project; the proximity of the left turn out to Clague and to Nixon Road are concerning, and it doesn't read as a collaboration between the school and childcare center. She said allowing the easement to the other curb cut, would actually provide a safer exit, and better eyesight lines, further away from the intersection at Nixon and Clague giving more control over that traffic. Sauve said this is a drop in the larger traffic bucket, but for a voice of safety, an intersection further away from the main intersection would be a better improvement for safety of students at both properties. She encouraged the school and Rainbow Childcare to continue discussions for the other easement to be re-opened to create better flow if safety is the concern. Sauve said she would be interested in seeing the earlier traffic reports with the eastern entrance open to see if there were better results for safety on Clague Drive because of that.

Commissioner Woods asked if the representative from the schools would consider an easement. She said since the public schools objected to the use of the Clague Drive easement to have access to the site, was the objection based on security/safety concerns and had those concerns been voiced at the earlier City Planning Commission meeting?.

Representative from the Schools responded that one was an incorrect assumption about the easement itself, which seemed like a good case to have it reviewed again, and the traffic study seemed to be missing data as well, which still seems to be the case. She said parent behavior is not something we can mandate, and our 'School of Choice' students are 5-7% of enrollment.

Woods said I would like to see that data from the traffic study, but I am leaning toward denial of this request. I have kids and grandchildren and am attuned to issues out there, adding she appreciated the photos

provided to them, and while I am not in favor of the petition, but I don't want to penalize Rainbow Child Care, but the way people would have to enter the site is not conducive.

Commissioner Ackerman asked the petitioner's Traffic Engineer about locations of compared childcare center locations.

Knoll responded that the data was from 5 days of check-in and check-out at 3 facilities elsewhere in Washtenaw County, at similar locations, with the same operator.

Ackerman asked where the statistic that '80% of children come from within 2 miles' originated.

Fenton responded that it comes from national analysis of every daycare center across the country, that were used in the market study. He said they want to be located as close as possible to their customer base in order to be convenient for those families.

Commissioner Ackerman said the statistics clarify that the number of parents and children are neighbors who already live or drive in the area; they already exist within a close proximity of this location and will be driving to childcare centers regardless if this center exists or not. They will be plugging up the roads just as much and will not be created from this development. He said what does change is their destination, and that's where I start getting concerned about adding more car volume to the area – it's not the number of cars, but their speed, and turning movements. He agreed with his fellow Commissioners that he needs to understand more clearly the dynamics of background traffic from the developments to the north, particularly how they affect the turning movements both from the parking lot to Nixon as well as the implications were for removing one of the access points. He said, in viewing the graph handout, that it is very clear that there is already a significant safety issue at Clague and that the City and the Schools need to work together to start to resolve and mitigate some of those issues. Ackerman said he needs to be certain in his vote that those additional turning movements from the 5 to 15 cars every half hour wouldn't significantly increase that danger. He said he is in favor of a postponement as are others.

Commissioner Milshteyn said he is an alumni of Logan and Clague Schools and he walked to both schools. He said the number of units that have already been approved are: 272 units added to the Woodbury Club apartments, nearly 480 condos are coming at North Oaks, 104 units at

NorthSky, plus the Northbrook Community with 40 new homes in the Ann Arbor Township and 20 new homes at Cornwall Farms near Pontiac Trail and Dhu Varren. He said this is a significant number of units, and I would like to know if the traffic study has taken into account those units that have already been approved, because at this point I don't have the confidence that this data has been incorporated, which is my concern and why I would favor a postponement until the Traffic Engineer can verify this for us. Milshiteyn said the statement is a fact, that there are waiting lists at daycare centers all across Ann Arbor; it is a real problem and from my professional experience families are choosing not to move to Ann Arbor because they cannot find adequate childcare. He said that is also a problem for Ann Arbor School District because ultimately if those families don't move here, those students don't enter our schools, and that's a problem. He said I would like to see the daycare center and schools work together to come up with a solution to this.

Sauve asked if the Schools could provide data to back up the numbers listed on their website that 10% of students attending Logan and Clague are as a result of 'School of Choice'. She also requested data on the number of high-school students catching buses at Clague.

Jeanice Swift, Superintendent of Schools, commented that they have regular updates from their architects that detail the number of students anticipated from new developments. She explained that the 'School of Choice' valve closes as new housing units are realized and they anticipate in 1 to 4 years there will be no 'School of Choice' available because there won't be seats available at the schools.

Waetherbee asked about the capacity of Clague School.

Jeanice Swift responded that Clague School is already on the list of schools for enhancement to meet the demands of this anticipated growth.

Moved by Mills, seconded by Weatherbee, to postpone the petition to allow clarification on traffic counts.

COMMISSION DISCUSSION ON MOTION:

Commissioners requested more information on the following items:

- Background traffic data from developments under construction, in addition to turning movements*
- Understanding the intersection with and without this development (but with growth)*

- *Comparison of traffic movements (current proposal vs. previous proposal)*
- *The problems that we may see initially, may be corrected by a boulevard (has it been approved, funded, and/or included in the Capital Improvement Planning.)*
- *School of Choice data for Logan and Clague Schools. What is the capacity of Clague School?*

Briggs thanked the public for their input, written and verbal communication, as well as their attendance to the meeting. She said her hope is that the citizens wouldn't think that staff schedules meetings during times that are inconvenient for the public to attend. She said it is her own experience that there will always be meetings held when it is inconvenient for some of us, but this is not done intentionally in order to avoid public input and participation.

The motion carried unanimously. Item postponed. Vote: 8-0

Commission break at 9:00 p.m.

10 REGULAR BUSINESS - Staff Report, Public Hearing and Commission Discussion of Each Item

(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 provide your email address on the form provided on the front table at the meeting. You may also call the Planning Department 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. The first person who is the official representative of an organized group or who is representing the petitioner may speak for five minutes; additional representatives 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.)

- 10-a [18-1444](#) 1448 Warrington Drive Annexation and Zoning for City Council Approval - A request to annex this 2.27-acre parcel from Ann Arbor Township to the City of Ann Arbor and zone it R1A (Single Family Dwelling) district. Staff Recommendation: Approval**

Chris Cheng, City Planner, provided the staff report.

PUBLIC HEARING:

There being no comment, the Chair declared the hearing closed.

Moved by Mills, seconded by Woods that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 1448 Warrington Drive Annexation and R1A (Single-Family Dwelling District) Zoning.

The motion carried unanimously. Vote: 8-0

Yeas: 8 - Wendy Woods, Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Julie Weatherbee, Zachary Ackerman, and Elizabeth Sauve

Nays: 0

Absent: 1 - Scott Trudeau

- 10-b** [18-1445](#) 2019 W Stadium Boulevard Site Plan and Special Exception Use for City Planning Commission Approval - A request to allow the existing space at 2019 W. Stadium to be used as a Medical Marijuana Provisioning Center by issuance of a Special Exception Use Permit, with an accompanying ALTA Survey that demonstrates no physical development changes, in accordance with City requirements. 1.90-acre parcel zoned C3 (Fringe Commercial) and C2B (Business Service) District. Staff Recommendation: Postponement

Chris Cheng, City Planner, provided the staff report.

PUBLIC HEARING:

Benjamin Joffee PLLC, 106 N. Fourth Street, Suite 302, Ann Arbor, representing the petitioner thanked Planning staff for being helpful throughout the process. He explained the special exception requirements for this project Joffee said his client is in the process of installing a new fire hydrant, but he would welcome a stipulated approval of the hydrant being installed instead of a postponement. He further explained that a Traffic Study was brought on by the size of the center (7,000 square feet of the center, showed a large number of transportation) while the actual used square footage comes to 2,200 of the center, which would not require this analysis. He explained that the petitioner is seeking to submit a new site plan that reflects the need of the business, which would not require a traffic study

There being no further comment, the Chair declared the hearing closed.

Moved by Mills, seconded by Briggs, that the Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, including an accompanying site plan, finds the petition substantially meet the standards in Chapter 55 (Unified Development Code), Section 5.29.5.D (Special Exceptions) and Section 5.16.3.G (Medical Marijuana Facility), and therefore approves the 2019 W. Stadium Special Exception Use for a medical marijuana Provisioning Center.

And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards as no physical development of the property is proposed.

This approval is based on the following findings:

- 1. The proposed use will be consistent with the C3 (Fringe Local Business District) and C2B (Business Service District), which provides for commercial activities including retail establishments, offices, and personal services.**
- 2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. West Stadium provides access to the site, and the proposed use is consistent with other surrounding uses' traffic impact.**
- 3. Through documentation submitted by the petitioner regarding waste disposal, inventory tracking, security, and other methods of operation of the facility, the provisioning center will be operated in a manner that will not have an adverse impact on the neighboring properties or area, and will not have a detrimental impact on natural features.**

This Special Exception Use approval is based on the following conditions:

- 1. The petitioner obtaining and maintaining both a State of Michigan Medical Marijuana License and a City of Ann Arbor Medical Marijuana Permit, and providing documentation to Planning Services within three years of the City Planning Commission approval date of this petition.**
- 2. The petitioner operating a medical marijuana business at this**

address within three years of the City Planning Commission approval date of this petition.

3. The petitioner will install 6 Class B and 5 Class C bicycle parking hoops as shown on sheet 4. The parking spaces must be installed before Certificate of Occupancy is issued.

4. The special exception use may occupy no more than 7,000 square feet of the entire building.

5. Hydrant(s) shall be located such that all buildings and structures on site will be included in a 250-foot radius drawn around each hydrant before issuance of a Certificate of Occupancy.

6. The petitioner will maintain the operating hours of 9:00 am to 8:00 pm Monday thru Sunday.

And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards.

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]

Weatherbee asked if parking areas will be marked, since this site is located right next to Wolverine Brewing Company.

Cheng said there will be some shared parking due to the hours of operation of both businesses will be compatible uses. He explained that they will have a total of 64 parking spaces, which staff accepted, since a minimum of 20 spaces are required for the provisioning center with a total of 14 spaces shown near the front where the provisioning center is proposed. Cheng said staff determined additional spaces are not required as the square footage of the business remains the same and the previous uses at this location were commercial in nature.

Gibb-Randall asked if the parking as shown on the site plan will change given the reduced size in operation.

Cheng said no.

Woods inquired about unused space of the building.

Joffe said it will be divided off with fire-rated walls as required by the State's Medical Marijuana Licensing requirements. He said the owner has not decided what he will be doing with the unused space yet, but it will not be a part of the provisioning center.

Woods asked if there is a basement since it is mentioned in their Operational Statement (page 11).

Joffe said no, they will provide a revised statement tomorrow correcting the reference to a basement.

Milshteyn asked what part of the building would house the provisioning center.

Joffe said it would be the front part of the building, showing the orange entrance.

Briggs asked about calculations for this specific use, since it seems high.

Cheng explained that the calculation is using the commercial building standard.

Lenart added that when the Medical Marijuana Ordinance was established the City did not create separate parking standards for the use, so the City uses the existing standard of the building.

Ackerman asked about current fire hydrant coverage of the building.

Cheng reviewed the site plan with the Commission, noting that when the building was built, there were no fire hydrant requirements, so the petitioner will need to install one per the current site plan review requirements, which is also reviewed by the City's Fire Department. He clarified that while the front area of the building where the proposed provisioning center will be located is covered by a fire hydrant, they will need to have complete building coverage.

Mills asked about the proposed location of the new fire hydrant.

Cheng said the decision is made by the City's Fire Marshall and likely based on the location of existing water mains.

Gibb-Randall explained that it has to reach to a 250-foot radius so if there are internal structures on a site and the hydrant in the right-of-way doesn't reach, then there needs to be one located internally on site, in order for adequate coverage.

Suave said she supports total coverage of the building because it's a life-safety issue, especially with an existing restaurant. She requested floor-plans of the unused area, noting any new tenants might need another access door which looks like a means of egress would be right in the parallel parking space between the buildings, into traffic.

Moved by Weatherbee, seconded by Mills, to postpone agenda item to date uncertain.

The motion carried unanimously. Vote: 8-0

- 10-c** [18-1446](#) 3005 Packard Road Site Plan and Special Exception Use for City Planning Commission Approval - A request to approve a new site plan to improve access and circulation and allow the existing building to be used as a Medical Marijuana Provisioning Center by issuance of a Special Exception Use Permit, in accordance with City requirements. 0.50-acre parcel zoned C3 (Fringe Commercial). Staff Recommendation: Approval with Conditions
Chris Cheng, City Planner, provided the staff report.

PUBLIC HEARING:

Brian Fenech, on behalf of the petitioner, along with Kyle Gonzales and Damian Farrell, and James Gorenflo, Nederveld, Inc., were present to respond to enquiries. Fenech thanked the Commission as well as staff for their time and assistance.

Ken Westfall, 3401 Berry Road, Ypsilanti, said he and his wife own the parcel directly north of this site at 2881 Platt Road, Ann Arbor. He held up a document stating that it contained inaccuracies and not to rely on its contents. He said he wasn't sure how the 600 feet distance is measured, and asked if the Commission wants to act on something that will be revisited by the City Council in two days. Westfall said there are already 2 provisioning centers approved and 2 more proposed in this same area. He said there are 16 Starbucks throughout the City and 20 pharmacies; why are so many required? He said there are only 4 parking spaces on

site and they are concerned that on busy days, people coming up Packard or Platt Road will not find available parking at this center, and will decide to park in the next nearest site, Dr. Westfall's office. He said they feel parking is inadequate.

There being no further comment, the Chair declared the hearing closed.

Moved by Mills, seconded by Gibb-Randall, that the Ann Arbor City Planning Commission hereby approves the 3005 Packard Site Plan for Planning Commission for the removal of gas pumps and rearrangement of parking and circulation on the site.

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, including an accompanying site plan, finds the petition substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions) and Section 5:50.1 (Regulations Concerning Medical Use of Marijuana), and therefore approves the 3005 Packard Special Exception Use for a medical marijuana Provisioning Center. This approval is based on the following findings:

- 1. The proposed use will be consistent with the C3 Fringe Commercial District, which provides for commercial activities including retail establishments, offices, and personal services with automobile access.**
- 2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. Packard Road and Platt Road provide access to the site, and the proposed use is consistent with other surrounding uses' traffic impact.**
- 3. Through documentation submitted by the petitioner regarding waste disposal, inventory tracking, security, and other methods of operation of the facility, the provisioning center will be operated in a manner that will not have an adverse impact on the neighboring properties or area, and will not have a detrimental impact on natural features.**

This Special Exception Use approval is based on the following conditions:

- 1. Petitioner obtaining and maintaining both a State of Michigan Medical Marijuana License and a City of Ann Arbor Medical**

Marijuana Permit, and providing documentation to Planning Services within three years of the City Planning Commission approval date of this petition.

2. The petitioner operating a medical marijuana business at this address within three years of the City Planning Commission approval date of this petition.

3. The special exception use may occupy no more than the building's current 1,863 square feet.

4. The petitioner will install all site improvements shown on the 3005 Packard Site Plan before zoning compliance will be granted for the Special Exception Use.

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]

Commissioner Ackerman explained that the distance is measured from parcel to parcel. He said the proposed separation was changed at City Council to 600 feet. Ackerman said he appreciates the specific issues brought up regarding parking, and believes that the proposed changes to this corner will actually beautify the intersection. He said I think this will be a better than the rundown gas station that is currently at this location and he looked forward to seeing elevation plans.

Commissioner Briggs asked about changing the use from a gas station and how any contamination cleanup is being handled.

Jamie Gorenflo, Nederveld Inc., 3025 Miller Road, Ann Arbor, responded that Phase I and II Environmental Studies were conducted on the site, showing there is some contamination. The stormwater system was designed and approved by the City to be a sealed system, in order for no infiltration to occur through the contaminated soils and everything will remain undisturbed and in place.

Commissioner Weatherbee asked about the landscape walls.

Kyle Gonzales reviewed the site plan with the Commission, stating they would stay. Gorenflo noted there would be added screening between the

retaining walls and the landscaping.

Weatherbee said I hope your business succeeds; this is going to be a nice building, it will improve the existing site and the intersection. She said there are always businesses we don't like in our neighborhood, and while time will tell how many of these provisioning centers will be successful, we might expect to see more of them depending on how the legalizing goes. She said I really appreciate the removal of the curb cuts to improve the safety.

Commissioner Ackerman explained the permitting regulations currently place a cap on 28 facilities. He said I think this is better than the property we have at this site today.

Commissioner Mills asked if the existing sign is staying, noting that signage is not under the Commission's purview.

Fenech said the intention is to have a future sign at the location shown on the site plan, but it won't be for a gas station.

AMENDMENT I:

Moved by Milshteyn, seconded by Briggs, to amend Main Motion to add Condition 5; Limiting hours between 9 am to 9 pm Monday through Saturday and 10 am to 6 pm on Sundays.

COMMISSION DISCUSSION ON AMENDMENT I

Commissioner Briggs said since there is a residential neighborhood behind this site, she feels the Commission should stipulate the hours as they have done with other centers.

Weatherbee said she would like the hours to be the same as the Commission stipulated on the other nearby centers.

Gibb-Randall said the Commission has looked at nearby business hours as well when stipulating hours of operation.

Woods said it seems like everyone is in favor of 9 to 9 Monday through Saturday, and 10 to 6 on Sundays.

VOTE ON AMENDMENT I:

The motion carries unanimously.

AMENDMENT II:

Moved by Mills, seconded by Weatherbee, to amend Main Motion to add Condition 6; The petitioner will remove the existing signage at Packard and Platt, and all signage must be in compliance with current sign ordinance.

VOTE ON AMENDMENT II:

The motion carries unanimously.

CONTINUED COMMISSION DISCUSSION:

Milshteyn asked for the parking to be reviewed.

Cheng reviewed the proposed parking with the Commission.

Mills asked how the compact parking spaces are counted.

Cheng said each space is counted as one and the ordinance allows 35 or 40% of parking spaces to be compact.

Mills said her read is that overflow parking would park along the retaining walls as they currently do at gas stations.

Commissioner Briggs asked how the petitioner anticipates to monitor parking and how will they inform their customers.

Fenech said in order to be a good corporate citizen, and knowing that annual licenses are required, the last thing you want to be is a bad neighborhood and nuisance. He said the provisioning center will work to ensure that the parking is performed correctly; there will be an onsite security staff monitoring the cameras at all time.

Commissioner Sauve asked if the pedestrian path currently marked from the sidewalk to the property will be demarcated.

Gorenflo said correct!

Sauve said this is a significant improvement to the property, considering pedestrian safety and signage improvement – Thank-you!

VOTE ON AMENDED MAIN MOTION:

On a roll call vote, the vote was as follows, with the Chair declaring the amended motion carried. Vote: 8-0

Yeas: 8 - Wendy Woods, Erica Briggs, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Julie Weatherbee, Zachary Ackerman, and Elizabeth Sauve

Nays: 0

Absent: 1 - Scott Trudeau

11 AUDIENCE PARTICIPATION (Persons may speak for three minutes on any item)

Aliza Wesfall, 2881 Platt Road, said, my husband brought up some salient points earlier. She said I find it surprising that my private conversation with the developer was put on the website. She said some of the things they were told was that there was only one egress to the building but they now see there is two; with there being a sales person or counselor on site as well as someone monitoring the security cameras, they will be taking up parking spaces, so parking is limited. She said my business operates Monday through Wednesday until 7 pm, so we are not there Thursday through Sunday, and we don't have cameras to monitor what comes into our parking lot which is a concern for me. She said, I don't understand the complexity of the medical marijuana from recreational marijuana clientele, and how that will affect my business. She said her current high taxes will only increase in time and this change could affect our property values when it comes time for me to retire. She expressed there was little communication from neighbors on what was being proposed and the process as a neighbor has been extremely frustrating. Westfall said the way they were treated when they took an abandoned, overgrown building and turned it into a dental office is very different than how this petitioner is being treated.

Brian Fenech, stated, to clarify one issue that I stated was there would be one mode of ingress and egress into the parking lot, because the other curbcuts would be closed off.

There being no further comment, the Chair closed the audience participation.

12 COMMISSION PROPOSED BUSINESS

Commissioner Ackerman asked if the Commission could review Citizen Participation postcards and their contents at an upcoming Working Session, in hopes of improving them as to who is sending them, etc.

Commissioner Woods thanked the public participants for coming and

speaking. She explained that Councilmember Ackerman represents the Ward where their business is located, and they can contact him for assistance. She said it's important for neighbors to be good neighbors, and she encouraged them to continue working with the petitioner and letting them know of issues as they arise.

Councilmember Ackerman said he'd be happy to work with Westfall.

13 **ADJOURNMENT**

Moved by Weatherbee, seconded by Woods to adjourn the meeting at 10:30 pm. The motion carries unanimously.

Alex Milshteyn, Chairperson
/mg

These meetings are typically broadcast on Ann Arbor Community Television Network Channel 16 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Thursdays at 8:00 AM and Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website (www.a2gov.org).

The complete record of this meeting is available in video format at www.a2gov.org/ctn, or is available for a nominal fee by contacting CTN at (734) 794-6150.